

The Heroism of Faith – Calvin, Luther, Melanchthon and the Transformation of the Right to Political Resistance

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Samevatting

'n Nadere studie van die vroeg-reformatoriese standpunte van Luther, Melanchthon en Calvyn oor die reg op verzet teen tirannieke owerhede, lewer interessante resultate: dit is nie korrek dat Calvyn vir 'n teorie van revolusie verantwoordelik was nie; dit is ook nie korrek dat Calvyn se politieke teorie die eerste was wat vanaf die rol van die regeerder na dié van die revolusionêre onderdaan verskuif het en sodoende die grondslag vir die nuwe "politiek van die revolusie" gevorm het nie. Minstens ses jaar vóór die publikasie van die eerste uitgawe van Calvyn se Institusie, het Luther en Melanchthon reeds 'n teorie van geoorloofde verzet teen tirannieke owerhede geformuleer wat natuurreg-argumente en 'n oriëntasie aan die morele pligte van onderdane en regeerders in die politieke gemeenskap bevat het. John Knox, Philippe Duplessis-Mornay, Johannes Althusius en Samuel Rutherford het die natuurreg-grondslae vir geoorloofde verzet uitgebrei deur die toepassing en ontwikkeling van besonderlik die natuurregtelike gronde wat geassosieer word met die pligte wat voortspruit uit die kontraktuele ondernemings en verpligtinge wat deur regeerders én onderdane in die politieke gemeenskap nagekom moet word. Voorts word bevind dat, waar Calvyn sterk klem op die oorwinning van die geloof van diegene wat aan die tirannieke optrede van politieke owerhede onderworpe is gelê het, Luther en Melanchthon ook elemente van natuurreg en die morele pligte wat uit die ideale van geregtigheid voortvloei, ingesluit het.

1. Introduction

Michael Walzer postulated the idea that a Calvinist theory of revolution was the first to switch the emphasis of political thought from the figure of the prince to that of the revolutionary, and in consequence formed the basis for the new politics of revolution (1965:1, 2). Walzer's observations were recently questioned by Quentin Skinner, who investigated the assumption that resistance theory is associated with the rise of Calvinism in the latter part of the sixteenth century (2002). Skinner is subsequently led to the conclusion that, although most of the leading protagonists of political resistance in middle sixteenth-century Europe were Calvinists, they were by far not the first exponents of Protestantism to advocate ideas of political resistance. Skinner adds that it remains to be investigated whether the theories espoused by the Calvinists may have originated with the Lutherans, from whom the Calvinists may have adopted their arguments. Furthermore, it needs to be investigated, says Skinner, whether Luther was indeed the "political conservative" that Walzer made him out to be.

A critical investigation of Skinner's observations demands firstly, a closer examination of the grounds of Calvin's views on resistance; secondly, an inquiry into the Reformational views on political resistance preceding Calvin's statements in his *Institutio* of 1536 – the first explicit formulation of political resistance by Calvin; and thirdly, a closer study of the grounds of resistance theory in the views of Reformational protagonists following upon the first generation Reformers.

2. Calvin's views on the duty of obedience to civil rulers in the first edition of his *Institutes*

2.1 Calvin on the duty of political obedience

In the 1536 edition of his *Institutes*, Calvin equates the duty of obedience of all persons towards their rulers with godliness – human beings have the utmost duty to obey their rulers whoever they may be (*Calvini Opera*, 1:1121).¹ If rulers disregard their duties, the subjects may not simply for that reason transgress theirs: the duty of obedience that subjects have towards those who are in authority does not flow from the person who wields the authority, but from the office instituted

1 "Hunc reverentiae atque adeo pietatis affectum debemus ad extremum praefectis nostris annibus, quales tandem cunque sint ..." Cf. CI [1559] (1634), 747: "Finally, we owe this affection of reverence, yea, and devotion to all our rulers, of whatsort soever they be, which I doe therefore the oftner repeat, that wee may learne not to search what the men themselves be, but take this for sufficient, that by the will of the Lord they beare that personage in which the Lord himselfe hath imprinted and engraved an inviolable Majestie."

by God (*CO*, 1:1121). Although rulers in office have reciprocal duties towards their subjects, those subject to authority should not maintain the view that obedience is only due to rulers who act justly. Husbands are also bound to their spouses and parents to their children with reciprocal duties (*CO*, 1:1121)², even if parents and spouses should forsake their duties and act unjustly (*CO*, 1:1121). Human beings should, rather than focusing their attention on the infirmities of their rulers, consider their own responsibilities towards those in authority (*CO*, 1:1121).³

If, therefore, we as human beings are subjected by cruel torments, robbed by covetous or self-indulgent rulers or harassed by impious and ungodly leaders, we should foremost consider our own sins, because we are punished by God through such tribulations (Daniel 9:7).⁴ Furthermore our primary consideration should be that it is not our duty to rectify such evils: we should pray for God's mercy because the hearts of kings and the change in kingdoms are of the Lord (Proverbs 21:1). "God standeth in the congregation of the mighty; He judgeth among the gods" (Psalms 82:1).⁵ God shall destroy all the kings and judges of the earth who have not kissed the Son (Psalms 2:10-11). God shall also exercise wrath against those who decree unrighteous decrees to turn aside the needy from judgement and take away the right of the poor, who make widows their prey, and rob the fatherless (Isaiah 10:1-2).⁶ Here God's wonderful goodness and His mighty providence shines forth: sometimes He raises from his servants avengers and commands them to punish an ungodly government and to liberate a people from bitter bondage; in other instances God uses the wrath of people to perform His will (*CO*, 1:1121).⁷ Calvin cites a number of examples to illustrate this: for example, God delivered Israel from the tyranny of Pharaoh by Moses, from the violence of Chusam, the king of Syria, by

2 Cf. CI [1559] (1634), 747: "But if thou thereupon conclude, that obediences ought to be rendered to none but to just Governours, thou art a follish reasoner."

3 Cf. CI [1559] (1634), 747: "Yea, whereas all ought rather to endeavour themselves not to looke behinde them to the bagge hanging at their backe, that is, not to enquire one of anothers duties, but every man set before him that which is his owne dutie."

4 *CO*, 1:1121: "Quare si a saevo principe crudeliter torquemur, si ab avaro aut luxurioso rapaciter expilamur, si ab ignavo negligimur, si ab impio denique et sacrilego vexamur ob pietatem, subeat primun delictorum nostrorum recordatio, ..."

5 Cf. CI [1559] (1634), 747: "Let us then also call to minde this thought, that it pertaineth not to us to remedie such evils: but this onely is left for us, that we crave the help of the Lord, in whose hands are the hearts of kings, and the bowings of Kingdomes."

6 *CO*, 1:1121: "... qui scripserint leges iniquas, ut opprimerent in iudicio pauperes, et vim facerent causae humilium; ut viduas haberent in praedam, et pupillos diriperent ..."

7 "Atque hic mirabilis eius tum bonitas, tum potentia, tum providentia sese profert: nam modo ex servis suis manifestos vindices excitat, ac mandato suo instruit, qui de scelerata dominatione poenas sumant, et oppressum iniustus modis populum e misera calamitate eximant; ..."

Othoniel, and from other forms of bondage, by other kings or judges (*CO*, 1:1121). God tamed the haughtiness of Tyrus through the Egyptians, the insolence of the Egyptians by the Assyrians, the fierceness of the Assyrians by the Caldees, the cruelty of Babylon by the Medians and by the Persians; God subdued the Medians through Cyrus, and dealt with the thanklessness of Judah and Israel through the Babylonians – albeit not all after the same manner (*CO*, 1:1121-1122).⁸

In some instances people were called by God to attack kings. In others people were steered by the hand of God to accomplish the aims He desired, thereby unconsciously performing God's work (*CO*, 1:1122). God accomplished the aims of His providence by destroying the blood-stained sceptres of the haughty kings and unbearable governments (*CO*, 1:1122).

Calvin admonishes subjects that they should guard with utmost circumspection against disregarding the authority of officials who are clothed with the majesty and instituted by God with the weightiest commandments, even though the authority may be wielded by the most unworthy rulers, because the rectification of a tyrannous ruler is in the hands of God (*CO*, 1:1122).⁹

All the principles enunciated above, says Calvin, pertain to persons in their private capacities. If officials are appointed specifically for the purpose of protecting their people, they have the explicit duty towards their people to protect them from oppression by tyrannous rulers (*CO*, 1:1122). By way of example Calvin mentions the Ephori set against the kings of Lacedaemonia, the Tribunes of the people against the Roman Consuls; the Demarchi against the Senate of Athens, and the three powers or the three estates in every realm (*CO*, 1:1122). If they neglect to fulfil their official duties by not withstanding the outraging licentiousness of kings, says Calvin, and wink at kings wilfully treading down the poor, they commit a breach of faith, "because they deceitfully betray the liberty of the people, whereof they know themselves to be appointed protectors by the ordinance of God" (cf. also *CI* [1559] (1634), Ch. 20, 31).

The obedience due to civil rulers is, however, always subject to the proviso that we are not prevented from showing obedience to God, because they are all subject to Him. The duty which we owe unto kings must not lead us from our obedience to the King of kings.¹⁰ It would therefore be wrong to

8 Cf. *CI* [1559] (1634), 748: "... albeit not all after one manner ..."

9 Cf. *CI* [1559] (1634), 748: "For though the correcting of unbridled government be the revenge of the Lord, let us not by and by thinke that it is committed to us, to whom there is given no other commandement but to obey and suffer. I speake always of private men."

10 Cf. *CI* [1559] (1634), 748: "But in that obedience which wee have determined to be due to the authorities of Governours, that is always to be excepted, yea chiefly to be observed, that it does not lead us away from obeying of him, to whose will the desires of all kings ought to be subject,

show obedience to human beings and to elicit the anger and wrath of God. God is the King of kings – we should obey Him above anybody else. All the lustre of rulers should not prevent us from submitting to God. Even though rulers may react vengefully towards us because we show greater obedience to God than to them, the truth remains that the wrath of a king is a messenger of death (Proverbs 16:14).

Because the command to obey God rather than men was conveyed by a heavenly messenger we should be consoled by the idea that we only perform the obedience required by God when we suffer, rather than act disobediently towards Him. St Paul consoles us by pointing to the price of Christ's atoning death, thereby liberating us from becoming slaves of perverted humans and their impiousness (CO, 1:1122).¹¹

2.2 Calvin on the distinctions between private law and public law resistance

Calvin draws a clear distinction between resistance in private law and the right to oppose the will of public authorities. Calvin concedes that in private law subjects have the right to resist acts of violence, for example in the event where property is taken with violence. The first instance of relevance is where an individual resists injustice by preventing his property from being taken by another. The second is where the *lex talionis* is used to rectify the injustice done to him. Calvin only supports violence in the first because, whilst the first is commanded, the second is not permitted the Christian (CO, 29:45, 184).

To Calvin the situation is different where civil authority changes law into injustice. In this instance the private individual is prevented from taking the law into his own hands.¹² The same applies to rulers conducting themselves tyrannically and in disregard of the law (CO, 29, 552).¹³ To the question of whether resistance to civil authorities is allowed in the event where such authorities do not keep their covenanted undertakings and perform their duties in terms of their oaths, Calvin responds by pointing out that such oaths and solemn

to whose decrees all their commandments ought to yield, to whose Majesty their maces ought to be submitted.”

11 Cf. CI [1559] (1634), 748-749, where Calvin argues that if the king disobeyes God, by “lifting up his horns against God” he exceeds his bounds and thereby takes away “power from himself”.

12 Cf. Calvin's statements in CO, 29:552: “... sed longe alia est ratio principum et superiorum dignitatum ...” and “Ex quibus apparet subditos regibus ac principibus nec posse nec debere adversus ipsos rebellare, aut quidquam movere, licet tyrannidem exerceant, et compilationibus ac rapinis graves sint subditis, nullamque nec Dei nec aequi rectique rationem hebeant.”

13 “Nam multos hodie videmus occasionem rerum novandarum quaerere, nimiumque sibi permittere in potestatibus et dominationibus movendis et commutandis ...”

undertakings were not made to human authorities, but to God Himself (*CO*, 29:552).¹⁴ Furthermore, rulers are deemed to be the *patres patriae*, who act as God's deputies and whom God awarded the majesty to rule. From God flows the right they have to demand obedience from their subjects even if they are useless tyrants, because resistance to them in essence amounts to performing such a despicable deed against God Himself (*CO*, 3, 111). Therefore, in instances where rulers do not honour their undertakings and perform their duties towards their subjects, those subject to their bad rule should be moved to self-reflection and fundamental acknowledgement of sin and pray to God for His mercy (*CO*, 2, 1115;¹⁵ *CO*, 29, 600).

Even in instances where rulers break their oath and act unjustly, the subjects should perform their duties and leave it to God to deliver them from such rulers. In His providence God will unleash His wrath and punish the unjust ruler and deliver the subjects from their misery. Furthermore, where in a state there are representatives of the people (estates) whose duty it is to oppose the arbitrary rule of rulers, it is their duty according to the divine order to protect the freedom of the people against insolent rulers (*CO*, 1, 1022; *CO*, 2, 1116¹⁶).

However, where rulers demand obedience from their subjects in conflict with the duty of obedience to God, subjects should be mindful that the service of God and obedience to Him supersedes the demands of their rulers. Therefore, submission to the demands of rulers rather than honouring God is not only in conflict with the natural order, but is also an assault on the majesty of God. Civil authorities who assume the authority of God should not be obeyed, because this amounts to robbing God of His right and majesty. To Calvin it amounts to perfidy and sin to obey the blasphemous demands of civil authorities and to remain silent on matters of the Gospel. If, for reasons of false modesty, we subject ourselves to the demands of civil authorities, we serve human beings rather than God (*CO*, 2, 1116ff.).

2.3 Calvin and the positive law grounding of the right of resistance

Calvin grounds the right to disobey in the principle that civil authorities who oppose God, lose the offices they have received from God (*CO*, 48: 398). Because civil authorities, on whom God has bestowed the highest fatherly honour, have the duty to care for their subjects like fathers should care for their children, God may

14 “... sed longe alia est ratio principum et superiorum dignitatum, quibus Deus vult subditos obedientes esse ...”

15 “At mutuas, iniquas, subditis suis vices debent praefecti. Id iam confessus sum ...”

16 “... quia populi libertatem, cuius se Dei ordinatione tutores positos norunt, fraudulenter produunt.”

at any time take away their rights of demanding obedience from their subjects (*CO*, 48:109¹⁷). In Calvin's view, civil authorities usurping the honour due to God literally become like dust (*CO*, 41:25).

Calvin grounds the duty of obedience in the ideal of the theocratic state rather than in considerations of divine and natural law. Therefore he shies away from acknowledging a right of resistance to civil rulers in instances where rulers break the solemn treaties concluded with their subjects and disregard their oaths and undertakings. To Calvin, disobedience to civil authorities should be regarded as revolution against God (*CO*, 51:736, 739; *CO*, 51, 785, 806ff.).¹⁸ In instances where civil authorities demand of their subjects to disobey God's will, the representatives of the people maintain their right of protection of the people, and the duty of resistance remains.

3. Calvin and the German reformers

3.1 Calvin's reliance on Luther and Melancthon

Calvin's views on the duty of obedience to civil rulers and the rights of subjects and their representatives to resist tyranny under specific circumstances were not original in either form or content. As early as 1530, Melancthon regarded the estates as Ephors for protecting the rights of subjects (*CR*, 16:440).¹⁹ Calvin is also in agreement with Melancthon on the right of resistance pertaining to the estates to protect the subjects against tyrannous rulers (cf. *CR*, 12:79-86). Thus, similar to Melancthon, Calvin provides for the right of resistance to tyrannous rulers to be exercised through the representatives of the people (the estates) in terms of existing positive law.

17 "Ergo si pater gradu suo non contentus, summum patris honorem Deo eripere tentat, nihil aliud est quam homo. Si rex aut princeps, aut magistratus eo usque se extollit, ut Dei honorem ac ius minuat, non nisi homo est."

18 The basic principles involved are also applied by Calvin to all areas where people are subjected to authority regulated by God's divine law and the natural law of the heathens. To Calvin both Christians and non-Christians are subject to the unqualified sovereignty of God (cf. *CO*, 39, 159).

19 "Sunt igitur excogita vincula quae iniicerentur tantae potestati, additae sunt leges regibus, ut ex scripto iure gubernarent rempublicam. Est igitur alia regni species summum imperium, sed certo iure circumscriptum. Quaedam nationes etiam addiderunt custodes regibus, qui ius haberent, redigendi eos in ordinem. Sicut Lacedaemonii addiderunt ephoros, quibus scribit Thucydides licuisse capere regem. ... In Germania sunt electores, in Gallia certi principes curiae parlamenti tamquam ephori regum." Cf. also *CR*, 12:82: "Ad haec summa officia hunc Imperatorem velut in speculam summam in genere humano collocarunt. Ac sapienter institutum est collegium Electorum, ut septem essent Principes, sive exemplo Persarum, sive Laconico. Nam et apud Persas consilium summum fuit post regem septem nobilissimorum Principum. Et apud Lacedaemonios Ephori fuerunt quinque ..."

However, the German Reformers went beyond Calvin in their acceptance of the right of resistance in self-defence. Melanchthon, for example, regards the “notorious acts of violence” performed by civil authorities as deeds of similar nature to those committed by robbers and murderers (*CR*, 3:130).²⁰ In such instances the reciprocal duties between civil authorities and their subjects are abrogated. In the opinion submitted by the theologians in January 1539, probably composed by Melanchthon, the divine law and natural law principles and duties pertaining to those in offices of authority, are relied upon in support of the view that “notorious unjustified violence” abrogates all existing duties between civil rulers and their subjects, and that lawful self-defence may be relied on in terms of natural and divine law (*BWL*, 12:80 & 12:195). The furthest Calvin was prepared to go, was to acknowledge the principle that a subject of a state may be regarded as a robber in the case where such a subject joins a foreign force against whom a war of self-defence is conducted (*CO*, 2:1102).²¹

Following the correspondence between the Wittenberg theologians and the advisors to the electoral prince in Thorgau in 1530, Luther grounded the right of resistance to tyrannous rulers in the positive law. Luther’s views were largely determined by the opinion of the jurists that the law of the Emperor made allowance for such a right and that the Gospel does not teach differently to the positive law (Bohatec, 1934:144). Similar to Melanchthon, Luther also based his views on the aristocratic nature of the constitutional position of the Empire and the accompanying duty of resistance situated in the estates of the Empire (*WTr*, 4, 239ff.²², 388). This view was probably an acceptance of the advice of the jurists

20 “(W)enn der Sententz gehet, dass der Priester Ehe unrecht sey und sollen verboten und zurissen werden ... Dieses ist eine notoria iniuria, und sind weltliche Sachen, darin natürliche Vernunft als Gottes Ordnung selbs Richter ist. Wider solche öffentliche iniuria ist der Schutz und die Gegenwehrt zugelassen; als, so sich einer wider einen Mörder auf der Strassen wehret; oder, ein Ehemann tödtet den Ehebrecher begriffen in der That. Solche Injurien sind ausgenommen in allen Pflichten und Bündnissen.”

21 “Siquidem nihil interest, rexne sit, an infirma de plebe, qui in alienam regionem, in quam iuris nihil habet, irruit, eamque hostiliter vexat; omnes aequae pro latronibus habendi sunt et puniendi. Hoc ergo et naturalis aequitas et officii ratio dictat, armatos esse principes non tantum ad privata officia iudicariis poenis coercenda, sed ad ditiones quoque fidei suae commissas bello defendendas, si quando hostiliter impetantur.”

22 “(D)ie Chürfürsten sind zugleich auch weltliche Glieder mit dem Kaiser, uns des keisers Glieder, welchen einem jglichen insonderheit aufgelegt und befohlen ist, für das Reich zu sorgen, sein Bestes zu fördern und Schaden zu verhüten, ... Dieselben Churfürsten, so ferne sie Glieder des reichs und Kaisers seyn, so sind sie weltliche Glieder, und nicht Christen; darum sollen sie in dem nicht schweigen, was das Reich und ihr Amt belanget, sondern sollen sorgfälligg seyn, und thun, was ihre Pflicht fodert. Als ein Exempel: ... Die bürgerliche aber ist weltlichen Rechten und Gesetzen unterworfen, und zu gehorsam schuldig, muss sich und die Seinen vertheidigen und beschirmen, wie die Rechte befehlen. Wenn nu ein böser Bube, ungeachtet was er vor eine Person

equating the relations between the Emperor and the princes elect with those between the Roman Senate and the Consuls (Bohatec, 1934:144). It must also be born in mind that Luther opposed the idea of grounding the right of resistance in the divine law- and natural law-based principle of self-defence. He nonetheless subscribed to Melanchthon's divine law- and natural law-based formulations in his expert opinion of 6 December 1536, to which Luther added: "I, Martin Luther, wish to support it with prayer, and if necessary, with the fist" (CR, 3:131).²³ Although Luther limited the divine law and natural law principle of the use of force *vim vi repellere licet* to instances of self-defence only, he did not totally reject the principles of natural law in this regard. In the expert opinion of 24 December 1529 he limited the principle of natural law in this field to instances of self-defence under inescapable conditions only. Therefore, placing oneself on the defence in the absence of inevitable threats may be interpreted not to represent self-defence, but rather as inopportune encouragement to violence and provocation (Bohatec, 1934:145, note 50). In a passage citing almost the same examples as those used by Luther in his *Table Talk*,²⁴ Melanchthon supports Luther's views and adds that self-protection is allowed in instances of public *iniuria*, similar to protecting oneself against a murderer in the street, or a husband killing an adulterer caught in the act (CR, 3:130).²⁵

Melanchthon also limited the application of the principle *vim vi repellere licet* to instances where unlawful violence are repelled by orderly means, namely by the civil authorities in providing assistance, or by one's own hand if the civil authorities are not available, in particular when one's life is threatened. Melanchthon adds that this interpretation is justified because the Gospel does not oppose the natural knowledge in this regard, and neither does it abrogate the civil order (CR, 16:573;²⁶ CR, 21, 408f., 723). Luther did not deviate from Melanchthon's views on this point either. In Luther's *Table Talk* he maintained

sey, wollte mein Weib und Jungfrauen nothzüchtigen, und mich zusehen lassen; da wollt ich wahrlich den Christian zurück setzen, und die die Weltperson brauchen, ihn im Werk erwürgen, oder um hülfe schreien. Denn Abwesens der Abridgeit, da man sie nicht haben kann, so ist das VolksRecht da, das erlaubt, dass mann Nachbarn um Hülfe anrufen mag. Denn Christus und das Euangelium hebt weltliche Rechte und Ordnung nicht auf, noch tadelt sie, sondern bestätigt und confirmirt sie."

23 "Ich Martinus Luther will auch dazu thun mit Beten, auch (wo es seyn soll) mit der Faust."

24 WTr, 4:239ff.

25 "Wider solche öffentliche iniuria ist der Schutz und die Gegenwehr zugelassen; als, so sich einer wider einen Mörder auf die Strassen wehret; oder ein Ehemann tödet den Ehebrecher begriffen in der That." He adds: "Denn in allen Bündnissen und Verpflichtungen sollen öffentliche Injurien ausgenommen seyn."

26 "Verum est igitur dictum, vim vi repellere natura concedit, sed notitia naturalis docet intelligendum esse certo modo, vim iniustam repellere licet vi ordinate, scilicet officio magistratus,

that Christ and the Gospel do not abrogate the worldly rights and order, but confirm these. He quotes the example of the attacker who attacks one's wife and daughters in one's presence and the utmost force that may be exacted for their protection or the calling for help and assistance under the law of nations (*WTr*, 4:240 & *WTr*, 2: 225). Thus Luther and Melanchthon are in agreement that where the people or an individual are "attacked" by the civil authorities, the source of the right to self-defence is situated in the grounds provided by divine law and natural law (cf. *CR*, 27:722).

Bohatec (1934:146) points out a minor point of difference between Luther and Melanchthon on the issue of the obedience of subjects and their right to resist: similar to Luther, says Bohatec, Melanchthon also senses the tension between the message of the Sermon on the Mount not to withstand evil²⁷ on the one hand, and the principle of self-defence grounded in reason and natural law on the other. Melanchthon took the position that Christ's command applies only to evil motives and attitudes. According to this approach, Melanchthon endeavours to overcome this tension by stating that in the Sermon on the Mount Christ merely aims at the evil motives and that the right of resistance was transferred to the civil authorities (*CR*, 21:123, 407ff.).²⁸

Differing from Melanchthon on this point, Luther, wrestling with the issue of conscience, applied the distinction between spiritual and worldly offices: whereas the spiritual person suffers all hardships, the worldly person is subject to all temporal rights and laws and due to render obedience, but also has to protect himself and his family according to the law (*WTr*, 4:272,²⁹ 237, 240).

cum eius auxilio uti potest, aut manu propatria, si desit magistratus, ut si quis incidat in latrones. Nec Evangelium delet naturalem notitiam, non abolet politicum ordinem, cum dicit" (Rom. 12:19).

27 Cf. Matthew 5:38: "Ye have heard that it hath been said, 'An eye for an eye, and a tooth for a tooth'; But I say unto you, That ye resist not evil: but whosoever shall smite thee on thy right cheek, turn to him the other also."

28 *CR*, 21:123: "Christus exponit legem de adfectibus, idque adfirmative. Lege non occidens, praecipit ut simus corde erga quosvis dextro, candido, liberali, exposito ad quaevis officia. Ne malo malum retaliemus, ne ligimus de rebus nostris"; *CR*, 21:407ff.: "Postea loci de vindicta etiam sunt praecepta, prohibent enim vindictam privatam, hoc est, cupiditatem vindictae, et eam vindictam, quae fit sine auctoritate magistratus. Neque vero tollunt publicam vindictam, quae exercetur per magistratum."

29 "Darum muss man recht unterscheiden einen Christen von einer weltlichen Personen, welche beide ein Christi seyn kann. Denn Christus hebt die weltliche Oberkeit und Regiment nicht auf. Wenn ein Mörder oder Strassenräuber mich wollte umbringen, und das Meine nehmen, so würde ich wahrlich die politische und weltliche Person brauchen wider ihn, und sein Wüthen nicht leiden, sondern mich wehren, so lange ich könnte, ich würde zur That greifen."

Calvin followed Melancthon on this issue. To Calvin the Sermon on the Mount proved no issue, because in his view it remains a practical matter. In his pastoral letter to the French congregations under the Cross, at that time (1561) suffering under the political authorities, in particular the congregation at Aix, Calvin wrote that the Christian Gospel has much more wisdom by patiently enduring all storms in the protection of the Lord, than by withstanding evil by force; it is, says Calvin, a recognised truth that the blood of the faithful not only calls for revenge, but also remains good and fruitful seed for the augmentation of the Church (*CO*, 18:437).³⁰ Also in his consolation to the Believers in France who suffered greatly after the death of Henry II, Calvin advised that the best weapon against the assaults of evil is not “teeth-gnashing” but forbearance – namely the exercising of patience. Calvin follows the example of the martyrs, who, albeit not passively, reflected unconquerable constancy of faith, and found consolation in their faith – those patiently enduring through faith remain committed rather to die a hundred times than to submit to evil (*CO*, 17:681-686).³¹

The heroism of faith to be demonstrated by the faithful does not exclude human willingness to act as instruments in the hand of God’s providence, punishing the violence of tyrants against individuals or whole nations through the hands of human beings. Calvin therefore admonishes the oppressed faithful to remain steadfast in the faith and to maintain their trust in God’s providential deliverance. Thus, to Calvin, it does not behove us to postulate an insurmountable dilemma between the heroism demanded by the Sermon on the Mount and the right to resist tyrannical oppressors. In essence this is the same position Calvin reflected towards the end of the first edition of his *Institutes*.

The basic principles emerging from Calvin’s views on the duty to obedience and the right to resist tyranny remained throughout his works: as contained in his letter of 19 April 1556 to the congregation of Angers, neither private persons nor congregations of the Church are allowed to resist civil authorities. In this letter Calvin explicitly rejected the possibility of opposing the oppressing political rulers with armed force (*CO*, 16:113). To the congregation of Paris, on 16 September 1557, Calvin wrote that individuals in their private capacity are not allowed to actively resist political authorities, adding that such attempts at resistance are sterile ventures that are doomed from the outset (*CO*, 16: 630). He

30 “Mais quelques raisons ou couvertures qu’on amene, toute nostre sagesse est de practiquer la lecon que nous a apprinse le souverain Mastre, asavoir de posseder nos vies en patience ...”

31 Cf. e.g.: “Nous voyons que les bons Martyrs ont eu ceste coutume entre eux, destre dautant plus vigilans a s’inciter par saintes admonitions, selon quilz veoyoyent que les Tirans faisoient tous leurs efforts pour ruyner la Chrestienté.”

also expresses his horror at the fact that in the revolt at Lyon a preacher stole relics and objects from the Catholic Church of the holy John, and resisted the public authorities by force of arms (*CO*, 19:409ff.).

3.2 Divine law and natural law versus the heroism of faith

The main reasons for the differences in the views on the duty of obedience and the right to resist political oppression in the respective approaches of Melanchthon and Luther on the one hand, and those of Calvin on the other, concern the role awarded to divine law and natural law in their respective theories. Both Melanchthon and Luther relied heavily on the classic Ciceronian views on justice, natural law and the nature of political duties. To Cicero the tenets of law and justice are contained in the nature of human beings, because the nature of the eternal law is engraved in the human mind (*DL*, 1.5.19 (317)). Because the tenets of justice are impressed by divine providence in the human spirit, they cannot be eradicated by the human will. These tenets of justice have a constitutive role to play in the making of law, because laws without the divine wisdom of justice are strictly speaking not laws, but oppression (cf. Plato, *Meno* and Cicero, *DL*, bk. 2). Justice has an obligating function in the human spirit because, “although we may hide what we do from all the gods and from mankind, we remain obligated to abstain from all avarice, injustice, lust and intemperance” (*DO*, 3, 8). The main function of the demands for justice is to oblige human beings by their moral force to act uprightly.

From Cicero’s theory of justice it follows that the demands of justice are much more fundamental than the legal force of positive laws; human beings are constantly obliged by the precepts of justice, because justice is the fundamental substance and vital principle of morality inserted in the human heart by providence in order to establish a happy, peaceful and virtuous life.

Following the basic outlines of Cicero’s theory of providence, moral duty and the nature of justice, Melanchthon advanced the notion that the human mind receives its illumination from divine wisdom illuminating human reason with a natural light, by pouring rays of divine wisdom into the human mind (cf. Engelland in Melanchthon, 1965:xxviii). These “principles of illumination” include the truths that human beings were born for society, that offences which harm human co-existence should be punished and that promises should be kept (*CR*, 21:117; *CR*, 21:398-400; *CR*, 918-919).³² The importance of these *notitiae* in the human mind

32 At 918-919 Melanchthon states: “Summae et optimae res in mente divina conditricis generis humani sunt, sapientia, discernens honesta et turpia, et iustitia, veritas, beneficentia, clementia, castitas. Harum optimarum rerum Deas semina in mentes humanas transfudit, cum nos ad

for maintaining political stability, is situated in the fact that the highest reason fixed in the human mind concerns the essence of human co-existence in society; the natural components of knowledge concerning morals that support life and law in the earthly domain (*MWA*, 3:208). These *notitiae* or “nodal points” of human knowledge come very close to reflecting Cicero’s statements to the effect that law and justice are contained in the nature of human beings.

Cicero’s views on the need for laws in society and the preservation of the tranquillity and happiness of human life appealed strongly to the German Reformers. Cicero maintained that laws are essential for making possible an honourable and happy life (*DL*, 2.4.10-2.5.11 (383)). Rulers who formulate wicked and unjust statutes for nations break their promises and agreements – an implicit reference to the oaths made at the institution of rulers and the vows they make to govern justly (cf. *DL*, 2.5.11-13 (383)). The further implication is that wicked and unjust statutes make a state to be no state at all, because it lacks law (*DL*, 2.5.13 (385)). Therefore, Cicero maintains that the “deadly pestilential statutes” which nations put in force are nothing better than the rules a band of robbers might pass (*DL*, 2.5.13 (385)). Furthermore, Cicero holds that because vows are contracts by which human beings are bound to God by calling in God’s justice, the scrupulous performance of vows is a demand of divine providence (*DL*, 3.1.1 (459)).

Melanchthon shared Cicero’s emphasis on the primary moral-political importance of justice concerning the safety of the citizens and the preservation of civil society. Cicero’s statement concerning the natural inclination of man to protect himself against unjust violence was also shared by Melanchthon in his *Prolegomena to Cicero’s De Officiis* (1530) and his reliance upon the natural inclination of creatures to protect themselves against unjust violence (*CR*, 16:533-614). The “appetite for conserving themselves” is shared by both animals and humans, while in mankind the same inclination is found to repulse unjust violence (*CR*, 16:573). This “natural inclination” is nothing but the testimony of God, which He has given to us to discriminate between justice and injustice (*CR*, 16:573). Civil institutions are instituted to guarantee the rule of justice, and the office of rulers and magistrates automatically excludes any right to inflict violence on their subjects (*CR*, 16:574). Therefore subjects have the natural right to repel unjust violence by ordained officials (estates) by calling on them to assist or, if no assistance is forthcoming, by acting themselves in the manner of a person who kills thieves in self-defence (*CR*, 16:573).

imaginem suam conderet. Et ad normam suae mentis congruere vult hominum vitam et mores. Voce etiam sua hanc ipsam sapientiam et virtutum doctrinam patefecit.”

The divine law/natural law-basis of the right of resistance in extreme cases of violence enables Melanchthon to state that the lawful power to act in self-defence in resisting unjust force or violence is both limited to the office of ordained rulers, and is a power possessed in extreme instances by every individual in accordance with the right of nature to repel violence with force (*CR*, 16:573). In an opinion drawn up by Melanchthon and signed by Luther, Jonas, Melanchthon, Spalatin and other theologians towards the end of October 1530, the permissibility of the use of violence in resistance to government under particular circumstances is acknowledged. The opinion concludes that since the situation in Germany has become so dangerous that events may daily make it necessary for men to take immediate measures to protect themselves, not only on the basis of civil law but on the grounds of duty and distress of conscience, it is fitting for them to arm themselves and to be prepared to defend themselves against the use of force. Furthermore, it is noted that although in previous teaching resistance to government authorities is altogether forbidden, they were unaware that this right has been granted by the government's own laws, "which we have diligently taught are to be obeyed at all times" (*LW*, 47: 8). In *Luther's warning to his poor German people* (1531), he went further to inform the people that in the event of war by the emperor to stamp out the Reformed religion, those wishing to take up arms and fight the emperor cannot be reproved because they will be acting in self-defence, preserving themselves against the abuses of law (cf. *LW*, 47:11 & *WA*, 30(3) 276-320). By departing from their original more passively-inclined position regarding self-defence, both Luther and Melanchthon moved beyond the position Calvin was willing to accept in his *Institutes* in 1536. Later developments in Reformational theologico-political thought, propagating a more active position in opposing unjust and tyrannous rulers, found the roots for their theories mainly in the natural law-orientations of Luther and Melanchthon.

4. The legacy of natural law resistance in the thought of the German reformers

4.1 *The theologico-political federalists*

The early German Reformation established a moral and religious platform for political and jural resistance views by developing the classical Ciceronian framework of providence, moral duty and political authority subject to natural law

33 At least five years prior to Melanchthon's and Luther's natural law grounding of the right of resistance to tyranny, Cicero's account, in his *De Re Publica* (2.26.47 & 27.49), of the expulsion of Tarquinius Superbus, who, when he had reached the summit of his insolence, was deprived of

and human reason.³³ The development of this Ciceronian-Lutheran basis for developing resistance-theory had a profound effect on later generations of Reformational thinkers. Whereas Luther and Melanchthon nurtured a limited and conservative notion of political resistance, albeit more progressive than Calvin's, later generations of Reformers tended to broaden the spectrum of natural law arguments in support of legitimately establishing a right of resistance to civil rulers. Whatever the basic arguments advanced may be, most of these emanated from the view that justice is a cardinal virtue and fulfils a constitutive function for making and applying positive law, whilst the contract binding rulers and subjects is grounded in natural law and demands unqualified respect by both rulers and those subject to their governance.

It was particularly the natural law-grounded contractarian view that was to dominate political resistance theory towards the end of the 16th century and for most of the 17th century. Philippe-DuPlessis Mornay (1549-1623), Johannes Althusius (1557-1638) and Samuel Rutherford (1600-1660) provide good examples of the development of the covenantal idea in political theory at this time. It was particularly Mornay's *Vindiciae* that articulated the notion of natural law-based contractarian thought in a most elegant fashion. Moltmann states that Mornay's *Vindiciae* propagated a new "federalistic-democratic idea of the State" and that Mornay was the first to apply the theological ideas of covenant to the foundation of the right of resistance (Moltmann, 1994:23). Moltmann adds that Mornay wanted to answer four contemporary questions, which are still relevant today: 1. Do subjects owe obedience to a ruler whose decrees contradict the law of God? 2. Is one allowed to resist the ruler if he violates the law of God? 3. Is it allowed to resist a ruler who ruins a state? 4. Are neighbouring rulers allowed to help foreign subjects based on religious or political grounds? (Moltmann, 1994:23). Mornay grounded his resistance theory largely in the demands of the divine law and the oaths and vows demanding reciprocal obedience and just performance of duties by subjects and political rulers respectively (cf. Moltmann, 1994:24). On the grounds of the political authorities being bound to their solemn undertakings contained in the divine law, the lesser magistrates have the religious duty to resist the king if he transgresses the divine law, thereby fulfilling their promise to God (Skinner, 1978:325-326).

his rulership by the people had inspired the Swiss Reformer, Bullinger, to justify the people's right to protect themselves and their goods against tyrannical assault and justified the use of force against such forms of tyranny. At that stage Luther and Melanchthon still voiced their traditional view that obedience on the part of subjects is an unconditional duty.

Althusius places his theory of resistance within the framework of his covenantal thought by stating that if the supreme magistrate does not keep his pledged word and fails to administer the realm according to his promise, then the realm is the punisher of this violation and broken trust. It then becomes the responsibility of the people to change and annul the earlier form of this polity and commonwealth, and to constitute a new one – because a proper condition of the agreement and compact is not fulfilled, the contract is dissolved by right itself, and the people will not recognise such a compact-breaking person as their magistrate, but will treat him as a private person and a tyrant towards whom it is no longer required to extend obedience or other duties promised (Althusius, 1965:129). Althusius alludes to the example of the most sacred of all bonds – marriage. If dissolution of such a bond is qualified by Scripture, then surely this must equally qualify the conceding of a “divorce” between a king and a commonwealth because of the intolerable and incurable tyranny of a king by which all honest cohabitation and association with him are destroyed (Althusius, 1965:110).

As early as 1554, John Knox was canvassing the leaders of the Swiss congregations for their opinions on such matters as obedience “to a magistrate who enforces idolatry and condemns true religion” (Mason, 1980:415). All forms of idolatry, especially participation in the mass, were irrevocably to violate the “league and covenant of God”, which “requires that we declare ourselves enemies to all sorts of idolatry” (Mason, 1980:414). Knox went further to state that Christians were lawfully bound to defend their brothers from persecution and tyranny against princes or emperors, and he also subscribed to the principle that the nobility have the duty to overthrow an idolatrous sovereign (Raath & De Freitas, 2002:72). In fact, Knox’s theory on resistance was similar to that of the Monarchomachs (including Mornay), who postulated a theory of resistance that differed from Calvin’s. Greaves states that the ultimate divergence of Knox and Calvin on the nature of lawful rebellion against temporal sovereigns can be traced to their differing interpretations of the covenant. Greaves adds: “It was Knox, not Calvin, who was willing to contend actively for the right of the people to resist a tyrannical monarch. The covenant was an idea with awesome political potency, as Knox demonstrated, as the French Huguenots and the English Puritans as well as Knox’s Scottish followers subsequently discovered” (Greaves, 1973:13). Elazar observes that Knox was the most influential of the second line of Reformers in shaping resistance theory by fomenting resistance against the French monarchy and as such had a major direct influence on the Huguenots. Elazar adds that by taking this step Knox broke with Calvin’s idea of submission to constituted civil authority to propound the idea of the legitimacy of religiously motivated resistance. Elazar continues: “Knox based his break on his understanding of

covenant theory which, to him, justified the common people taking up arms against a tyrannical and idolatrous ruler ... Developed first for the Huguenots in the 1550s, Knox's views became dominant among the Huguenots after the St Bartholomew's Massacre in 1572 and in Scotland in the late 1560s early 1570s" (Elazar, 1996:205).

Samuel Rutherford took the application of the principles of covenanting and the duties flowing from the undertakings and vows of the civil rulers further. Rutherford states that the king is obligated not to resort to tyrannous acts and the people are obligated to resist the king when he resorts to such acts. Rutherford refers to the example of an army appointing a leader: this appointment is based on the condition that such a leader will not betray them to the enemy. Once such a leader has or is in the process of committing such a betrayal, the people will have the right to resist him (Rutherford, 1982:61 (2)). The covenantal relationship between the king and the people implies that the king is appointed on the condition that he abides by the law of God, hereby serving the interests, peace and well-being of the community that has elected him. This is a mutual relationship based on condition, and the law of God forms the content of this condition (Rutherford, 1982:61 (2), 118 (1), 137 (1), and 141 (2)). In the event of the condition not being fulfilled, the people have the right to resist, with such resistance being a consequence of breach of the covenant between God and the community. According to Rutherford, although Saul committed acts of tyranny "as seem destructive of the royal covenant", this does not prove that Saul was not made king by the Lord and the people conditionally. In fact, these tyrannous acts of Saul were contrary to the conditions that Saul, in the covenant, took upon himself to perform at the making of the royal covenant. Therefore, the people who elected Saul as king may lawfully dethrone him and anoint David as their king (Raath & De Freitas, 2002:64).

4.2 Calvin, the Monarchomachs and the contractual rights of the people

The reasons for Calvin's "weaker" theory of active resistance have to be sought in the light of his reluctance to introduce natural law motivations into his theologico-political grounding of political resistance and the absence of arguments in favour of contractarianism. Therefore, different from Bullinger who approached the issue of political resistance from the perspective of the covenant, and from Melancthon's and Luther's natural law motivations for political resistance, albeit in a limited sense, Calvin worked squarely from the principle of faith and the non-allowance of political resistance by private people.

Although elements of resistance theory were present in the views of Luther, Melancthon and Calvin, the latter's political ideas regarding political resistance

were not sufficiently clear. Hyma points out that Calvin, for example, did not provide much clarity concerning what the rights were of the people as represented by the local magistrates, members of provincial estates, members of national estates, provincial governors and national assemblies. However, the fact that Calvin referred to the Euphori, Tribunes, Demarchs and national assemblies, indicates that he was familiar with the operation of these various bodies and officials – and since he plainly said that he was only speaking of private citizens when urging people not to resist the government, he clearly had in mind other persons who did have the right (Hyma, 1938:150-151). Mason also states that for Calvinists in particular, obedience to constituted authority was a cardinal principle of the “discipline” essential to the right functioning of those “godly commonwealths” which they sought to establish to the greater glory of God (Mason, 1983:101).

Laski observes that both in Scotland, as with Buchanan, and in France, as with Beza and his successors, they were concerned to show the impossibility of an absolute state. For this they had to argue that princes did not have *carte blanche* to arrange the religion of the state as they pleased and that the reason for this limitation lies in the general nature of the state itself harboured in a contract which always confers certain rights upon the people. Laski comments that this has certain implications for the law, for in such an instance the law is never the simple command of an Austinian system such as that of Bodin, for example. In other words, the law must fulfil the purpose of a social contract (Laski in Duplessis-Mornay, 1924:26). From the Protestant point of view, the results of this theory taught that a law which violates the purpose of the social contract is not a law at all, and may therefore be resisted. In fact, according to Laski, the Monarchomachs had an importance which went far beyond the very limited aim their effort had in view, and in this there was something valuable in an age of despotic centralisation so intense, that as a result, the sixteenth century saw an effective protest against unlimited power (Laski in Duplessis-Mornay, 1924:26).

The final step in the development of political resistance theory in the Reformational fold was the Monarchomachic teachings of popular sovereignty based on the “double covenant” between God, king, and the people of Israel in the Old Testament and the application of these principles to modern political conditions and circumstances. From this the Monarchomachs argued that the people can legitimately resist tyrannical rule as a violation of this covenant in which they are “equal” partners, and equally responsible for its adherence (Hüglin, 1988:232). The Monarchomachs, therefore, played an important role in the transformation of resistance theory as part of the theory concerning popular sovereignty or sovereignty of the people as a whole. This manifested itself in

Mornay's thought concerning resistance theory, not limited to the "Monarchomachical" tradition, but also in the tradition of theologico-political federalism (cf. Skinner, 1978:305). In retrospect the transformation of the right of political resistance to the context of popular democracy was perhaps one of the decisive nails in the coffin of the "old mischievous idea of the 'Divine Right of Kings'" (Rae, 1991:76).

5. Conclusions

This article reflects on four important issues connected very closely with Calvin's views on obedience to political rulers and the German Reformers' transformation from a more pacifistically inclined view on resistance to political authority towards the beginning of the third decade of the 16th century. A close study of the early Reformational views on Luther's, Melanchthon's and Calvin's approaches to resistance to tyrannous rulers, produces important results: it is not correct to say that Calvin formulated a theory of revolution; neither is it correct to say that Calvinist political theory was the first to switch from the figure of the prince to that of the revolutionary, in consequence forming the basis for the new politics of revolution. At least six years prior to the publication of the first edition of Calvin's *Institutes*, Luther and Melanchthon had formulated a theory of legitimate resistance to tyrannous rulers incorporating natural law arguments and reflecting an orientation towards the moral duties of subjects in political society. In the decades following upon Calvin's formulation of the duties of political rulers and subjects, Philippe-Duplessis Mornay, Johannes Althusius, Samuel Rutherford and the Monarchomachs extended the natural law grounds for legitimate resistance by applying and developing in particular the natural law grounds associated with the duties emanating from the contractual vows and obligations to be performed by rulers and subjects in political society. Furthermore, it is found that whereas Calvin very strongly relied on the heroism of faith of those subjected to tyrannous rule of political authorities, Luther and Melanchthon also incorporated elements of natural law and the moral duties emanating from the ideals of justice.

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