

## THE POPES AND SLAVERY: SETTING THE RECORD STRAIGHT

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When did the Catholic Church condemn slavery? According to some notable figures, the Church did not finally condemn slavery until recently.

Judge John T. Noonan stated that it was not until 1890 that the Church condemned the institution of slavery, lagging behind laws enacted to outlaw the practice. He and others argue that slavery is one of the areas in which the Church has changed its moral teaching to suit the times, and that the time for this change did not come until near the end of the last century.

Theologian Laennec Hurbon may be cited as representing a belief among many authors that no Pope before 1890 condemned slavery when he stated that, ". . . one can search in vain through the interventions of the Holy See—those of Pius V, Urban VIII and Benedict XIV—for any condemnation of the actual principle of slavery."

Author John F. Maxwell wrote in his 1975 work on slavery that the Church did not correct its teaching on the moral legitimacy of slavery until 1965, with the publication, from the Second Vatican Council, of <Gaudium et Spes> (The Pastoral Constitution on the Church in the Modern World).

There existed, of course, the practice of various types of slavery before the 15th century. However, it was not until the 15th century, and with growing frequency from the 16th to the 19th centuries, that racial slavery as we know it became a major problem. It is this form of servitude that is called to mind when we think today of the institution of slavery, and is the type which was to prevail in parts of the New World for over four centuries.

This brings us back to our initial question: When did the Church condemn this slavery? If it was not until 1890, or even 1965, then a great shadow has indeed been cast upon the Magisterium. If, however, it can be shown that the Magisterium condemned from the beginning the colonial slavery that developed in the newly discovered lands, then it may be necessary for some historians and others to revise their opinions of that teaching office, and of the Catholic Church as well.

From 1435 to 1890, we have numerous bulls and encyclicals from several popes written to many bishops and the whole Christian faithful condemning both slavery and the slave trade. The very existence of these many papal teachings during this particular period of history is a strong indication that from the viewpoint of the Magisterium, there must have developed a moral problem of a different sort than any previously encountered. In this article I will address three—from many more—of the responses of the papal Magisterium to the widespread enslavement that accompanied the Age of Discovery and beyond.

### **Eugene IV: <Sicut Dudum>, 1435**

On January 13, 1435, Eugene IV issued from Florence the bull <Sicut Dudum>. Sent to Bishop Ferdinand, located at Rubicon on the island of Lanzarote, this bull

condemned the enslavement of the black natives of the newly colonized Canary Islands off the coast of Africa. The Pope stated that after being converted to the faith or promised baptism, many of the inhabitants were taken from their homes and enslaved:

"They have deprived the natives of their property or turned it to their own use, and have subjected some of the inhabitants of said islands to perpetual slavery (<subdiderunt perpetuae servituti>), sold them to other persons and committed other various illicit and evil deeds against them.... Therefore We ... exhort, through the sprinkling of the Blood of Jesus Christ shed for their sins, one and all, temporal princes, lords, captains, armed men, barons, soldiers, nobles, communities and all others of every kind among the Christian faithful of whatever state, grade or condition, that they themselves desist from the aforementioned deeds, cause those subject to them to desist from them, and restrain them rigorously. And no less do We order and command all and each of the faithful of each sex that, within the space of fifteen days of the publication of these letters in the place where they live, that they restore to their pristine liberty all and each person of either sex who were once residents of said Canary Islands ... who have been made subject to slavery (<servituti subicere>). These people are to be totally and perpetually free and are to be let go without the exaction or reception of any money."

The date of this Bull, 1435, is very significant. Nearly 60 years before the Europeans were to find the New World, we already had the papal condemnation of slavery as soon as this crime was discovered in one of the first of the Portuguese geographical discoveries.

Eugene IV was clear in his intentions both to condemn the enslavement of the residents of the Canary Islands, and to demand correction of the injustice within 15 days. Those who did not restore the enslaved to their liberty in that time were to incur the sentence of excommunication *ipso facto*.

With <Sicut Dudum>, Eugene was clearly intending to condemn the enslavement of the people of the Canaries and, in no uncertain terms, to inform the faithful that what was being condemned was what we would classify as gravely wrong. Thus, the unjust slavery that had begun in the newly found territories was condemned, condemned as soon as it was discovered, and condemned in the strongest of terms.

### **Paul III: <Sublimis Deus>, 1537**

The pontifical decree known as "The Sublime God" has indeed had an exalted role in the cause of social justice in the New World. Recently, authors such as Gustavo Gutierrez have noted this fact: "The bull of Pope Paul III, <Sublimis Deus> (June 2, 1537), is regarded as the most important papal pronouncement on the human condition of the Indians." It is, moreover, addressed to all of the Christian faithful in the world, and not to a particular bishop in one area, thereby not limiting its significance, but universalizing it.

<Sublimis Deus> was intended to be issued as the central pedagogical work against slavery. Two other bulls would be published to implement the teaching of <Sublimis,> one to impose penalties on those who fail to abide by the teaching against slavery, and a second to specify the sacramental consequences of the

teaching that the Indians are true men.

The first central teaching of this beautiful work is the universality of the call to receive the Faith and salvation:

"And since mankind, according to the witness of Sacred Scripture, was created for eternal life and happiness, and since no one is able to attain this eternal life and happiness except through faith in our Lord Jesus Christ, it is necessary to confess that man is of such a nature and condition that he is capable to receive faith in Christ and that everyone who possesses human nature is apt for receiving such faith . . . Therefore the Truth Himself Who can neither deceive nor be deceived, when He destined the preachers of the faith to the office of preaching, is known to have said: 'Going, make disciples of all nations.' 'All,' he said, without any exception, since all are capable of the discipline of the faith."

The teaching of <Sublimis> continued:

"Seeing this and envying it, the enemy of the human race, who always opposes all good men so that the race may perish, has thought up a way, unheard of before now, by which he might impede the saving word of God from being preached to the nations. He has stirred up some of his allies who, desiring to satisfy their own avarice, are presuming to assert far and wide that the Indians of the West and the South who have come to our notice in these times be reduced to our service like brute animals, under the pretext that they are lacking the Catholic Faith. And they reduce them to slavery (<Et eos in servitutum redigunt>), treating them with afflictions they would scarcely use with brute animals."

The common pretext of the allies of "the enemy of the human race," i.e. Satan, for enslaving the Indians was that they lacked the Faith. Some of the Europeans used the reasoning that converting the Indians should be accomplished by any means necessary, thus making the Faith an excuse for war and enslavement. Paul III stated that the practice of this form of servitude was "unheard of before now." This clearly indicates that the practice of enslaving an entire ethnic group of people—the Indians of South America—for no morally justifiable reason was indeed different from anything previously encountered.

The second core teaching of <Sublimis Deus> which follows from this is the necessity of restoring and maintaining the liberty of the Indians:

"Therefore, We, . . . noting that the Indians themselves indeed are true men and are not only capable of the Christian faith, but, as has been made known to us, promptly hasten to the faith' and wishing to provide suitable remedies for them, by our Apostolic Authority decree and declare by these present letters that the same Indians and all other peoples—even though they are outside the faith—who shall hereafter come to the knowledge of Christians have not been deprived or should not be deprived of their liberty or of their possessions. Rather they are to be able to use and enjoy this liberty and this ownership of property freely and licitly, and are not to be reduced to slavery, and that whatever happens to the contrary is to be considered null and void. These same Indians and other peoples are to be invited to the said faith in Christ by preaching and the example of a good life."

Thus, we see that Eugene IV and Paul III did not hesitate to condemn the forced servitude of Blacks and Indians, and they did so once such practices became known to the Holy See. Their teaching was continued by Gregory XIV in 1591 and by Urban VIII in 1639. Indeed Urban, in his document <Commissum Nobis>, appealed to the teaching of his predecessors, particularly Paul III. The pontifical teaching was continued by the response of the Holy Office on March 20, 1686, under Innocent XI, and by the encyclical of Benedict XIV, <Immensa Pastorum>, on December 20, 1741. This work was followed by the efforts of Pius VII at the Congress of Vienna in 1815 to have the victors over Napoleon outlaw slavery.

### **Gregory XVI: <In Supremo>, 1839**

The 1839 Constitution <In Supremo> by Gregory XVI continued the antislavery teaching of his predecessors, and was in the same manner not accepted by many of those bishops, priests and laity for whom it was written. As we will see, even today many authors do not have an accurate understanding of this work. First, however, let us consider the content of <In Supremo> itself.

The introduction of <In Supremo> tells us that it was written to turn Christians away from the practice of enslaving blacks and other peoples. In it, Gregory first mentioned the efforts of the Apostles and other early Christians to alleviate out of the motive of Christian charity the suffering of those held in servitude, and that they encouraged the practice of emancipating deserving slaves. At the same time, he noted that:

"There were to be found subsequently among the faithful some who, shamefully blinded by the desire of sordid gain, in lonely and distant countries did not hesitate to reduce to slavery (<in servitatem redigere>) Indians, Blacks and other unfortunate peoples, or else, by instituting or expanding the trade in those who had been made slaves by others, aided the crime of others. Certainly many Roman Pontiffs of glorious memory, Our Predecessors, did not fail, according to the duties of their office, to blame severely this way of acting as dangerous for the spiritual welfare of those who did such things and a shame to the Christian name."

Gregory then cited the various predecessors and their antislavery teachings, even recalling the familiar phrase in <servitatem redigere> contained in the work of Paul III and his successors. He mentioned the efforts of Clement I, Pius II, Paul III, Benedict XIV, Urban VIII and Pius VII, before concluding this historical summary:

"Indeed these sanctions and this concern of Our Predecessors availed in no small measure, with the help of God, to protect the Indians and the other peoples mentioned from the cruelties of the invaders and from the greed of Christian traders."

However Gregory was well aware that there was still much work to be done:

"The slave trade, although it has been somewhat diminished, is still carried on by numerous Christians. Therefore, desiring to remove such a great shame from all Christian peoples ... and walking in the footsteps of Our Predecessors, We, by apostolic authority, warn and strongly exhort in the Lord faithful Christians of every condition that no one in the future dare to bother unjustly, despoil of their

possessions, or reduce to slavery (<in servitutum redigere>) Indians, Blacks or other such peoples. Nor are they to lend aid and favor to those who give themselves up to these practices, or exercise that inhuman traffic by which the Blacks, as if they were not humans but rather mere animals, having been brought into slavery in no matter what way, are, without any distinction and contrary to the rights of justice and humanity, bought, sold and sometimes given over to the hardest labor."

Thus, the historical papal teaching against unjust servitude and the slave trade was upheld, and in 1839 was once again presented to the Christian faithful for their adherence.

In Gregory's time, as with the previous papal efforts, there was obviously widespread non-acceptance on the part of Catholic clergy and laity. Thus, <In Supremo> also contains a closing prohibition against clerics as well as laity who were attempting to defend slavery or the slave trade:

"We prohibit and strictly forbid any Ecclesiastic or lay person from presuming to defend as permissible this trade in Blacks under no matter what pretext or excuse, or from publishing or teaching in any manner whatsoever, in public or privately, opinions contrary to what We have set forth in these Apostolic Letters."

The primary area of contention with <In Supremo> lies in determining what was actually being condemned by Gregory. The text of the Papal Constitution itself clearly condemned both the slave trade and slavery, as is apparent from the preceding paragraph citations. Both of the above citations prohibit the slave trade. Likewise, in the first paragraph we read that slavery itself is also condemned: "... no one in the future dare to ... reduce to slavery (<in servitutum redigere>) Indians, Blacks or other such peoples." In the second paragraph, the prohibition of "opinions contrary to what We have set forth in these Apostolic Letters" indicates that no one may hold that slavery itself is somehow not condemned.

The question that should be asked, then, is why have many bishops, historians and others interpreted <In Supremo> as condemning the slave trade, but not slavery itself?

Besides the quotation from Laennec Hurbon given at the beginning of this article, we may illustrate the problem by citing also the American Church historian James Hennesey, S.J. The following is taken from his consideration of the Church's efforts, or lack thereof, to obtain the abolition of slavery in the United States:

"Opponents of slavery found slight support in official church teaching. Pope Gregory XVI in 1838 (sic) condemned the slave trade, but not slavery itself" (emphasis added).

John T. Noonan also believes that Gregory condemned only the slave trade, and that there were exceptions even to this condemnation. He wrote:

"In 1839 Gregory XVI condemned the slave trade, but not so explicitly that the condemnation covered occasional sales by owners of surplus stock."

The American Bishops in the last century, who were charged with applying the teaching of <In Supremo> to the slavery institution that existed in our country, as a

teaching body fell into this same error regarding what was condemned.

Hennesey wrote: "No (American) Catholic bishop spoke for abolition in the pre-war years. In 1840 (the Bishop of Charleston) John England explained to (President Martin) Van Buren's Secretary of State, John Forsyth, that Pope Gregory XVI had condemned the trade in slaves, but that no pope had ever condemned domestic slavery as it had existed in the United States" (emphasis added).

Thus, the misreading of <In Supremo> that exists among scholars today actually has its roots in the partial rejection of that papal Constitution by the American hierarchy over a century and a half earlier.

On the other hand, John Maxwell is quite right in his statement of what Gregory actually taught in <In Supremo>: "It is clear that the Pope is condemning unjust enslavement and unjust slavetrading" (emphasis added).

Also correct is the papal historian, J.N.D. Kelly, who states, "In the brief <In Supremo> ... he denounced <slavery> and the slave-trade as unworthy of Christians" (emphasis added).

From the documents we have very briefly considered, it is clear that the forced enslavement of Indians and blacks was condemned from the time that the "Age of Discovery" began, and that as this problem continued and expanded in the territorial finds of the New World, the same teaching of the Roman pontiffs was reiterated time and again. Likewise, the buying and selling of slaves unjustly held was also condemned by 1435.

The development of this teaching over the span of nearly five centuries was occasioned by the unique and illicit form of servitude that accompanied the Age of Discovery. The just titles to servitude were not rejected by the Church, but rather were tolerated for many reasons. This in no way invalidates the clear and consistent teaching against the unjust slavery that came to prevail in Africa and the Western Hemisphere, first in Central and South America and then in the United States, for approximately four centuries.

The substantial teaching against slavery that was provided by the papal Magisterium rightly should give Catholics, and indeed all Christians, a great sense of pride.

This teaching was founded in the teachings of Our Lord that all people are loved immensely by God the Father, and have received the vocation to redemption and eternal happiness in Christ the Son. At the same time, it must be remembered that Christians themselves, and notably members of the clergy, frequently and sometimes blatantly violated this same teaching. Nevertheless, the Catholic tradition of opposition to unjust servitude was a great help in eventually bringing about an end to the enslavement of the Indians and blacks in many parts of Latin America, as well as of the peoples in the Philippines and other areas.

The prevalent attitude of the American hierarchy, with some notable exceptions in both directions, was that many aspects of slavery were evil, but that to change the law would be, practically speaking, a greater evil.

Some put forth strong arguments in favor of the institution of slavery, such as

Bishop John England of Charleston, who believed it to be among the accepted practices of the early Church: "The right of the master, the duty of the slave, the lawfulness of continuing the relations, and the benevolence of religion in mitigating the sufferings ... are the results exhibited by our view of the laws and facts during the first four centuries of Christianity."

Answering the charge that Catholics were widely supporting the abolitionist movement—which sadly was far from accurate—England noted that Gregory XVI was condemning only the slave trade and not slavery itself, especially as it existed in the United States.

To prove his opinion, England had *In Supremo* translated and published in his diocesan newspaper, *The United States Catholic Miscellany*, and even went so far as to write a series of 18 extensive letters to John Forsyth, the Secretary of State under President Martin Van Buren, to explain how he and most of the other American bishops interpreted *In Supremo*.

In one of these letters we learn of the events of the 1840 Council of Baltimore, where the bishops read and discussed this apostolic letter:

"Thus, if this document condemned our domestic slavery as an unlawful and consequently immoral practice, the bishops could not have accepted it without being bound to refuse the sacraments to all who were slave holders unless they manumitted their slaves; yet, if you look to the prelates who accepted the document, for the acceptance was immediate and unanimous: you will find, 1st the Archbishop of Baltimore ... 2d, the Bishop of Bardstown ... 3d, the Bishop of Charleston: ... 4th, the Bishop of St. Louis ... 5th, the Bishop of Mobile ... 6th, the Bishop of New Orleans ... and 7th, the Bishop of Nashville ... they all regarded the letter as treating of the 'slave-trade,' and not as touching 'domestic slavery.' I believe, sir, we may consider this to be pretty conclusive evidence as to the light in which that document is viewed by the Roman Catholic Church."

Amazingly, it was decided that papal pronouncements against slavery, particularly Gregory XVI's *In Supremo*, did not apply to the institution as it existed in the United States, thus yielding on this issue a sort of Americanized Gallicanism.

However, it is clear that Gregory wrote *In Supremo* to condemn precisely what was occurring in the United States, namely the enslavement of blacks:

"We, by apostolic authority, warn and strongly exhort in the Lord faithful Christians of every condition that no one in the future dare to bother unjustly, despoil of their possessions, or reduce to slavery (<in servitutum redigere>) Indians, Blacks or other such peoples."

England evidently felt justification for this dissent lay in the episcopal (mis)interpretation of *In Supremo*.

These arguments are not dissimilar to the widespread dissent from the Church's teachings against slavery by bishops, priests and laity that was common from the 17th to 19th centuries. For the Catholics of the United States—as for Catholics everywhere—there was the consistent, historical teaching of the Church, as

presented through Eugene IV, Pius II, Paul III, Gregory XIV, Urban VIII, Innocent XI, Benedict XIV, Pius VII and others.

For the early 19th century, in the midst of the volatile decades before the Civil War, Gregory XVI issued <In Supremo>, with its clear condemnation of both the slave trade and slavery itself.

Since that Constitution mentioned the documents of the previous pontiffs, it is hard to understand how the American hierarchy was not aware of the consistency of the teaching and its nature.

All of these teachings, nonetheless, went unknown to the Catholic faithful of the U.S., perhaps through willful ignorance, or were explained away by many of the American bishops and clergy. Thus, we can look to the practice of dissent from the teachings of the Papal Magisterium as a key reason why slavery was not directly opposed by the Church in the United States.

In the light of <Humanae Vitae> of Pope Paul VI, and <Veritatis Splendor> and <Evangelium Vitae> of John Paul II, can we not hope that the shepherds of the Church will not fall into the same mistakes of their predecessors?

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