

The Journal of Social Encounters

Volume 6
Issue 2 *Peace Bishops: Case Studies of
Christian Bishops as Peacebuilders*

Article 6

2022

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Recommended Citation

Egan, Anthony (2022) "Archbishop Denis Hurley: ‘Ecclesiastical Che Guevara’ or ‘Guardian of the Light’?," *The Journal of Social Encounters*: Vol. 6: Iss. 2, 44-57.

DOI: <https://doi.org/10.69755/2995-2212.1137>

Available at: https://digitalcommons.csbsju.edu/social_encounters/vol6/iss2/6

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**Archbishop Denis Hurley:
'Ecclesiastical Che Guevara' or 'Guardian of the Light'?**

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Archbishop Denis Hurley, OMI (1915-2004) was a major figure in mobilising the Catholic Church's struggle against apartheid in South Africa. Rooted in Catholic Social Thought and an active participant and implementer of Vatican II, he led by example, moving the Southern African Catholic Bishops Conference (SACBC) into one of the foremost religious defenders of human rights. His theological skills and personal courage translated in ecumenical and interfaith activities that served justice and peace. He supported conscientious objectors and faced prosecution for exposing state atrocities in Namibia.

Keywords: Denis Hurley; SACBC; apartheid; Catholic Social Thought; Vatican II

Introduction

In 1984, as South Africa was entering the last phase of the struggle against apartheid, a conservative politician accused the Catholic Archbishop of Durban, Denis Hurley, OMI, of being an "ecclesiastical Che Guevara" (Kearney, 2009, p. 256). It was not intended as a complement. A year later, celebrating Hurley's seventieth birthday, the distinguished writer, poet and anti-apartheid campaigner Alan Paton, noting that Hurley's father had been a lighthouse keeper, remarked that the archbishop "had become a lighthouse keeper too; the guardian of the light that warns of dangers and saves us from destruction" (Amoore, 1989, p. 57). Two very different views of the same priest and public figure! Twenty years later, Hurley's friend Paddy Kearney would choose the latter as a title for his magisterial biography. The subtitle "'Renewing the Church, Opposing Apartheid'" would sum up precisely why Hurley might be seen as a guardian of the light – or indeed as a religious revolutionary.

This essay will draw on Kearney's subtitle to demonstrate how Denis Hurley truly was a key figure not only in Catholic opposition to apartheid in South Africa but also as a tireless renewer of the Church – at Vatican II, in the International Commission on English in the Liturgy (ICEL), through ecumenism and interfaith activities, through speeches, theology and hymn-writing.

Context

In order to understand Denis Hurley it is essential to understand the particular complexity of the Catholic Church in South Africa that he served. South Africa's first colonisers, the Dutch, had enforced a ban on Catholicism for virtually its entire period of rule (1652-1806). The British who succeeded them were more tolerant, with the result that by the late 1830s a small Catholic presence was established in the territories they controlled. In the independent Boer (persons of Dutch descent, later called Afrikaners) Republics in the north, the faith was still officially prohibited until later in the 19th Century (Brown, 1960; Brady, 1952). With a handful of priests and a few religious sisters' congregations, the initial focus of the church was on ministry to white colonists, with missions emerging later in the century. Clergy were almost

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entirely European-born. Until the propagation of *Maximum Illud* (Benedict XV, 1919), which exhorted mission territories (of which the Vicariate of Southern Africa was a part) to train and ordain local men as priests, little effort was made to recruit black African clergy, and those who joined the priesthood experienced many difficulties in a church infused with colonial and at times overtly racist attitudes (Mukuka, 2008).

Apart from imbibing the colonial mentality, the church's leadership was subject to the general Catholic and Christian Eurocentric assumptions of the time: Christianity and European culture were presumed identical. 'Non-Europeans' who became Christians were expected to become black or brown Englishmen, Frenchmen or Portuguese. In many places, including among Catholics in South Africa, there was an assumption that first or second generation converts were not sufficiently 'mature' in the faith to become priests. In sisters' congregations the tendency was to discourage African vocations, citing cultural incompatibility; their solution was to set up new congregations under the tutelage of the 'mother' orders or under the guidance of a local bishop.

Even after the territory of South Africa became a single country, the colonial mentality - and widespread hostility to Catholicism from the Afrikaner majority of whites who ruled it - persisted. The colonial mind-set was entrenched with racial segregation and the enforcement of a 'whites-only' franchise. The latter hostility, combined with a clergy and hierarchy still overwhelmingly foreign-born, made the Church cautious about engaging in criticism of a state that after 1948 took existing segregation laws and disenfranchisement of the majority and constructed its strictest form, apartheid, and proved ruthless in its enforcement. There were three enemies in the apartheid state: the *swart gevaar* (black danger), the *rooi gevaar* (the red danger, i.e. communism) and the *Roomse gevaar* (the Roman [Catholic] danger). In addition, despite embracing their sense of universality as Catholics, white Catholics - who financially dominated the Church - were not significantly less racist than their Protestant counterparts (Abraham, 1989). This then was the world and church in which Denis Eugene Hurley would make his mark.

A Brief Biography

Denis Eugene Hurley (Kearney, 2012, 2009) was born in Cape Town on 9th November 1915 to Irish immigrant parents. On completing high school in Pietermaritzburg, Natal, not far from the eastern coastal city of Durban, where he would later serve as archbishop, Hurley entered the Congregation of Oblates of Mary Immaculate (OMI) in 1932, and completed philosophy and theology in Rome, at the Angelicum and Gregorian universities. Ordained priest in 1939, he returned to South Africa to serve as a curate at Emmanuel Cathedral in Durban, before being made rector of St Joseph's, the OMI seminary. In 1946, having just turned 31, he was named Vicar Apostolic of Natal with rank of bishop, the youngest in the world. Ordained bishop in 1947, he was made archbishop in 1951, the year in which the Vicariate of Southern Africa was formally upgraded to a Bishops Conference. As member and sometime president of the Southern African Catholic Bishops Conference (SACBC), he drew an often uneasy Church from the side-lines to the centre of the struggle against apartheid. He would serve in Durban as

archbishop until his retirement in 1991. In retirement he was made Chancellor of University of Natal (now Kwazulu Natal), associated himself with the San Egidio Community in Rome, and served once again at Emmanuel Cathedral, for the first time as parish priest. He died of what seems to have been a heart attack on February 13th 2004.

Renewing the Church

It might seem strange to start this reflection with Hurley's theological views and role in renewing the Catholic Church, but in many respects it was his priestly formation – and ongoing personal theological formation – that gave Denis Hurley the personal and intellectual tools to achieve what he did. During his studies he was drawn to moral theology in general and Catholic Social Thought in particular. This was not for him just an abstract scholarly discourse but a challenge to himself. Later in life, he would admit that in his youth he had all the prejudices of the average white South African; indeed, some of his early letters (Hurley, 2018) reflect this, by the standards of the day quite mild, racism. Studies in Ireland and Rome in which he befriended black and Asian classmates put paid to racist views.

His Dominican and Jesuit professors had a considerable influence. Fr. Franz Hürth SJ particularly impressed him with “clear, logical and well-organised” lectures, something Hurley himself would emulate. Decades later he noted how lectures on Catholic Social Thought were particularly significant:

I cannot explain why these courses were attractive to me but they seemed to fit into my mental and emotional attitudes and I took to them like a fish to water...[Eventually] the dissertation I wrote for my licentiate examination in theology was ...entitled *Economic Domination Through Credit Control*. (Hurley, 2006, p. 43)

Parallel to his theological and personal education, Hurley's time in Rome also gives a glimpse of a growing political education. At the time, the Church's relationship with Italy's dictator Benito Mussolini and Spain's Francisco Franco was still quite cosy; even Adolf Hitler was still having the benefit of the doubt in church circles. Hurley was unimpressed by them. On one occasion he refused to watch Hitler's visit to Rome from the rooftop of the OMI International Scholasticate, saying “I don't want to see that man” (Kearney, 2012, p. 31).

Though he did not complete a doctorate and only served in a seminary briefly, Hurley's theological interests never waned after his stint in Rome. He read constantly and widely, familiar with classical Thomist, moral and sacramental theology and devoured the *nouvelle theologie* of Yves Congar and Henri de Lubac, among others; he also read with enthusiasm the works of the controversial Teilhard de Chardin, as they emerged posthumously from Rome-enforced censorship in the 1950s. This familiarity with theologians who were at the time considered suspect by Rome would serve him well at the Second Vatican Council (1962-1965), where Hurley became one of the major African episcopal voices for John XXIII's vision of a renewed Church. After the Council Hurley helped initiate an annual theological winter school in South Africa to keep clergy and laity up to date. Among those invited were Hans Küng and moral theologian Charles E. Curran, both of whom already considered suspect by a more

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conservative-leaning Rome.

We shall explore below how his theological education informed his and the SACBC's response to apartheid. For the rest of this section we shall examine his contribution to Vatican II, its implementation, and his response to the 1968 encyclical *Humanae Vitae*.

Hurley was recruited to the Preparatory Commission of Vatican II. When it was finished he returned to South Africa less than impressed: the document, which, he believed, simply reaffirmed what the Church, and the Roman Curia in particular, had stood for over the last century or so. It did not speak to the modern world. He was delighted however when at the opening session in 1962 that very text was roundly rejected in favour of complete revision. During those initial discussions, he observed on November 19th

I see now that when in the Central Commission we complained about the non-pastoral character of the schemata, we were voices crying in the wilderness... There was no person or commission to give a clear interpretation of the pastoral objective of the Council... Therein lies the basic defect of the preparatory work; therein, so to speak, lies the original sin of this Council (Hurley, 1997, p.26).

With this intervention Hurley placed himself in the camp of the reformers at the Council. He contributed to numerous debates on the Council documents, strongly supporting renewal, particularly with regards to collegiality of bishops, a greater role for bishops' conferences, a less hostile view of modernity, and in favour of a vernacular liturgy. He referred in one speech to Teilhard de Chardin, who had been prohibited from publishing his evolutionary mystical reflections in his life, calling him an 'illustrious son the Church' (Hurley, 1997, p. 33) and suggesting that his idea of the presence of God in the world, also found in St Paul and Thomas Aquinas, meant that at very least a rigid 'church vs world' dichotomy was neither theologically convincing nor pastorally wise.

Following the Council, Hurley helped to form the International Commission on English in the Liturgy (ICEL), overseeing English translations of the Mass. Beyond that, back in Durban, he also supervised the production of new English hymnals, to which he contributed a few of his hymns. Some were rewrites of established hymns that in their original form seemed overly triumphalist and even anti-ecumenical, the latter a sore point for Hurley. From the 1950s onwards, despite or perhaps because of the *Roomse gevaar* hostility in South Africa, he had tried his best to build bridges between churches, and later – particularly in multicultural Durban – between faiths.

In between the Council, administering his diocese and (increasingly) working with a range of groups to end apartheid, Hurley occasionally wrote short academic pieces, mostly related to moral theology. His most significant contribution is a series of articles in *The Furrow* and *Theological Studies* (collected in Hurley, 1997, pp. 77-80, 92-100) discussing a theory he called the Principle of Overriding Right:

Situations arise in life when a right clashes with a duty. For instance, when I am attacked, my right to life clashes with my duty to respect the life of another; [Following other examples he proposes that]... In all these cases we admit that the right predominates over the duty. This seems to indicate that we need to formulate the general principle underlying these particular convictions. The formulation I [propose is]: “When the infringement of an obligation is necessarily involved in the exercise of a proportionate right, the obligation ceases.” I [suggest] that this principle might be useful in solving the moral problems of contraception, sterilization, and transplantation of organs from living people” (Hurley, 1997, p. 92).

Space constrains me from exploring Hurley’s theory in detail. But what I think it illustrates – apart from his apparent desire to set natural law ethics in conversation with the then-popular situation ethics of the 1960s – is Hurley’s moral vision, a vision rooted in reason and pastoral concern, a vision that recognised that life was complex. Reason, pastoral concern and complexity informed his controversial disagreement with *Humanae Vitae*’s upholding of prohibition of artificial birth control (Hurley, 1974). It also informed his moral vision in challenging apartheid.

Opposing Apartheid

While his theological formation, ideas and engagement with the renewal of the Catholic Church is significant in itself and informs his wider public role, it is the struggle against apartheid for which Denis Hurley is most famous – and for which he is most widely honoured.

As noted above, there were many constraints for Hurley when he embarked on his struggle to bring the Catholic Church into opposition politics in the 1950s. Many if not most of his brother bishops (even those who by the mid-1950s were South African by birth) were still reacting cautiously to the *Roomse gevaar* rhetoric of the ruling National Party, including the hints that were the church to take up the struggle, clergy and bishops might be deported. Then again, many were vulnerable to the *Rooi gevaar*: historically the Communist Party of South Africa had thrown its weight fully behind African nationalism from the mid-1920s, calling for immediate universal franchise as well as socialism. And though the Party was banned in 1950, everyone knew that its members were still working underground within the other national liberation movements. Having seen, too, the Church in Russia and Eastern Europe persecuted by the Soviets, anti-communism – and thus unease about working with movements close to a Communist Party – was for the bishops at least a reasonable position. Hurley himself was not immune to such thinking. Even in the 1980s, when he willingly marched in popular demonstrations, with the Catholic Church openly supporting activists, including some who barely hid their Communist Party sympathies, he objected to having the Party’s Red Flag flying near him. It would take time and friendships with people who admitted their Party membership to help him differentiate the South African Communist Party of the 1980s and 1990s from the Soviet Union and its activities (Gandhi, 2001, p. 118; Erwin, 2001, pp. 113-114).

And finally there was the *swart gevaar*. Despite a growing number of black priests, and from

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the mid-1950s the ordination of a slow but steady number of black bishops, the Catholic Church's leadership was overwhelmingly white in colour and Eurocentric in its catholicity, as were most of the wealthiest Catholics who contributed to the upkeep of the local Church. A few members of the SACBC openly supported a kind of 'liberal apartheid', based on a 1930s philosophical thought experiment suggesting that absolute territorial segregation, including massive infusions of financial support for 'new' African states within South Africa was not only politic but also good, the patronising rationale being that this would preserve African culture and spare blacks from having to compete on equal footing with whites.

Many, perhaps most, bishops recognised the need, even inevitability, for change, but emphasised gradualism – the steady reduction of segregationist laws, the slow incorporation of the black middle class into a white electorate, the 'upliftment' of the rest over decades to a sufficiently 'European' status before universal franchise was achieved.

This was nothing unusual: most white opposition parties said the same. Of these the Liberal Party seemed the most progressive; in the late 1950s, they adopted the universal franchise principle (and lost any chance of winning seats in the white Parliament) and, shortly before their demise in 1968, embraced a social democratic economic platform. Why this excursus into white opposition politics is significant is that in many respects it reflects Hurley's own political shift, as well as that of the SACBC – often at his prodding. Though Hurley refused to belong to any party, and steadfastly opposed clergy joining parties, his politics mirrored perhaps most closely the evolution of the Liberals from 'qualified' to universal franchise, and from free market to social democratic social policy. Naturally, too, this mirrored the whole Catholic Church shift leftwards in the second half of the 20th Century: the emphasis in Catholic Social Thought (CST) on the priority of labour over capital; the social market economy model; the growing emphasis on human dignity and civil rights; the acceptance (particularly after Vatican II) of secular liberal democracy and separation of religion and state. At its further left, too, there was the rise of various forms of liberation theology, some more acceptable to the hierarchy than others.

As a student of CST, Hurley was aware of these shifts, sometimes anticipating and (at the Council) helping to create them. His agenda within the SACBC was to bring his brother bishops with him, the latter often reluctant – or simply afraid. His work was often further complicated by the Vatican's diplomatic representatives in South Africa. In some cases the Apostolic Delegate (South Africa did not have a formal Nunciature until the 1990s) would warn the bishops, and Hurley in particular, against taking too strong a stance. Quite a few of the Delegates were apparently quite sympathetic to apartheid or even to authoritarian rule. It is not clear except perhaps in hindsight that he had a strategy, but it could be inferred that Hurley gently moved the SACBC forward by appealing primarily to standing consistently within Catholic tradition, while always emphasising a pragmatic gradualism.

The result over time was impressive. The first major SACBC Statement – issued one year after the creation of the Conference – came at a time of growing nonviolent protest led by the African

National Congress (ANC) and its allies in 1952. While calling for calm, and insisting that the “racial problem admits of no easy solution...so fraught with grave consequences... [requiring]... the highest level of earnest and prudent consideration” (SACBC, 1952, para. 1), the theological meat of the statement lay in the claim that

“Man [sic] is created by God in His Own image, with a spiritual soul, the power of reason and a free will; that his last end is to achieve everlasting happiness in the vision of God in Heaven; that he is fallen in Adam but redeemed by the sacrifice of Calvary and restored in Christ to supernatural grace and the heritage of heaven; that Christ died for all men and all have the same right to eternal salvation...” (SACBC, 1952, para. 2).

From this the SACBC urged that respect for human rights and dignity was essential, and that steps needed to be taken towards a gradual extension of political rights.

If this document seemed somewhat mild, its 1957 successor statement was by comparison remarkable. Its context is worth noting. In the years following 1952, the ANC and its alliance partners had drafted the Freedom Charter in 1955, in effect an alternative constitution for South Africa that demanded, inter alia, full universal franchise, a social welfare system and redistribution of wealth, modelled to a degree on the British Labour Party’s post World War II call for nationalisation of key resources. The state response had been swift: in December 1956, 156 members of the alliance were arrested and charged with treason. Though the Church, including Hurley, had not gotten directly involved in the Freedom Charter process, the leadership could see that the liberation movement had upped the ante and that the drift was towards confrontation. Amidst these events the SACBC drafted its Statement on Apartheid (SACBC, 1957).

The title itself suggests the shift. Where earlier the SACBC had used the neutral term ‘race relations’, now it named the problem directly:

The basic principle of apartheid is the preservation of what is called white civilisation. This is identified with white supremacy, which means the enjoyment by white men only of full political, social, economic and cultural rights. Persons of other race must be satisfied with what the white man judges can be conceded to them without endangering his privileged position. White supremacy is an absolute. It overrides justice. It transcends the teaching of Christ. It is a purpose dwarfing every other purpose, an end justifying any means.

Apartheid is sometimes described as separate development, a term which suggests that under apartheid different races are given the opportunity of pursuing their respective and distinctive social and cultural evolutions. It is argued that only in this manner will these races be doing the will of God, lending themselves to the fulfilment of His providential designs. The contention sounds plausible as long as we overlook an important qualification, namely, that separate development is subordinate to white supremacy. The white man makes himself the agent of God’s will and the interpreter of His providence in assigning the range and determining the bounds of non-white development. One trembles at the blasphemy of this attributing to God the offences against charity and justice that are

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apartheid's necessary accompaniment (SACBC, 1957, p.1)

The analysis is clear. The tone is urgent. What is particularly significant is the sense that in couching apartheid in quasi-theological terms, the state had overstepped the mark...again. At this time, the state had also effectively nationalised thousands of African schools run by churches and imposed its Bantu Education curriculum. It had also threatened to insist that all churches be segregated. Though owing to residential segregation a de facto reality, the SACBC had bluntly told the government that if it tried to enforce church segregation the Church would defy the law. The 1957 statement, which one cannot say Hurley wrote but certainly influenced, bears his intellectual mark: it is a theological text, calling apartheid a blasphemy, an affront to the Christian understanding of human dignity and the equality of all persons under God. Later in the Statement it described apartheid as "intrinsically evil," the strongest language any religious body had used to date. Tempering this tone, it later appealed to pragmatism, suggesting that revolutionary change was impractical and dangerous, but that reformist steps needed to be made swiftly lest revolution be the result of inaction or state intransigence. Even though this might seem a concession (which it was) it was inevitable given the political divisions within the SACBC.

But it was not completely out of step. White opposition parties shared a similar position, as did most churches; it has even been suggested by no less a person than Nelson Mandela (1960) that had the state offered signs of compromise and indicated a willingness to start moving towards universal franchise the national conflict might have de-escalated.

But this did not happen. Instead protests increased, culminating in the infamous Sharpeville Massacre on March 21st 1960, leading to martial law, the banning of liberation movements, thousands going into exile, and the start of a slow guerrilla resistance movement (Lodge 2011, 1985). The dearth of effective and credible black opposition in the 1960s until the rise of the Black Consciousness Movement at the end of the decade meant that new opposition forces, many of them white or white-dominated (like the churches, the student movement and the Liberal Party) had to step into the gap. One institution that stepped in was the Catholic Church, and most prominent among them was Denis Hurley. Despite a nervous to conservative rump among the SABC, the 1960s and subsequent decades saw the Catholic Church taking an increasingly vocal and uncompromising stance against apartheid.

As already noted, this period coincided with Vatican II. The Council's spirit of renewal undoubtedly strengthened the Church's political stance. As an eager proponent of the Council, it also gave Hurley an impetus to personal activism. In particular, the rise of a Catholic ecumenical spirit deepened Hurley's commitment to working beyond the boundaries of the Catholic Church. He reached out to other churches – and later other faiths – not simply to build 'alliances' in the religious struggle against apartheid, but also because he genuinely saw God's presence in these communities.

His speech 'Apartheid and the Christian Conscience' (Hurley, 1997, pp. 58-76), given at the

University of Cape Town in 1964 (in between Council sessions), was significant in the tone he adopted. Speaking as he was to a mixed crowd of mostly Protestant Christians and people of other or no faith, he deliberately drew his sources from Scripture, from the parable of the Good Samaritan, St Matthew's Last Judgment, and St John's Love Command, arguing not only that Christian faith demanded political activism, but that Christian disunity undermined work for justice. Then in a move that angered some of his brother bishops (and led to an admonition from the Apostolic Delegate), he apologised to Protestants for any harm that the Church had caused them. This was not just a call to Christian unity against apartheid, but also reflected his growing commitment to ecumenism. This commitment was expressed in his close friendship and association with the Reverend Beyers Naude, a Dutch Reformed clergyman who had broken with apartheid and set up the ecumenical Christian Institute, initially to conscientize fellow Afrikaners and later to promote through theological dialogue an alternative non-racial vision for South Africa (Walshe, 1983). In the 1970s, Hurley also set up Diakonia, an ecumenical centre in Durban focused on human rights and economic justice. Hurley also was closely associated with the South African Council of Churches (SACC), affiliated to the World Council of Churches (WCC) and set up in the 1960s to represent a range of Protestant communities sharing a common opposition to apartheid. There, and later, he built up an excellent working relationship with Anglican bishop, and later archbishop of Cape Town, Desmond Tutu. While their theologies differed in emphasis – Hurley was a Thomist, Tutu more rooted in biblical theology (though thoroughly Catholic in liturgical and sacramental matters) – their commitment to the end of apartheid united them, as did their common disapproval of clergy holding party political positions. Moving beyond the Christian world, Hurley established links to other religious faiths, notably Jews, Hindus and Muslims – the latter two groups a strong presence in Durban. Once again, one might see this as not simply the building of some kind of multi-faith 'alliance' against apartheid but also as his personal attempt to give form to the fruits of Vatican II, an event he considered the greatest experience of his life (Kearney, 2012, p. 93).

The 1970s and 1980s were arguably the pivotal moment in modern South African history. After a decade of state domination, resistance broke out again. The Black Consciousness Movement, starting among university students, spread through black communities, giving people a sense of pride and collective agency. The long-suppressed black trade union movement revived (in Durban, then Johannesburg, then nationwide). In 1976, black students rebelled against enforced Afrikaans teaching in schools. Though they were suppressed, many going into exile and swelling the ranks of the ANC, and though the state dismantled the Black Consciousness Movement, killing its leader Steve Biko, the remnant regrouped and by the 1980s a widespread grassroots movement loosely aligned to the ANC, the United Democratic Front (UDF), was formed. They (mostly non-violently) practiced civil disobedience, supported striking trade unions, until the state cracked down bringing the Army into black townships to quell resistance – which then spread, in places growing more violent. By 1990, the country was in a political stalemate.

One phenomenon of this time was the increased militarisation of South Africa. South Africa had occupied Namibia (former German South West Africa) since World War I, initially with

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the blessing of the League of Nations, but having refused to give it up in the 1960s, was fighting a guerrilla war with the South West African Peoples' Organisation (SWAPO), who sought independence. This war, fought with mainly white male conscripts, intensified in the 1970s and 1980s (until Namibia's independence in 1990). The 1980s saw the Army deployed in black South African townships to crush resistance. During this period a very small but increasing number of young men objected to compulsory military service, the penalty for which was lengthy imprisonment – unless they could prove they were universal religious pacifists. Most were not pacifists, but motivated by repulsion at what they were expected to do (occupying a foreign country, repressing fellow citizens, and upholding apartheid).

As a number of these resisters decided not to emigrate but confront the state, witnesses were needed to support their cause in court. Hurley volunteered on a number of occasions, on behalf of these men of different faiths (or none). He spoke eloquently in their defence, making the point that though Christ was himself nonviolent, the church historically was not. Speaking for Charles Yeats, a young Anglican pacifist (later a priest in England) he emphasised the churches' failure to live up to Christ's example (Kearney, 2012, p. 148). He personally supported the emerging End Conscription Campaign in the 1980s that mobilised a broad spectrum of young white religious and political opinion (literally from disillusioned National Party youth to underground members of the ANC and Communist Party). Within the SACBC he supported episcopal statements that supported the right to freedom of conscience on the issue, opposed prison sentences and called for fair alternative service for conscientious objectors regardless of their religious or political beliefs (e.g. SACBC, 1985), and worked closely with the national Peace & War Subcommittee of the Catholic Justice & Peace Commission. Yet when some more radical lay members of the Church made the case for abolishing Catholic military chaplains, he supported the pastoral need for chaplains over the political point made that they were seen to be supporting the apartheid war machine. This was characteristic Hurley: pastoral needs trumped ideology.

That Hurley managed to do this was a measure of his credibility among the more militant younger members of the Catholic Church. He was no friend of the military. Personally, it seems that Hurley accepted the given Catholic teaching on just war: that certain key criteria to go to war had to be met and that the conduct of war had certain non-negotiable ethical standards. The occupation of Namibia and the repression of fellow citizens were, to put it mildly, far short of these standards. This opposition to the military and its role in keeping apartheid from collapsing was played out dramatically when he presented findings (SACBC 1982) on security force atrocities in Namibia at a press conference in early 1983. On October 9th that year (ironically the Feast of St Denis in the Catholic calendar) he was charged with unlawfully publishing false information about the police and security forces. According to his attorney (Currin, 2001, pp.128-133), he was less worried about possible prison than having the opportunity to expose state atrocities in court, where political censorship was impossible. His legal team went to Namibia to gather further information that would corroborate the 1982 report. But just as Hurley was ready to embarrass the state, the prosecution withdrew the case. Keen to go after them, Hurley launched a case against the state of 'malicious slander', in which the new

evidence would have to be used. The state settled out of court, much to Hurley's chagrin.

Resisting the state on one hand, using its law on the other; denouncing the military and supporting conscientious objection, yet keeping a military chaplaincy in place: Hurley and the Church had a complex role at this time. But as the 1980s progressed it got still more complicated. Apart from the role of denouncing state oppression, the real question was how far the Church could be seen to be supporting the resistance. This was particularly a challenge since the ANC re-intensified guerrilla activity, and internal resistance groups were increasingly using violence against suspected collaborators or police spies. Hurley, though working throughout his ministry for peace and reconciliation, was not a pacifist. He understood how state violence generated resistance violence, how it became what Helder Camara (1971) had called a spiral of violence. Neither he nor the Church (nor any church) ever expressed support for revolutionary violence – if anything he and his counterparts would stress how violence would taint the nobility of a cause – but by the end of the 1980s he could at least admit that it was understandable. In 1983 he secretly met the leader of the ANC in exile, Oliver Tambo, in London to discuss the worsening political situation (Kearney, 2012, p. 176-77). Three years later, Hurley led a delegation of the SACBC to meet Tambo and the ANC leadership in Lusaka, Zambia, where they discussed the increasing violence, which, though they could not endorse, the SACBC could understand. The solution, they declared in a joint communique released on April 16th 1986, was negotiation between the government and the liberation movements over ending apartheid.

Subsequent to the meeting, the SACBC issued a statement in which they endorsed 'economic pressure' (a euphemism for sanctions) as a means to force the National Party government to the negotiating table. Aware of the potentially devastating short and long term consequences of such a step, having done extensive research into the problem, they observed

In considering economic pressure, we recognise that it can be a morally justifiable means of bringing about the elimination of injustice. In deciding in a particular case whether such pressure is justified or not, one needs to balance the degree of injustice and pressing necessity to eliminate it, over against the hardship such pressure may cause... The system of apartheid has caused so much suffering and so much harm to human relations in our country for so long and is now being defended, despite some reforms, with such repressive violence that people have had to resort to the strongest possible forms of pressure to change the system. It seems that the most effective of non-violent forms of pressure left is economic pressure (SACBC, 1986, pp. 1, 2)

The tone of the Statement was almost apologetic, a sense that no other choice was left – apart from all-out war. This was certainly Hurley's feeling, deep regret and sadness that it had to come to this point. Perhaps in the midst of this he was consoled by recalling his own contribution to moral theology, the principle of Overriding Right?

Another political crisis that loomed in the period of transition to democracy was the regional (later national) crisis between rival movements committed to liberation in Natal. In the 1970s Inkatha, a largely rural Natal-based and ethnically Zulu movement, had emerged, led by

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Mangosuthu Buthelezi. Initially sympathetic to the ANC, it became in the 1980s a rival of the UDF and ANC-leaning trade unions. Hurley and Buthelezi had initially been friends but by the mid-1980s, particularly after Diakonia aligned itself with the UDF, the friendship was strained. The late 1980s and early 1990s saw open violence erupting between Inkatha – now the Inkatha Freedom Party (IFP) – and the UDF. The churches tried to heal the rift and end the conflict, particularly in the immediate post-unbanning of the ANC in 1990, where the Pietermaritzburg area erupted into what was called the Seven Days War (Kentrige, 1990). Hurley led an ecumenical team that mediated together with the rival parties a National Peace Accord in 1991. This was largely a failure. As conflict spread around the country, the Army had to be used to keep the peace with mixed success, given that sections of the old apartheid security establishment actively backed IFP as a means to weaken the ANC's power in the run up to the transitional election.

Retirement, Death and Legacy

In 1991, Denis Hurley now 75 years old, tendered his resignation as archbishop. His successor, Wilfred Napier OFM, was installed in October 1992. Hurley embraced his retirement as priest of Emmanuel Cathedral parish, which had gone into decline together with the neighbourhood in which it was situated. Hurley's response was to start new programmes to renew the parish, building up small Christian communities around it. He also established close contacts with the mosque next door, and with the Durban Muslim community, who held him in high esteem not simply because of his reputation as a religious struggle leader but also as a Christian who respected them. (Quite a few Muslims recount how he would occasionally come and quietly say his prayers while the community did their prayers; this was not seen as an intrusion but as a sign that Hurley was their friend).

On a public level, Denis Hurley was not directly involved with the Truth and Reconciliation Commission, run by his old friend Desmond Tutu. There were also many clergy represented on the Commission. But Hurley shared his friend's belief in it and Tutu's claim that there was no future without forgiveness (cf. Tutu, 1999). Hurley continued to work with the national Justice & Peace Commission, and internationally with San Egidio and ICEL. The latter completed their revised, improved translation of the English in 1998, which the translators dedicated to Hurley. He was devastated however when the texts were rejected by Rome, who introduced a Roman governing body over it and proceeded to introduce a completely different translation. For Hurley, as for many in ICEL, this was a violation of the Council-inspired principle of collegiality in which ICEL was formed. He resigned from ICEL in 2001 (Kearney, 2012, pp. 111-113).

Denis Hurley died on February 13th 2004. He was being driven back to Sabon House, an OMI community in which he was living after retiring from the Cathedral. He was midsentence when he suddenly had a seizure. His funeral in the Cathedral was attended by religious and secular dignitaries and tributes flowed in from all over the world; even his estranged friend Mangosuthu Buthelezi paid tribute. In 2017, a shrine to Denis Hurley was erected inside Emmanuel Cathedral, as the archdiocese indicated its willingness to start the cause for his

sainthood. Sung at both his funeral and this occasion, the closing hymn “God our Maker, mighty Father” was, appropriately, one he himself had written.

Conclusion

What kind of ‘peace bishop’ was Denis Hurley? Though not an advocate of war, thus no Che Guevara, Hurley was not apparently a pacifist by conviction. Peace was an ideal, nonviolence a preferred tactic to attain it. But peace without justice – the peace of domination – was no peace at all. Hurley’s pursuit of peace was above all the pursuit of justice, a justice deeply rooted above all in Catholic Social Thought and the spirit of Vatican II. Though formed as priest before Vatican II, he drew on the Thomism he learnt and applied it to both Church and State. Theology informed his praxis as a campaigner for human rights in South Africa – and for a vision of the Council that in later years he saw undermined from within. Though he lived to see freedom in South Africa, albeit a deeply flawed freedom, he did not live to see the start of a renewed vision of Vatican II in the Church he served. Perhaps in telling stories like his, those who work for peace and renewal in Church and Society can learn from his persistence and build on what he and others like him started.

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