

The Terminology of Church Discipline: Excommunication, Suspension, Removal, Etc.

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Because of our own discussion of a paper on dealing with delinquent members and because of the conference of presidents' suggestion, we have decided to study the terminology employed in church discipline and removal from membership. We will study such terms as excommunication, removal, expulsion, self-exclusion, self-excommunication, suspension, release, and others. How valid are these terms? What are the differences between them?

I believe that the first essential question is, "Are there actually different categories of church discipline?" Is there actually any difference between an impenitent adulterer and an impenitent adherent of false doctrine?

I believe that we must first examine the usage of Scripture to see if it recognizes different categories of removal from the fellowship of God's people. If so, does it use different terminology to describe these categories? We will then examine some of the terminology and practice in the history of the Christian church, especially our Lutheran church. Then we will be able to evaluate the terms currently in use among us more validly and to draw some conclusions about them.

Old Testament Usage

The question of removing someone from the external fellowship of God's people was somewhat beside the point in the Old Testament church because deliberate defiant sin was punishable by death. The law of Moses does also indicate removal from the fellowship of Israel or what we would call excommunication. The term of special interest is "cut off from his people." No doubt, this sometimes includes the death penalty. Exodus 31:14 --Every one that defileth the sabbath shall surely be put to death...That soul shall be cut off from among his people." On other occasions, however, it seems to refer to "excommunication" or removal. Among those to be cut off from the people were the uncircumcised (Genesis 17:14) anyone eating leaven in the Passover (Exodus 12:15), eating meat devoted to the Lord or blood (Leviticus 7:20) anyone sacrificing outside the temple (Leviticus 17:49), committing sexual immorality (Leviticus 18:29), having intercourse during a woman's period (Leviticus 20:8), failing to fast on the day of atonement (Leviticus 23:29) or failing to keep the Passover (Numbers 9:13), and finally any deliberate presumptuous sin (Numbers 15:30, 31). There are some commentators that feel that this "being cut off from the people" *always* includes death, either as execution or as a direct act of God. However, I agree with those who feel that it sometimes refers to exclusion or excommunication from the fellowship of Israel. This would naturally so include forfeiture of spiritual blessings in time and eternity. I believe that Jesus' term "let him be unto you as a heathen and publican" is based on this term "let him be cut off from his people."

The other term of interest is *herem*, the bann to destruction. In general it refers to God's assigning ungodly nations to destruction (example-Jericho). It is used of "church discipline" in Ezra 10:8 where those who refused to come to the meeting concerning mixed marriages had their property forfeited (חָרַם) and they were separated from the congregation (כָּלַל) Those who would not separate themselves from their heathen wives were separated from the congregation. The terms ἀνάθημα and the term *Bann*, which was used in our Lutheran church till very recently, are derived from this word. But, the term Bann in Lutheran usage differs from both the Old Testament and Roman Catholic meaning of the term.

I believe that it is clear that in the Old Testament there was no distinction between such moral sins as adultery and religious or doctrinal sins such as improper observance of religious feasts.

The Jews

By the time of Christ, the Jews had developed a formal, legalistic system of discipline with specific categories and terminology. There were at least 24 grounds for excommunication. Contradicting a teacher was the chief cause. The first step was a seven or thirty day suspension. No one was to eat with this person or associate with him. He had to enter the temple by a special door. This was called *Neziphah*, rebuke, or suspension. The final stage of the bann, *Niddui*, casting out, was indefinite in length. The curse of the heretic was an especially severe form of this. With a heretic there were to be no dealings, no selling, no educating, no help in danger, no burial, but a decree to hell forever. The ἀποσυνάγωγος as applied to Christ's followers (John 9:22, 12:42, 16:2) was likely this last, most severe discipline.

Did the New Testament partly adopt current Jewish usage? Is Paul's "rebuke" in I Timothy 5:20 parallel to *Neziphah*? Is the "reject" of Titus 3:10 derived from *Niddui*, or is this merely coincidental? It is possible that Paul used terminology that he was familiar with from the synagogue, but changed the spirit in which it was employed.

The New Testament

I do not believe that the New Testament recognized different categories of discipline or has distinct systematic terminology in reference to discipline.

The term with which we are most familiar is the "let him be unto you as a heathen and a publican" of Matthew 18. I have already stated that I believe this term parallels being "cut off from his people" of the Old Testament and can be applied to every sort of sin.

The incestuous man of I Corinthians 5 is "delivered to Satan for the destruction of the flesh." Hymeneus and Alexander, the Ephesian heretics, are "handed over to Satan in order that they may be disciplined not to blaspheme" (I Timothy 1:20). The believers are to put away the incestuous man and not keep company with him or eat with him (I. Corinthians 5:1-13). They are to reject a self-condemned heretic, who deals in foolish controversies, genealogies, and legal quarrels and have nothing to do with him (Titus 3:9-11). They were to withdraw from a disorderly person who was not working for a living and not keep company with him, but with the hope of rewinning him as a brother (II Thessalonians 3:6-14).

I believe these examples are sufficient to show that the New Testament is not interested in setting up various categories of discipline or precisely defined terminology, but rather sets forth the same basic procedure and uses similar terminology for dealing with and hopefully winning to repentance every type of impenitent sinner, whatever his offense.

The Church In History

The situation became quite different with the passing years of church history. The system and terminology of discipline and removal became more formal, legalistic, and Pharisaic. The term ἀκοινωνητος *excommunication* appears in about the 4th century and refers to varying degrees of exclusion. In general it refers more to an exclusion from Communion, rather than a removal from membership. Until the 6th century a person generally had only one chance of being restored to membership when excluded, and a formal period of penitence or probation was required. Christians could continue to associate with less serious offenders (*tolerati*). More serious offenders (*vitandi*) were shunned. During the ante-Nicean period there were no civil penalties associated with exclusion or excommunication. Heresy, schism, all gross crimes, and apostasy during persecution were leading causes of excommunication, with greatest emphasis on denunciation of heretics.

Those under probation were divided into various classes, like weepers, kneelers, hearers, standers. Their probation could last 3 or 4 years, before they were readmitted to full communicant membership.

In the post-Nicean period civil penalties were added, especially for heretics. As the Middle Ages progressed the curses and ceremonies accompanying the banns, anathemas, and excommunications became very harsh, containing long bitter lists of denunciations and curses. From our church history studies we should all be sufficiently acquainted with the ruthless, political, mercenary use of church discipline and the interdict which characterized the late middle ages.

Luther and the reformers saw the need to purify church discipline and return to the motivation and practices of apostolic times. They saw the need for retaining evangelically motivated church discipline. The Smalcald Articles (III, 9, p. 497) reject the greater excommunication or bann of the papacy which was a civil penalty and of no concern to the church. They retained the lesser bann, the true Christian excommunication, which is this, that manifest and obstinate sinners are not admitted to the Sacrament and other communion of the Church until they amend their lives and avoid sin. The practice of the Lutheran church then has been to return to the evangelically motivated practice of the apostolic church, but to retain some of the terminology of the medieval church. This has not been entirely without its problems, as we shall see as we examine some of the terms that have been in use among us.

Excommunication, Bann

Schaller in his *Pastorals* acknowledges that these terms come from the papacy and that the Old Testament bann and the anathema of Paul are something different from our use of the term. In our usage the terms are synonymous with the “let him be unto you as a heathen and a publican.” In Lutheran usage the smaller bann came to refer to the pastor’s suspending someone from Communion and the greater bann to the congregation’s excommunicating action. Schaller also states that sins against God’s word, false doctrine which is a *Grundirrtum*, beside which Christian faith cannot exist, is grounds for excommunication, but errors which do not affect the ground of faith are grounds for exclusion (*Ausschlusse*), but not in the sense of considering a person a heathen and publican. The recent book, *The Shepherd Under Christ*, says essentially the same thing, and lists denial of the Trinity, divinity of Christ, vicarious atonement, resurrection, and salvation by grace as examples of fundamental errors. In other cases “separation” is called for.

This brings us to the two principle problems involving the term excommunication, the Roman Catholic connotation attached to the term and the proper terminology to use in cases involving doctrinal discipline.

There are two problems by the Roman use of excommunication. Because of Rome’s legalistic use of the term, it has taken on a connotation of vindictive punitive, coercive action for many people. Does the term excommunication, which our own members sometimes regard as “throwing him out of the church” really help convey either to the excommunicated person or to outsiders what this act is really for?

Furthermore, Roman practice does not exclude a person from membership in the church or the duties of membership, but only some or all of the privileges of membership depending on the degree of excommunication. Because of the indelible character of baptism the excommunicant is still a member of the church and is not excused from fulfilling his obligations. The excommunicant is excluded from the Sacrament, but can in some cases continue to sing in the choir or even serve on the church council. Since our own members sometimes think of excommunication mainly as a bann from the Lord’s Supper or removal from the membership of the congregation, should we continue to use a term which is non-Scriptural and seems to contribute to the confusion?

Nonetheless these problems are relatively minor and could largely be remedied with education. The second problem is less simple. What term should be used in cases involving doctrinal matters and neglect of the means of grace?

Our traditional practice has been that the term excommunication should be used for those who impenitently cling to moral sins against God’s law like adultery and those who deny fundamental doctrines of

the faith. When false doctrine, error, or joining a heterodox fellowship are involved, we have used a term like separation, exclusion, or removal from fellowship. I believe that this view is full of problems and a questionable procedure. First, what are the fundamental doctrines of Scripture? What of a person who believes in Christ's divinity, but denies the virgin birth? Is verbal inspiration a fundamental doctrine? What of a person who holds a subtle form of synergism? Is he denying justification by faith, a fundamental doctrine, or is he merely out of fellowship with us? Is a woman who gets an abortion because she does not believe that a fetus is a person protected by the fifth commandment, an impenitent murderer (class A-excommunication) or an adherent of a false belief (class B-removal or separation from fellowship)? If we want to have two clear-cut categories or terms under which we can group every case, we are going to have to be able to judge each case as venial or mortal, destroying faith or not destroying faith.

I believe this puts us in a position contrary to our own principles. We say, "It is impenitence which is the ground of excommunication, not the sin which first called forth admonition, for had he repented he would have been forgiven. We cannot therefore make a distinction between sins which lead to excommunication or those which will not. Impenitence is a refusal to obey God and calls for action by the church no matter what the sin may be of which the person refuses to repent." *Shepherd Under Christ*, p. 174. If this is true, are we justified in exempting an impenitent adherent of false doctrine from excommunication? Can we put false doctrine in a class all by itself and say "You will be excommunicated for impenitence in any sin but false doctrine, That's different." I do not believe this is right.

If we want to have specific terms for church discipline, I believe two terms could cover everything, "removed from fellowship" and "removed at their own request." In both cases the letter or statement made to the offending person should make clear the spiritual implication and consequences involved.

Whenever a person is removed from the congregation and the church by the congregation speaking in God's name, the individual could be told that he has been removed from the congregation and its fellowship, and the reasons and implications clearly stated to them. For example, if a person is excluded because of impenitent adultery or despising the means of grace, the letter could say: Since you have continued to despise God's Word in spite of repeated warnings, you have been removed from the fellowship of the congregation. We hope you realize the seriousness of this action.

It does not merely mean that you will be excluded from our congregation, but according to the Bible itself, you will spend eternity in hell unless you repent and correct your actions. "If he refuses to listen even to the church, let him be to you as a heathen and a publican. I tell you the truth, whatever you bind on earth will be bound in heaven." (Mathew 18:17, 18) "If we go on sinning willfully after receiving the knowledge of the truth there no longer remains a sacrifice for sin, but a certain, terrifying waiting for judgement." (Hebrew 10:26-27)

If a person asks to be removed either to evade the discipline of the congregation or to join a heterodox body, we could use the term "removed at their own request", but the accompanying letter or statement should make the implications of that action clear. For example, if a person desires to join a heterodox church, they should be told something like: As you requested, your name has been removed from membership in our congregation so that you could join the Catholic Church. We are very sorry you are taking this action. At the time of your confirmation you stated that you had studied the teachings of the Evangelical Lutheran Church and believed that they were the true teachings of the Bible. This was your sincere confession in the presence of the Triune God. Repudiating such a serious confession which you made in God's name is certainly a serious matter. We sincerely believe that your decision is contrary to the duty you have to God, to yourself, and to your children, to base all your religious beliefs and practices solely on God's Word. (Specific and examples and Scripture references regarding groups false doctrine). Will you be able to stand before God with a clear conscience on the Day of Judgment, when you must answer for this decision which you have made. We sincerely pray that you will keep your faith in Christ as your only Savior in the years ahead.

If we were starting from scratch, I believe this would be the best solution to the problem. But since years of tradition make it very improbable and perhaps undesirable that we abandon terms which have come to be accepted, probably the best we can do is to be careful that the terms we use are clearly understood by all the

persons involved. We have already considered the problems and implications of the word, “excommunication” above. We will now briefly consider several other terms.

Self-Excommunication, Self-Exclusion

Neither one of these terms is desirable. Excommunication is the declaration by the congregation, acting in God’s name, that the impenitent sinner has by his impenitance excluded himself from the congregation and the people of God. Every validly excommunicated person has excluded or excommunicated himself by his impenitance. The congregation is simply declaring and exposing this fact. “Self exclusion” or “removed at their own request” can be used when announcing that a person has declared himself outside the congregation by his own announcement and requested the congregation to remove his name. In such a case our only responsibility is to make clear to him the implications of his actions. I do not believe that “Self-exclusion” should be used to evade our responsibility to a person who refuses to appear before the congregation. Many of our Lutheran writers state that a person can only be excommunicated or excluded by declaration of the congregation, if they will appear before the congregation. I do not believe this is true, so long as the person had every opportunity to appear but refused, the evidence of impenitence was unimpeachably presented, the decision of the congregation and its implications was carried to the person involved, and we are sure the information reached them. I believe that if a person refuses to appear, but also refuses to declare his own withdrawal from the congregation he should be declared excommunicated or excluded by the congregation, and the issue should not be evaded by the term “self-exclusion” which really can be applied to every case of valid discipline.

Suspension

I believe this term should be used only when temporary action is necessary, until the responsible body can make a decision concerning right and wrong in a case. There could be cases in which an official in an important position should be “suspended” from the exercise of his office, while appeals are being carried to a higher level, in order to prevent offense or further harm in the meantime. (Synod Constitution p. 33) In the secular world a police officer is “suspended”, either pending a hearing to determine guilt or innocence or as a punitive measure for offenses not severe enough to merit permanent dismissal. Check the dictionary, and you will see that the word “suspend” implies a temporary situation. We hope our discipline will be temporary in that the sinner involved will repent and be restored. However, “suspension” or “suspended from fellowship” should not be used when a person has been judged guilty of impenitence by the responsible body, because it implies an unresolved situation. The term “suspend” would be proper in a pastor “suspending someone from communion”, because here it does not imply that he is evading making a judgment, but rather recognizes that the final resolution of the case must rest with the church as the responsible body.

Removal

Fuller terms like “removed from fellowship” or “removed at own request” should be used when applicable. “Removed” or better “removed from the membership list of the congregation” can be used when we have lost track of a person for a number of years, efforts to trace them have failed, and are not in a position to judge their spiritual condition, but we are no longer able to serve them spiritually. Such a person could naturally be restored if they should reappear.

Release

This term is used in many of our constitutions for the case of a person who asks to be removed from membership to join a heterodox church.

I believe “removed at their own request” would be a better term because “release” can imply approval or acceptance of their move, as in the “peaceful release” of a pastor.

Transfer

There is no problem with the use of this term to describe moving from the spiritual care of one congregation to another congregation in the same fellowship.

Conclusion

The Scriptures do not give us set terminology or categories of discipline. They do set forth the necessity of admonition and discipline, the spirit and goal with which it should be carried out, and some examples of discipline in the New Testament church.

It is probably desirable that we try to use uniform terminology in our congregations to avoid confusion. However, uniform terminology and outward procedure are not mandatory or necessary as long as all congregations are using terminology and practices which agree with the general principles laid down in Scriptures, and which clearly express the desired message to those involved. Our Lutheran confessions state that a congregation cannot be condemned if it does not have some formal public mode of excommunication or regular process of the ban. (FC, Art. 12, p. 843) Some of the outward mechanics of discipline, its terminology, and the decision whether we want to stick with the traditional terms, or try for better, clearer terminology are all matters of Christian liberty. What is essential is that we all clearly warn the impenitent of the consequences of their action, and lovingly seek to regain them as brothers even in the final step of discipline.

Further Reading

A Catholic Dictionary, St Louis: B. Hereder, 1957, p. 325.

New Catholic Encyclopedia, N.Y.:McGraw-Hill, 1967, 707-709

Edersheim, *Life and Times of Jesus the Messiah*, p. 407, 730.

Various words in *Kittel's Theological Dictionary*: αἵρεσις I 180-182, ἀνάθημα I 356, ἀποσυνάγωγος VII 848-852, παραιτέω I 195 στελλέομαι Vii 589-590, etc.

Commentaries on the various passages.

Schaller, *Pastorale*, 100-107

Habeck-Schuetze, *Shepherd Under Christ*, p. 165-178.

Sem PT notes p. 15, 16.

Luther, *What Luther Says*, p. 290-292; Sermon on the Bann 1519; On the Keys 1530

Gensichen, *We Condemn*, CPH, 1967.

Schaff, *Church History*, II 187-193, III 356-360, IV 376-381.