THE IMMORALITIES OF THE PATRIARCHS
ACCORDING TO THE EXEGESIS OF
THE LATE MIDDLE AGES AND
OF THE REFORMATION
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The Old Testament has always been something of an embarrassment to the Christian church. The book was Scripture and its heroes were to be taken as examples. Nevertheless there was much in their conduct which ran counter to the prevailing Christian ethics. A problem thus arose both in exegesis and in ethics. Were the patriarchs to be justified? Should they be imitated? Marcion evaded the difficulty by simply rejecting the Old Testament, pointing out the complete antithesis, for example, between the precept, “Let not the sun go down upon your wrath,” and the conduct of Joshua, who kept the sun up till his wrath went down. In the main the fathers resolved such difficulties by allegory, but even this key did not suffice. There was no denying that Moses really slew the Egyptian, that the Israelites robbed them, that Abraham lied, that Jacob was polygamous, and that Samson committed suicide, not to mention the deeds which made it appropriate to attribute to David the penitential psalms. Origen, the prince of allegorists, admitted that the incest of Lot and the polygamy of Abraham and Jacob were “mysteries not understood by us.”

The Middle Ages and the Reformation had four solutions for the problem. (1) The first was that the heroes of the old covenant had a special command, or revelation, from God, which is not repeated in our day. (2) Some thought, however, that these revelations might recur. (3) Others, who could not pretend to revelations but were interested in the revival of some features of the Old Testament morality, justified both the patriarchs and themselves on the basis of natural law, of the law

1 Harnack, Marcion (Texte und Untersuchungen 45), p. 105.
2 De Principiis, iv. 9. Migne, P. G. XII, 300.
of necessity, and of Aristotelian \textit{teleologia}. (4) The fourth solution was to seek an escape by way of definition. The patriarchs did not really lie, nor kill, nor steal.

The first position was the most common, that the patriarchs had a special command, or revelation, from God granting a dispensation from the commandments. Bernard of Clairvaux said:

That which is promulgated from on high can by no means be changed save by God who gave it. The commands, Thou shalt not kill, Thou shalt not commit adultery, Thou shalt not steal, and the rest, admit of no human dispensation. . . . But God can relax what he will and when he will, as when he permitted the Israelites to despoil the Egyptians or the prophet to join himself to a harlot, etc.3

It will be observed that the dispensation which Bernard allowed was only for the second table of the decalogue. This restriction was definitely stated by Bonaventura, who distinguished that which is only relatively evil, \textit{malum in se}, from that which is intrinsically evil, \textit{malum secundum se}. Offences against the first table are intrinsically evil, those against the second table are only relatively so.4

Scotus provided the theoretical basis for the distinction, when he said that although God is absolute, and right is right because he wills it, nevertheless he can do nothing illogical and self-contradictory, as would be the case were he to permit himself to be hated by man. For that reason there can be no dispensation from the first table, which enjoins duties to God, but only from the second, which has reference to man. This God did relax; for example, in neglect of the fifth commandment he ordered Abraham to kill his innocent son Isaac, of the sixth he commanded Hosea to unite himself with other women, of the seventh God permitted the Israelites in Egypt to take to themselves gold and silver vessels and clothes, and this was also an offence against the eighth commandment, because the goods were taken on the pretext of a loan.5

Occam abandoned the Scotist restrictions and declared that

6  Pluzanski, p. 268 note 3.
8  Ibid., pp. 83, 87, 113.
9  Polycraticus viii, xx; Migne, P. L. 199, 794.
10  Dialogus, ed. 1494, pars 3, lib. ii, tract. i, cap. xxii–xxiv, fol. cci and verso.
11  Ibid., pars 1, lib. vii, cap. iv, fol. cxxv.
cam appealed to natural law and to Aristotle's *πράξεις.* This same doctrine was employed by the conciliarists, who, in order to end the schism, desired, in defiance of canon law, to give to a general council authority to depose and to make popes on the principle that necessity knows no law. Did not the Maccabees, when they fought on the sabbath, transgress the divine law? The fourth solution was by way of definition. The Lombard said that just as killing is homicide only when practised by the private citizen and not in the case of the magistrate, who executes the law, so the despoiling of the Egyptians was not theft for those who acted in accord with the divine command, but only for those who were moved by cupidity. Thomas Aquinas, armed with this exegetical device, declared that there had been no dispensation from either table of the law. The sacrifice of Isaac was not homicide and the despoiling of the Egyptians was not theft, because these acts were in accord with the divine command. Judith did not really lie to Holofernes; her words were true according to a certain mystical sense. This solution is to all intents and purposes the same as the first if the character of the act is regarded as altered solely by reason of the divine command. What is that but a dispensation based on a special command? If, however, appeal is made to extenuating circumstances, we have practically the solution by way of the law of nature and necessity.

In the period of the Reformation all these positions recur. The most common is the first.

Luther took in the main the view that the patriarchs had a special inspiration which is not repeated in our day. The following passages illustrate the point.

11 Ibid., lib. vi, cap. c, fol. ex verso.
13 Migne, P. L. 102, 882.
The third position, the appeal to the law of nature and necessity, reappeared most markedly in the tracts of the Huguenot pamphleteers, who badly needed a justification for armed revolution and tyrannicide. To them Calvin's restriction of the right of tyrannicide to those who had a special revelation was a source of grave embarrassment, because they wished neither to flout the memory of Calvin, nor to cultivate revelations after the manner of the despised Anabaptists. Beza found a very ingenious way of escape when he explained that the Jews were given a special revelation because they were too stupid to see that they might have resisted tyranny without it. In the "Dialogue of Archon and Politie" appeal was made to biblical examples such as that of Judith. Archon objected that these were due to a special revelation, to which Politie replied, "Instead of revelations to-day we have extreme necessity." The author of the Discours Politique asserted that the justification from natural law for what Ehud and Jehu did is valid to-day.

I ask, [said he] whether for the lack of a special revelation an act would be deemed unjust which was formerly executed by the commandment of God and thereby shown to be just and equitable? I do not think so. These writers restricted the right of revolution, however, to the lower magistrates. The private individual was still in need of a special revelation, though the author of the Discours thought that in case of urgent need the private citizen assumed a public character.

Of the fourth position, the escape by way of definition, there is an example in the statement of Oecolampadius, who said:

I do not think it against the spirit of God and Christ, if the brothers had killed Phinehas at a divine command, for it is not killing which constitutes homicide or fratricide, but it is a mind devoid of love.

Finally one finds a measure of return to the Marcionite position among the advocates of religious liberty, who wished to cut the ground from under Calvin's appeal to the Old Testament. Sebastian Castellio rejected this appeal, partly on the ground that there was a special command in those days, but the most important reason of all is that we are subject to Christ, whose doctrine and example we ought to follow, whatever others may have said and done, because the Father has told us that this is his beloved Son, and that we ought to hear and obey him. It is this Son of God who would not permit his disciples to call down fire from heaven after the example of Elias, telling them that they did not know what spirit they were of, and that he did not come to destroy men as did Elias, but to save. It is this Son of God who has told us to come after him, and that those before him were thieves and robbers, and that is what they are who without his commandment and example, rather in fact against his commandment and example, force consciences. They cannot say that they are after Christ; rather they are before, and they show thereby that they are thieves and robbers.

One cannot but note that the application of the historical method to the Old Testament has effected a very genuine relief both for religion and for morals.