

What Finally To Do about the (Counter-) Reformation Condemnations

by GERHARD O. FORDE

IN GRADE SCHOOL we played a game called dodgeball. We would form a large circle with the one who was “it” in the middle. We would throw a ball about the size of a volleyball and try to hit the one who was “it.” If we succeeded the one who was “it” would be “out.” Often, of course, the game would devolve into furious and interminable arguments about whether or not we had actually hit the one who was it. The current debate about whether the condemnations fired off in the sixteenth century hit “today’s ecumenical partner” reminds me of dodgeball and its attendant arguments. Only now the game seems to have suffered a dramatic reversal. The goal now is apparently to demonstrate that the ball no longer strikes anyone at all! Stubborn players who are “it” find themselves in the curious position of arguing “you did so hit me!” to the chagrin of those who want to insist the game is *passé*.

Perhaps we can say that we have here a kind of ecclesiastical dodgeball. Only the game was perhaps a lot more fun (and honest!) when there was an attempt to hit rather than to miss. The question raised now is whether the ball actually hits anyone anymore, and more importantly perhaps whether assurances that we have not been hit are very comforting in the end. It may only mean that we are not worth the effort!

This article is written as an attempt to call attention to the recently published first official reactions by the Evangelical churches in Germany to the proposal put forward by the “Ecumenical Study Group” on the question of what to do about the mutual doctrinal condemnations fired back and forth between Roman Catholics and Evangelicals in the sixteenth century.¹ The proposal is that the Evangelical churches (Lutheran and Reformed) and the Roman Catholic church publicly announce formal and binding agreement that the doctrinal condemnations (*Lehrverurteilungen*) of the Reformation era no longer strike today’s ecumenical

partner. It is being proposed, that is, that the dodgers are now so artful that the game is over, at least temporarily. Or perhaps someone let the air out of the ball. To use bureaucratese, the proposal is that the condemnations now be regarded as "inoperative."

The book is highly significant because it contains documents from three major church entities in Germany: the September 29, 1991, report of a Theological Commission (consisting of both Lutheran and Reformed members) of the Arnoldshain Conference; the September 13, 1991, report of the combined committees of the United Evangelical-Lutheran Church in Germany (VELKD) and the German National Committee of the Lutheran World Federation; and the May 10, 1990, opinion (Votum) of the Special Working Group of Faith-and-Order-and-Catholic Questions on the "Final Report of the Joint Ecumenical Commission on the Examination of the Sixteenth-Century Condemnations."

Since it has been proposed that the Evangelical Lutheran Church in America (ELCA) in its 1997 Churchwide Assembly make a decision about the issues presented in these documents, the official judgments of so eminent and representative a group of theologians and leaders from our counterpart churches in Germany ought to be of considerable interest and concern to American Protestants as a whole and Lutherans in particular. The care demonstrated by the German churches is an indication of the seriousness of the issues. They are matters of great significance not only for the future of ecumenism but also for the very self-understanding of the churches involved. On this side of the Atlantic there seems unfortunately to be a certain indifference to the questions raised. It is more or less assumed that we have to do just with nice and friendly gestures, ecclesiastical politics rather than theology. It is "nice" that we are finally to stop saying nasty things about one another. The proposals are likely to float through the church-wide assembly because it seems such an accommodating ecumenical move. After all, who can be against ceasing to condemn one another? The sentiment may, of course, be quite right. But the question here is whether our ecumenical pundits have chosen the best way to give it expression.

Those involved in the discussion soon discovered that the con-

demnations cannot be brushed aside just by appeals to politeness. For better or for worse they are an integral part of the argument. What has been condemned gives limiting shape and points to what is affirmed. So it is not strange that as the discussion in the Ecumenical Study Group went forward it became apparent that the condemnations could not simply be lifted, withdrawn, or declared null and void. They turn out to be what the Germans call *Spitzensaetze*, in this case pointed negations “spearheading” positive doctrinal propositions. The condemnatory canons on justification (there are 33 of them!) added to chapter sixteen by the Council of Trent, for instance, are put in place, we are told, “that all may know not only what they should believe and put into practice, but also what they should shun and avoid.” They are not just condemnatory but protective and limiting. They are not even aimed explicitly at Lutherans or Evangelicals. They are part and parcel of the Council’s theological statement. They cannot simply be erased. Even if the attempt were made our historical detection devices and desires would find us out. Think of the sects that could be started by those espousing “the original” confessional position!

What is now to be done about these doctrinal “condemnations”? There is need for some precision about what exactly will be put before the ELCA Assembly for approval. First of all it is to be noted that the wording of the “official” declaration is apparently to be just the same as that proposed to the churches in Europe: that we solemnly and bindingly declare that the condemnations of the Reformation era no longer strike today’s ecumenical partner. This wording must be noted carefully because popular parlance seems to have it that the condemnations are to be “lifted” or “withdrawn” or removed from the confessional documents or some such. That is misleading. The condemnations are to remain. Confessional documents are not to be rewritten or jettisoned. Rather than withdrawal or lifting, the Ecumenical Study Group has come up with a diversionary tactic. They accept the inescapable fact that the condemnations still have valid doctrinal and disciplinary import and can be called into action in case anyone blunders “within range,” so to speak. Realizing this they then go on to ask the churches to declare that “today,” at least, they no longer strike “the

ecumenical partner." As long as everyone is able to dodge the ball we will get on just fine.

But this diversionary tactic means, of course, that the condemnations still function as doctrinal standards and limits. Since they are not withdrawn or lifted they are still in place and, it would seem, still ready to strike anyone who fails to dodge. It was even explicitly said that the condemnations do not strike today's partner *insofar as his doctrine is not determined by the error which the condemnation sought to defend against*. Hence "to dodge" would mean to stay within the boundaries defined by the condemnations. The question then becomes whether the condemnations, particularly those of the Council of Trent due just to sheer weight of numbers, still "call the shots." It would seem that they do.

The second thing to be noted in the proposal to be placed before the ELCA is that at this point it is to be applied only to the doctrine of justification. The rationale for this seems to be at least two-fold. First, it is claimed that ecumenical discussion and "consensus" on justification is more advanced than in other cases (church, ministry, sacraments, etc.). Second, it rests on the belief that "consensus" on justification is foundational for all further ecumenical progress. The proposal in that regard represents yet one more attempt to ameliorate our differences in that doctrine. But here it takes on something of the character of an "end run" around the difficulties. Even if there are differences we are at least to agree to stop condemning one another. Such an agreement is to rest on the usual ecumenical platitudes that we now recognize different thought patterns and different emphases and concerns and so forth. The question before the ELCA is whether this is a satisfactory way to proceed. No one, it is to be hoped, wishes to perpetuate the acrimony generated by official "condemnations." But the question is whether we are actually prepared to say that the condemnations no longer apply today and if so what that means for our doctrinal integrity. Michael Root raises here the question of doctrinal relativism and the limits of diversity.² He rightly insists that these questions must be discussed. But to date no discussions seem to be encouraged.

There are other important matters that should be noted care-

fully about this proposal regarding the condemnations. There is the curious case of the “insofar as.” The condemnations are said not to strike the partner “insofar as” the doctrine in question is not determined by the error the condemnation sought to avoid. What does this circular reasoning intend? It would seem to aim not just at the doctrinal proposition, but also the theological system or structure that stands behind it. But that is certainly an even more serious business. Would it mean from the Roman Catholic side, for instance, that not only is justification by faith alone without meritorious works condemned, but the very system or structure which determines such a confession? And similarly, from the Evangelical side. If so, what sort of “advance” is this?

Also included in the original proposal is the intention that the churches involved, their teachers of theology and pastors, *interpret the confessions of the evangelical churches and the doctrinal statements of the Roman Catholic Church in the light of the understandings worked out by the Ecumenical Study Group*. So, at least as originally framed, the proposal is not only that the condemnations be declared inoperative vis-a-vis today’s ecumenical partner, but also that the churches adopt or be guided by the theological understandings set forth by the Ecumenical Study Group. In other words, what is being suggested is not only a strategy for handling the condemnations but also a hermeneutic for reading the confessions themselves. This means, of course, not only that the business of avoiding the force of the condemnations is to be affirmed *but also that the doctrinal interpretations making such avoidance possible must be accepted as well and that includes, of course, what they say about justification*. At present I do not know whether the ELCA is going to be asked explicitly and officially to put its stamp of approval on the theology of the Ecumenical Study Group. But it is irrelevant whether there is such explicit approval since it is already implicit in approving the initial proposal itself. Without the doctrinal presuppositions the judgment that the condemnations “no longer” apply to today’s ecumenical partner would be baseless. We have seriously to ask whether what is being proposed, innocent as it may seem, is not a wholesale reinterpretation of the confessional writings themselves. Are the teeth being pulled from the lion?

Finally, the original proposal urges upon the churches the reception of the results of the work of the Ecumenical Study Group “at the highest possible level of ecclesiastical recognition.” The pressure of this drive toward reception and acceptance is what is now being brought to bear on the ELCA and its Churchwide Assembly. One should not discount the importance of the matter. William G. Rusch puts it quite baldly.

Clearly such an *official* statement by Lutheran churches about their own confessional writings must be viewed as a maximal comment, having implications for issues of identity and self-understanding. Such a statement would have a significant weight, and transcend the opinions of individual theologians, or even groups of theologians who were officially commissioned by their churches.³

Think on it! Rusch and those of like mind would see the acceptance of this proposal as a “maximal comment” by the Lutheran churches on their own confessional documents. What we have before us is a process of fundamental reinterpretation which according to Rusch transcends the positions not only of individual teachers, however authoritative, but also of all groups of theologians, presumably also all ecumenical dialogue groups, national or international, commissioned by their churches to discuss and debate these matters. Surely this is preposterous! It is another manifestation of the “end run”: to appeal past the structures established to deal with these matters to the Assembly, preferably, I am told, with as little discussion as possible. The result, plain and simple, will be that the compliant theology of the Ecumenical Study Group will now be elevated to the status of *the truth* for the churches. What is to be put before the assembly in this regard is a matter having to do with the heart and soul of the Evangelical faith, the understanding of justification itself. The assembly should have no more right to vote on such matters than it would, say, on the Trinity.

We should be forewarned: declaring that the condemnations no longer strike the target once aimed at is not merely a surface issue. The proposal penetrates ultimately to the core of the matter. There can be no excuse for placing this proposal before the churches without serious and informed dialogue. Avery Dulles puts it well.

In the present atmosphere Christians find it all too easy to declare that the doctrinal disagreements of the past have lost their church-divisive character. Pervasive though the present climate of agnosticism and relativism may be, Lutherans and Catholics must resist it. One of the most precious things we have in common may be our conviction that pure doctrine is crucially important and that ecclesial unity should not be purchased at the expense of truth. I sincerely hope that we can continue to learn from one another, appropriate one another's insights, and correct one another's oversights. By prematurely declaring the process already accomplished, we could easily drift into a false complacency.⁴

This underlines the significance of the reactions of the German Evangelical churches in the volume before us. If we are not willing to engage in serious dialogue ourselves we ought at least to listen to those who have done so. In its spring, autumn, and winter issues of 1991 *Lutheran Quarterly* published "An Opinion on the *Condemnations of the Reformation Era*" by the theological faculty of Göttingen University. This "Opinion" is also available in a separately printed pamphlet entitled "Outmoded Condemnations?" through the Spokane office of *Lutheran Quarterly*.⁵ As the 1997 decision draws near this literature ought to be studied again.

Methodological Considerations

Methodological questions too numerous to detail swarm about the proposals now being set before us. The proposal bases itself on the usual ecumenical platitudes about how times have changed since the sixteenth century. We need not rehearse them once again here. We should all indeed be aware and grateful that the ecclesial communions addressed by this proposal today confront one another in a spirit of mutual regard and understanding rather than in highly charged and acrimonious polemic situations. Nevertheless, as the German reactions point out, there are methodological considerations specific to the proposals about the condemnations that were not carefully enough considered by the Ecumenical Study Group.

First there is the question of the condemnations themselves. Just what constitutes a condemnation? Do the different churches ac-

tually understand them in the same way? Do they even have them or formally issue them with the same intent? At whom or what are they aimed? Do they have anywhere near the same number? And so on. The Ecumenical Study Group seems simply to have assumed that all the churches in their doctrinal assertions operate with similar if not identical understandings of the nature and place of condemnations. This seems also to be commonly assumed by most who follow the argument. Thus it has become commonplace to hear talk of the “lifting” of “mutual condemnations.” But are there such things as “mutual condemnations?” Avery Dulles, eminent Roman Catholic ecumenist, thinks that all talk of “mutual” condemnations ought to be removed from the joint declaration. He observes that to his knowledge the churches never condemned each other. Rather they condemned doctrines and only occasionally asserted that such doctrines were held by “members of some other church (though Trent made no mention whatever of Luther or Lutherans).”⁶

Dulles is certainly correct in the assertion that the churches never condemned each other. It may be overly optimistic, however, to claim that only doctrines were condemned, at least from the perspective of the Council of Trent. The condemnations of Trent, after all, are aimed explicitly at persons who teach erroneous doctrine. They follow the fixed form of “If anyone says . . . [then the false doctrine is stated] . . . let him be anathema.” To be sure, specific persons are never named by the council but persons are the target and it is not too difficult to fill in the blanks, so to speak.

In any case, there is not much clarity about the form, nature, or function of the condemnations. The official responses in *Lehrurteilungen im Gespräch* give ample evidence of that. Lutheran and Reformed theologians are quick to point out that the condemnations spoken of in the respective churches differ vastly in number, form, and function. Trent has some one hundred condemnations, thirty-three on justification alone. The Augsburg Confession has only three concerned with issues in question at the time. Ancient heresies like Pelagianism, Donatism, Sabellianism, and so forth, are condemned but that is done to demonstrate catholicity rather than to attack Rome. The Formula of Concord has twenty or so ap-

plicable to Roman Catholic doctrine, but they are essentially concerned more with inner-Lutheran controversies than with anti-Roman polemics.

The fact that the “condemnations” of the Formula of Concord are aimed more at internal controversies than at Rome is an indication that such doctrinal judgments have a different status and a different function in a Lutheran perspective. The condemnations of Trent are the stated “Canons” and have binding character of the highest degree. They are the heart and soul of Trent stated negatively. They spell out precisely the church-dividing differences. This gives the condemnations of Trent the character of *Kirchenrecht* (Church Law) by which the issues at stake were to be judged.

The German response on the contrary insists that in the Evangelical confessional writings the condemnations where they do occur have a different and more modest function. They set a limit which defines more precisely their own self-understanding. They are not concerned with condemnation but rather with the precision of statements about the salvation given in Christ. The paucity of condemnations indicates this. The Evangelical confessions invest most of their effort in the development of their positive arguments to support proper teaching, preaching, and administration of the sacraments. Most of the time no negative condemnations are added.

The German response therefore finds a major flaw in the method of the Ecumenical Study Group in this regard. They seem to assume that the condemnations define the church-dividing differences with which we have to be concerned in our ecumenical dialogues. But from the point of view of the Evangelical confessions major church-dividing differences are contained more in the positive assertions than in the occasional condemnations.

In sum, the methodology of the proposal before the churches stands in need of considerable clarification. The German responses are summed up in two points. First, that the condemnations in the confessional documents of the Reformation and those of the Council of Trent have a different status and a different purpose. Second, working through the specific doctrinal condemnations involves only one part of the fundamental, and in given instances

church-dividing, differences. The proposal, that is, attempts to compare apples and oranges and ignores the bananas.

Substantive Matters

Lutheran Quarterly has also published the official decision of the General Synod of the United Evangelical Church in Germany (VELKD) concerning the matter of the condemnations.⁷ This decision is the formal and official outcome of the discussion. Space does not allow rehearsal of the detailed debates about the many individual condemnations. The decision of the German General Synod can therefore be taken as a handy summary of their findings. Readers are encouraged to study this decision carefully. It is a nicely balanced judgment. Deeply appreciative of the ecumenical impetus behind the proposals concerning the condemnations it announces nevertheless that its reaction can only be a complex one. They state that they can agree with the proposals about the condemnations *only in part*. They hold that argument back and forth shows that both sides find doctrinal condemnations that still do apply and furthermore that there are many that would no longer apply *only if the opinions presented in the proposals about the condemnations were to be adopted officially by Rome*. This last condition, of course, indicates what may be the Achilles heel of the entire proceeding. All is for naught if Rome does not officially agree. Can Rome actually do this? That is the question. Past experiences with ecumenical initiatives do not encourage. After all, the more serious questions we have to face do not surface just in the condemnations. In the body of Trent's chapter sixteen, for instance, to which the canons of condemnation are appended, we are informed that "whosoever does not faithfully and firmly accept this Catholic doctrine on justification cannot be justified."⁸ Such "positive" declarations, it would seem, are harder to get around than the negative canonical condemnations. Likewise in the Lutheran confessional writings the more weighty matters come in the positive statements and not in the very sparse and ambiguously aimed condemnations.

More significant for Lutherans substantively are the questions raised by the General Synod about the supposed "consensus" on

justification. They recognize the positive advances that have been made in understanding. Nevertheless the synod finds that differences remain. These, no doubt, spell out the reasons why they can agree “only in part” with the basic proposal to declare the condemnations inapplicable to today’s partner. These differences have to do with the understanding of grace and faith and, in spite of advances, still strike at the heart of the doctrine of justification by faith alone. First of all there is the question of whether grace is to be understood with the Reformation as “God’s turning toward us (*extra nos*)” or with the traditional Roman view as “a ‘reality in the human soul’ (*qualitas in nobis*).” In other words, the German Synod maintains that this older stand-off manifest in the condemnations is still not resolved. Secondly there is the age-old question about faith. Is it trust in the word of promise in the gospel or is it assent of the understanding to the revealed word, which then must find form in hope and love? Thirdly the question of consistently excluding all ideas of merit in the relationship to God versus the insistence on human responsibility in spite of the gift-character of good works persists. Lastly the understanding of the relationship and differentiation of law and gospel is not clarified. Indeed, one might add, it is not treated at all!

Putting these four reservations together one sees that not much progress has been made in the dodgeball game. A careful examination of the condemnations reveals that there are persistent differences between the two positions. The four reservations listed by the German Synod are certainly not new. They go back to the Reformation era itself. They are basic. And it seems they will not go away. The attempt to demonstrate that the condemnations no longer strike today’s ecumenical partner would seem simply to be a failure.

The Root Problem

Ecumenical progress, our ecumenists constantly inform us, rests on the premise that things have changed greatly since the sixteenth century. The assumption is that these changes are all for the better. Better historical understanding enlightens the fact that we have

different and quite legitimate “concerns and emphases.” Changes in language and world view steer us away from the stand-offs perpetuated by scholastic mindsets. Most significant perhaps have been developments and convergences in biblical exegesis. Roman Catholic and Evangelical scholars find considerable unanimity in interpretation once cut loose from scholastic strait jackets. All of this, no doubt, is to be welcomed and affirmed.

Yet to my ears the rhetoric with time degenerates to the level of patronizing platitudes that arouse as much suspicion as reassurance. I find it hard to believe that the Reformation was merely about “different concerns and emphases.” Imagine Luther at Worms saying something like, “Well, I would just like to put a little different spin on it all, if you don’t mind! And if you really understand, you will realize that I don’t intend to be polemical and I declare that all those nasty things Leo said in his Bull don’t strike me!”

As the discussion grinds on I have become more and more convinced that the root problem is the failure to take adequate account of the eschatological nature and structure of the Christian faith. Amid all the talk of change, especially in exegesis, there is one exegetical development of major theological import in the nineteenth and twentieth centuries that has been consistently ignored by ecumenical theology: the recovery of the eschatological nature of the New Testament and what this means for the structure of Christian theology itself. To take this into account would mean some radical shifting of the questions and issues. The easy assumption that all changes since the sixteenth century have been advantageous to ecumenical consensus-building would come under serious question. For the fact is that the Catholic theology of the west going all the way back to the gnostic crisis was built on an ontological *lex aeterna* base rather than on an eschatological two-age base. This is a problem which we all share. The Reformation—with its jarring dialectics consequent upon justification by faith alone: *simul iustus et peccator*, distinction between law and gospel, two kingdoms, hidden and revealed God, and on and on—is the first dawning of the eschatological sunrise. But as history amply demonstrates, it is always in danger of being obscured by ontolog-

ical clouds. The full and glaring light of the Reformation has never been entirely welcome, even among Evangelicals. The recovery of the eschatological outlook and structure of the New Testament message is one area at least where ecumenical convergence may well have become more difficult rather than easier. It is not strange that Pope John Paul II has already registered his reserve about these matters specifically with regard to Luther. On June 22, 1996, in an ecumenical prayer service in the Roman Catholic cathedral in Paderborn, Germany, he said, "Fundamental problems about Luther's views on faith, scriptures, tradition, and the church have not yet been sufficiently clarified."⁹ But that, of course, is not the difficulty. It is rather that Luther's views have been made quite clear. Just that is the problem!

Looked at in this light one has to wonder whether the proposal to render the condemnations of the Reformation era inoperative today is not just the latest attempt to becloud the real issue. Taken one by one as the Ecumenical Study Group has done, the condemnations can perhaps be handled, though not to the satisfaction of all, as the German reactions demonstrate. Their sharp edges can be sufficiently blunted to make them at least appear harmless. But from an eschatological point of view we have to ask whether taken as a whole the condemnations do not represent a massive attack on the eschatological shape of the New Testament message. In any case much discussion would be needed to arrive at wise and judicious conclusions in these matters. Unless the ELCA and like minded churches are willing to undertake such discussion with seriousness it should put off the proposals now being placed before it concerning the condemnations. In the end, the very act of issuing such condemnations is a transgression of the eschatological limit. In doing so, the church claims for itself the power to transcend the eschatological limit and close the gates to eternal salvation. But that surely is too much. The word that ought to stand over such proceedings is from 1 Corinthians 4:5 where Paul insists that it is the Lord who is to judge finally in these matters: "Therefore do not pronounce judgment before the time, before the Lord comes, who will bring to light the things now hidden in darkness and will disclose the purpose of men's hearts."

NOTES

1. *Lehrverurteilungen im Gespräch*: die ersten offiziellen Stellungnahmen aus den evangelischen Kirchen in Deutschland. Herausgegeben von der Geschäftsstelle der Arnoldshainer Konferenz (AKD), dem Kirchenamt der Evangelischen Kirche in Deutschland (EKD) und dem Lutherischen Kirchenamt der Vereinigten Evangelisch-Lutherischen Kirche Deutschlands (VELKD). Göttingen: Vandenhoeck und Ruprecht, 1993. "The Ecumenical Working Group," led by Wolfhart Pannenberg from the Protestant side and Bishop Karl Lehman from the Roman Catholic, had for some time occupied itself with Protestant/Catholic issues in Germany and was called upon to address the question of the condemnations. The concern to do so arose out of the papal visit to Germany in 1980 when John Paul II expressed the desire for closer ecumenical relations, i.e., common services in worship and sacrament. This led to the formation of a Common Ecumenical Commission which held that a unified witness would be possible only if concrete steps to better relations could be taken. This led to the opinion that improvement would be possible only if the judgments (doctrinal condemnations) levelled against each other in the sixteenth century could be set aside. The Common Ecumenical Commission asked the Ecumenical Working Group to attend to the theological problems involved.

2. Michael Root, "On the ELCA's Ecumenical Proposals," *dialog* 35 (1996): 220-21.

3. William G. Rusch, "Should Catholics and Lutherans Continue to Condemn One Another? What is at Stake in 1997?" *Pro Ecclesia* 5 (1996): 283.

4. Avery Dulles, "On Lifting the Condemnations," *dialog* 35 (1996): 219-20. (Hereafter, Dulles.)

5. To order copies of the volume, *Outmoded Condemnations?*, you may call the circulation department at 1-800-555-3813, or write us at 2715 S. Ray St., Spokane, WA 99223, or via e-mail at vfthom.aol.com.

6. Dulles, 220. Dulles holds that many of the sixteenth-century differences have not been sufficiently resolved and that "By patiently exploring the remaining differences we may serve the Lord of the Church better than by hastily declaring that those differences no longer stand in the way of full communion" (*ibid.*).

7. *Lutheran Quarterly* 9 (1995): 359-64.

8. *Canons and Decrees of the Council of Trent*. Edited by H. J. Schroeder (St. Louis: Herder, 1941), 42.

9. *Lutheran World Information* 14/96, p. 4 (July 18, 1996).



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