

# 'Lex' (Law) as another Word for 'Religion': A Lesson from the Middle Ages

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## Chalcedon Report

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The centrality of ethics and law for the definition and essence of a religion can be demonstrated by several languages in which the word for what we today call “religion” was the same word as for “law”.

The old Germanic word for religion “*e*” or “*ewa*” means “godly law” or “order”. Other religions were seen as other laws. After the Christianisation of the German tribes this word and meaning was not at once lost. “E” became the name for “testament” in “the Old Testament” (“*diu alte e*”) and “the New Testament” (“*diu niuwe e*”).<sup>1</sup>

The meaning of the term “religion” in its modern sense is the result of the French revolution and Enlightenment. As Ernst Feil has shown,<sup>2</sup> the term was not the major term to group together different faiths and Gods. In the Middle Ages and before, “*lex*” was the term which was used more often than any other to give a common name to the Christian, Jewish, Muslim<sup>3</sup> and sometimes other religions.

Augustine could speak of the “*christiana lex*” (*De vera religione* 27,20) when speaking about the Christian religion or the Christian faith compared to other “laws” and religions. “*Religio*” is for Augustine only one word among others to name other religions. John of Salisbury (1115-1180) also uses “*lex*” parallel to “*religionis cultus*” or “*fidei professio*”

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1 Hans Eggers. *Deutsche Sprachgeschichte I: Das Althochdeutsche*. rowohlts deutsche enzyklopädie 185/186. Rowohlt: Reinbek, 1963. p. 125 and Günter Lanczkowski. Einführung in die Religionswissenschaft. Wissenschaftliche Buchgesellschaft: Darmstadt, 1980. pp. 22-23.

2 Ernst Feil. *Religio: Die Geschichte eines neuzeitlichen Grundbegriffs vom Frühchristentum bis zu Reformation*. *Forschungen zur Kirchen- und Dogmengeschichte* 36. Vandenhoeck & Ruprecht: Göttingen, 1986.

3 See Ernst Feil. *Religio*. Ibid. pp. 233, 274-275.

(Policratus IV, 6; VI, 17; VIII, 13). Raimundus Lullus uses “*lex*” and “*fides*” (“faith”) interchangeable (e. g. Liber de Gentili et Tribus Sapientibus 1, 94b). Pope Pius II. (1405-1464) uses “*lex*” in his book comparing Islam with Christianity. For him the “*lex mahumetana*” (*Lettera a Maometto* II 109,115,116) cannot be the base for any union, because the “*christiana lex*” (115+158-159) is much older.

This use of “*lex*” is not only found in orthodox circles. Roger Bacon (1220-after 1292), trying to harmonise several religions with the help of astrology, still holds the “*lex Christiana*” (*Opus majus* II, 388ff, compare 386), which is the Christian religion, to be superior. He calls pagan religions “*lex Antichristi*” (II, 370).<sup>4</sup>

Erich Feil has given more examples for the time from Augustine to the eve of Reformation. As I do not know of any investigation of the Reformer's works showing which term they used to denote different religions, it is hard to say whether this use of “*lex*” went on in and after the Reformation. (One thing is sure: it was not the term “*religio*” which was used for this purpose.)

The Roman term “*religio*” was vague from the beginning and its original meaning is still discussed today, lying somewhere between “to be bound (to God)” (e. g. Laktanz) and “serving (a God) diligently” (e. g. Cicero).

The term “*religio*” made sense when used in a specific Christian context and was used as one term among others parallel to words like “*cultus*” or “*ritus*” speaking of the Christian serving God in general or in church service. So Augustine and Luther used the term “*religio*” to speak of the Christian relying on God and serving him. But the term was and is rather poor to compare different religions with each other. “Law” instead shows where the real differences lay and that there is no such thing as a theoretical religion but that every religion has a law system which reflects its gods and takes shape in culture.

The Enlightenment did the right thing—judging from its own perspective—to make the term religion prominent in its modern sense, because it was so vague. From this time on, Christians lack a term which really designates what is the major difference between their faith and other religions.

Peter Antes has shown that religions normally use an overall term for all religions which derives from their own judgement of other religions and shows what they believe to be central for the comparison of religions.<sup>5</sup> The Muslim word used in place of the Western term religion is “*din*” (pl. “*adyan*”). It has a wide range of meanings all showing what is central to Islam: “judgement, obedience, vengeance, ordinance, dominion and guidance”.<sup>6</sup>

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4 See especially Erich Heck. *Roger Bacon: Ein mittelalterlicher Versuch einer historischen und systematischen Religionswissenschaft*. Abhandlungen zur Philosophie, Psychologie und Pädagogik 13. H. Bouvier: Bonn, 1957. p. 92-95.

5 Peter Antes. “‘Religion’ einmal anders”, *Temenos: Studies in Comparative Religion* 14 (1978) p. 184-197.

6 *Ibid.* p. 189-192.

The Sanskrit term used in place of religion is the well known term “*dharma*” used also for the central idea of Hinduism. “*Dharma*” is the law of the world, which fixes the circles of reincarnation. It again contains a variety of meanings: “righteousness, the right thing, law, norm, the way”.<sup>7</sup>

Rousas Rushdoony wrote in his *Institutes*: “in any culture the source of the law is the god of society”<sup>8</sup> Following this line in several publications<sup>9</sup> I tried to prove from the Bible that a religion can have an atheistic faith. Any law being a rival to the word of God is a religion. Marxism and National Socialism and their laws are my main examples. There is no law without religion and no religion without law. If we still would use the term “law” when speaking about religions everybody would know this without discussion and Christians would understand that humanism, Marxism or the New Age are rival religions like Islam or Buddhism.

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7 Ibid. p. 192-194.

8 Rousas J. Rushdoony. *Institutes of Biblical Law*. raig Press: Craig Press, 1973. p. 4.

9 E. g. On Marxism: *Marxismus - Opium für das Volk*. Schwengeler: Berneck, 1990; “Der Kommunismus als Lehre vom Tausendjährigen Reich”, *Factum* 11/ 12/1986: 12-19; on national socialism: “National Socialism, Christian Reconstruction and the Future of Germany”. *Calvinism Today*; 2 (1991) 2 (April): 16-23; the same article in *Symbiotica: The Journal of the Institute for Christian Economics Europe* 1 (1991): 2: 23-29; “Die Religion des Nationalsozialismus”, *Factum* 11/12/1989: 506-511; “Adolf Hitler und kein Ende”, *Factum* 6/1989: 252-255; general: “Reinkarnation und Karma in der Anthroposophie”, *Factum* 11/12/1988: 473-482.