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## **Calvin's Doctrine of the „Civil Government“: Its Orienting Power in Pluralism and Globalization**

“The image of his character, confused by the favor and the hate of interested parties, oscillates in history.” This statement of Schiller's about Wallenstein<sup>1</sup> could also apply to Calvin.

- On the one hand, the great reformer was not only a highly learned exegete of Holy Scripture and the author of the most important dogmatics of the reformation. He is rightly honored above, and along with, other reformers and political leaders of his time as a central figure of the “history of freedom in early modernity”.<sup>2</sup> It was exactly for this role that the reformer Calvin, with his broad knowledge in law and the humanities, was dedicated a large monument in Geneva on his 400<sup>th</sup> anniversary in 1909. The development of modern science, historical-critical exegesis, the fight for the separation of powers with regard to law and politics and including the right to resistance, and the beginnings of modern democracy owe decisive impulses to Calvin's work.
- On the other hand, it is said that it was not without reason that Calvin, quite different from Luther, was only honored with a monument 400 years after his birth. His activities in Geneva had

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1 Prologue, Wallenstein's Camp, 1789.

2 Christoph Strohm, Johannes Calvin. Leben und Werk des Reformators, München: Beck 2009, 7 (in the following referred to as: Strohm, Calvin).

been too ambiguous – there was his rigid intolerance, his church discipline not based on the Scriptures, his religious-moral harassment, mortification and persecution of his fellow-beings and even their execution. The names of “Castellio and Calvin” respectively became the synonyms for “tolerance and intolerance”, not least through Stefan Zweig’s publication.<sup>3</sup> The names of “Calvin and Servet” represent the history of the terrible temptation to enforce religious convictions at all costs, including the death penalty.

The following thoughts on Calvin and the strengths of reformed theology do not aim at a decision for the one or the other “image of his character”. Rather, they are meant to help us understand the range of, and the tensions in Calvin’s personality and his activities. It is against this background that they intend to emphasize some groundbreaking theological insights at the end of his main work, insights which still today can be a model in the contexts of pluralism and the ecumene.

## **1. Orientation in multi-layered relations of conflict**

Whoever wants to grasp Calvin’s person and work in person-on-person relations or person-on-person conflicts, such as Calvin and Gruet, Calvin and Castellio, Calvin and Servet, will end up with a vague and indeed wrong idea. Likewise, the effort to understand the reformer and his merits only in his conflict with Roman-catholic theology and the papacy will be a failure. Calvin’s great achievement

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<sup>3</sup> Stefan Zweig, Castellio gegen Calvin. Ein Gewissen gegen die Gewalt, 1936.

with regard to the ecumene and to world-history and in particular his controversial actions in his second time in Geneva (1541-1564) have to be appreciated against the background of a multi-layered situation of conflict. The religious and theological controversy with the ruling teaching of the church is an important element, but it is only one element of conflict among many others. Calvin, along with the other reformers of high standing, enters this internal conflict of the church by insisting upon the radical orientation on Holy Scripture (*sola scriptura*) and on the clearer knowledge of Christ (*solus Christus*). He meets with the strong resistance of the recognized academy – in Calvin’s environment, the theologians from the Sorbonne in Paris are representatives of this attitude. The reform of the universities, institutions of higher learning and the educational system as a whole, including elementary schools and spiritual education in the families<sup>4</sup>, intensely conducted by Luther, Melanchthon, Bucer, Calvin and other reformers, cannot be overestimated as a motor for the modern history of freedom. The reformation was a gigantic revolution of education. In its “return to the sources” with regard to history and philology it offers an early form of, and a parallel to, the revolutionary turn to the experiments in the modern sciences. “The Reformation and the scientific movement were two aspects of the historical revolt which was the dominant intellectual movement of the later Renaissance. The appeal to the origins of Christianity, and Francis Bacon’s appeal to

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4 Cf. Strohm, Calvin, 64f (see note 2).

efficient causes as against final causes, were two sides of one movement of thought.”<sup>5</sup>

In addition to the quarrels in the areas of church and theology and in the fields of the academy and educational institutions there are massive conflicts on the levels of law and politics which essentially contribute to the questionable and repulsive phenomena of the reformation in Geneva. On the one hand, Calvin time and again has to grapple with the middle class in Geneva which is not willing, without a struggle, to give up the religious, moral and political freedoms brought by the reformation or to let them be drastically restricted.<sup>6</sup> On the other hand, he has to fight against the resentment “the French” (Huguenots) meet with in Geneva. They had come in large numbers and, as refugees, depended upon the Swiss support. “For the period from October 1538 until October 1539 it is for instance documented that the hospital in Geneva supplied more than 10,000 needy strangers at least with the most basic goods before the attempt was made to encourage the majority to move on.”<sup>7</sup> In order to adequately appreciate the enormous charitable achievement of the Geneva population we have to recollect the fact that at that time the city had hardly more than 10,000 inhabitants.

On the one hand, the citizenry and the congregation in Geneva are diakonically challenged to the utmost, the more so as there is the constant threat and visitation of the plague. On the other hand, they feel religiously and morally controlled and regulated by an

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5 Alfred North Whitehead, *Science and the Modern World* (1926), Glasgow: Collins 1975, 19.

6 Highly instructive with regard to this aspect: Strohm, *Calvin*, 41ff, 60ff. (see note 2).

7 Strohm, *Calvin*, 67 (my translation). For the following, cf. *ibid.*, 68ff.

increasingly strong group of “French” pastors and persons educated in law. Since even in these conflicts Calvin, in agreement with the leading reformers, speaks up for the separation of powers and for the secular authorities’ rights to govern, this must result in an agitated and complicated history of the changing demarcations and coalitions between the secular and the clerical powers. The need emerges for an ever new adjustment from both sides of the competences and claims to power. This process must needs result in a heightened loss of orientation and a heightened rigidity in the areas of religion, politics and morals. Time and again, the normative claims of the religious and political groups, institutions and of their spokesmen have to be examined, rejected or strengthened with reference to the law and in moral-political experiments.

It is with disapproval or horror that we note, “In 1555, church discipline was exercised eighty times, one year later there were already twice as many cases, and from 1557 to 1561 the number tripled. In 1559 more than three hundred persons were excommunicated at times.”<sup>8</sup> Calvin’s rigorous attitude will not blindly be censured by a circumspect view which takes into account the extreme normative tensions and the explosive mix of wishing to exploit them simultaneously through chaos and through tyranny. During Calvin’s activities in Geneva, there is a boiling mixture of normative fighting on the way to a church organized in a Protestant freedom-loving manner, to a pluralistic society which, correctly

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<sup>8</sup> Strohm, Calvin, 90 (my translation), following William G. Naphy, Calvin and the Consolidation of the Genevan Reformation, Manchester / New York, 1994, 178ff.

understood, has differentiated functional systems and a representative democracy. Strongly supported by law and education, the religious and political forces have to recognize, to strengthen and at the same time to restrain each other. For all participants, this is an extremely demanding process with lots of potential for conflict.

In addition to the manifold conflicts among the internal societal interest groups and powers there are international tensions and resentments. People rightly do not want to give up local traditions and privileges. They want to preserve, perhaps even to optimise, but by no means to jeopardize many good old customs and orders. Reformation yes – but please, in measured steps. Thus the slogan could have run. Time and again the Swiss cities come to agreements on how to proceed in matters of religion, law and politics. We must not underestimate the fear to be overcome and burdened by negative developments in Germany, in France or other parts of Europe. This also accounts for the unsettled attitude of the religious and political spokesmen in Geneva towards Calvin and “the French” whom he had integrated into the spiritual leadership.

The attempt to generate a final and balanced picture of Calvin’s character against this background is in the long run probably doomed to failure. Over against this, an examination and critical acclaim of the amazing final chapter in his main work “Institutes of the Christian Religion”<sup>9</sup> is illuminating with regard to Calvin’s clear orientation in the multi-layered relations of conflict in the religious and political fields.

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<sup>9</sup> Calvin, *Institutes of the Christian Religion*, Vol. 1, ...

## 2. Calvin's Doctrine of the Civil Government

As early as in Book III of the Institutes Calvin had differentiated between a “spiritual government” and a “civil government”. The former teaches the human “consciousnesses piety and the worship of God”; it is concerned with the soul and the heart. The latter government trains them “in the duties of humanity and of civil life which are to be observed among human beings”, and it is concerned with “what belongs to the present life”, above all with the “outer morals”.<sup>10</sup> At the end of his book, Calvin surprisingly does not take up the doctrine of the “spiritual government” in order to link it with an end-time eschatology and thus to correspond to the classical dogmatic course from creation to the “final things”. The Institutes’ last chapter deals with the doctrine of the “civil government”.

Calvin is well aware of the confusion which he thus provokes with a book which is essentially meant to serve the “spiritual instruction in faith”. In this final chapter, Calvin wants to protect faith from all those who aim at overthrowing the external order in barbarous ways, and from those who want to entrust the worldly powers alone with it. Both sides fail to recognize that the civil government is also given by God. Both sides thus jeopardize and even destroy the “purity of faith”.<sup>11</sup> Calvin sees the danger that the freedom in faith given in Christ is not grasped clearly or that an indifference

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<sup>10</sup> Institutes III, ...

<sup>11</sup> Institutes IV, ...

towards the civil orders or even an effort to get rid of them wrongly appeals to spiritual freedom as a witness.

In this chapter it becomes clear very fast that Calvin radically rejects any populist mobilization of force to bring down public order. If one separates his statement that precisely for this reason Scripture particularly orders us “to honor the king” (Prov. 8:15; 1. Peter 2:17), because this power of a single person “is the least pleasant of all”<sup>12</sup>, then the superficial impression is quickly established that Calvin radically rejected anarchy, but was kindly disposed towards the monarchy. His division of the chapter – to treat the authorities first, then the laws and at last the people and their “obedience” to the authorities<sup>13</sup> – easily strengthens this wrong impression. This approach completely fails to recognize the subtlety as well as the radicality of Calvin’s doctrine of the civil government. In fact, Calvin develops a momentous **doctrine of the right to resistance, even to the duty to resistance over against a tyrannical and unjust government**. He does caution against the “devilish arrogance” of anarchy, but emphasizes in a milder yet no less insistent way that magistrates appointed by the people are “to withstand, in accordance with their duty, the fierce licentiousness of kings”. For “if they wink at kings who violently fall upon and assault the lowly common folk”, they “dishonestly betray the freedom of the people, of which they know that they have been appointed protectors by God’s ordinance.”<sup>14</sup>

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12 Institutes IV, 20

13 Institutes IV,

14 Institutes IV, 20, 5 and 20, 31.



Calvin perceives various forms of such “magistrates of the people”, as he puts it, for instance within the three estates. It is extremely important to him to institutionalize resistance, to develop forms of transmitting responsibility from the beginning and, in the long run, to aim at the juridification of the new order. He is not so much led by the search for an alternative to unsuccessful risings such as that against the Spartan kings or the Peasants’ War, but by a comprehensive theological view of God’s reign of the world in the history of mankind.

The *cantus firmus* of Calvin’s explanations regarding the civil government is the statement in Acts 5:29, “We ought to obey God rather than men.” If the authorities – in whatever form they may appear – command anything against God, “let it go unesteemed. And here let us not be concerned about all that dignity which the magistrates possess; for no harm is done to it when it is humbled before that singular and truly supreme power of God.”<sup>15</sup> Calvin gives several biblical examples – which he approves of – of a refusal of obedience and of resistance to the king. On the one hand, he is aware of the danger to those who resist, “The wrath of a king is as messengers of death,” Salomo says (Prov. 16:14). But he also sees the danger that persons “with no authority” want to place themselves in God’s place who, however, “broke the bloody scepters of arrogant kings and ... overturned intolerable governments. Let the princes hear and be afraid.”<sup>16</sup>

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15 Institutes IV, 20, 32.

16 Institutes IV, 20, 32 and 20, 31.

Calvin is concerned with nothing less than the understanding of responsible human life under God's reign of the world. In order to follow his thought, we have to get rid of several well-established but wrong perceptions and opinions.

*1. The mistake of a fixation on one country only, on one form of government only, and on one explosive situation only*

Calvin does not only develop a "global view" in the sense of a perspective on the political situation in Europe in his times. On the basis of his comprehensive biblical knowledge he develops a perspective on the world of the dimension of the history of mankind. This perspective confronts him with very different forms of government of varying quality, but also of varying dangerousness. He himself prefers the aristocracy among the forms of government or "a system compounded of aristocracy and democracy", since the separation of powers is to be welcomed and since thus the protection and advancement of freedom, but also the stabilizing balance of "freedom and moderation" can best be reached.<sup>17</sup> In our late-modern pluralistic societies the balance of powers between systemic forms in politics, the economy, law, education, religion and other parts of the society on the one hand and the civil societal associations on the other corresponds to such a constellation envisaged by Calvin.<sup>18</sup>

This broad view enables Calvin to appreciate advantages and see disadvantages in forms of government in their times and locations without having to give up standard of development. The

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<sup>17</sup> Institutes IV, 20, 8.

<sup>18</sup> See Michael Welker, *Kirche im Pluralismus*, Gütersloh: Kaiser 1995, 2nd ed. 2000.

comprehensive biblical orientation, however, enables him also to discuss the highly vexing fact that despots such as Cyros and even Nebukadnezar are regarded as tools in God's hand, which means that political conditions, deplorable in many respects, must not be visualized somewhere beyond God's reign of the world. The failure of the despots before God's mandate is then hidden – as well as the sensitivity for the fact that tyranny is often connected with shortfalls on the part of those who suffer from it.<sup>19</sup> For instance, they can become guilty because of indifference in this situation or because of their failure to act against the oppression. It is this connection of delusion and blindness which is veiled by the second mistake.

2. *The mistake of perceiving the power of the authorities remoto Deo*

This mistake occurs on the basis of the good intention not to identify or confuse Christ's kingdom and civil governments; it is based on the good intention to clearly differentiate God's government and worldly government. However, this important differentiation must not become a separation. Calvin cites a number of biblical witnesses according to which the authorities are appointed by God and the persons who have public responsibility and power are only regarded as approved of, but also as distinguished by God. In some biblical traditions he even sees the human being destined for the *imago Dei* in connection with the designation to become "servants to the divine justice" in their public responsibility and "tools of divine truth".<sup>20</sup>

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<sup>19</sup> See Calvin's detailed exegetical and historical considerations in Institutes IV, 20, 25-29.

<sup>20</sup> Institutes IV, 20, 4 and 20, 6f.

On the one hand, he makes it clear that the election to this, as he puts it, “royal office” must not be confused with the “Apostolic service” to which Christ appoints the humans. On the other hand, it would be necessary to elaborate more clearly that human rule can happen arbitrarily and forcibly and detached from God’s will, but that it can only have an effective existence under the power of “divine admission”. At this point important corrections of Calvin’s doctrine of predestination and providence should also be made. However, his concern to regard no worldly power as withdrawn from God’s judgment is by all means to be accepted. The wrong compulsion to think that any rogue regime is to be attributed to God’s will or that even all public power is to be identified with the kingdom of Christ must persistently be criticized and rejected with Calvin.

Any authoritative power has to be measured on this basis as to whether it first strives to protect and further God’s justice and God’s veneration corresponding to its appointment, second, as to whether it is willing to serve “justice”, in particular the protection of the weak, as well as “the law” and thus public order and social peace.<sup>21</sup> In order to be able to fulfill their duty, the authorities have to be equipped with power including the bloody application of violence when they pursue crime and wage war. Calvin restricts war to the defense of one’s country (“without obeying the ambitions”) and demands that a balance between “too much strictness” and “too much mildness” be found in the persecution of crimes.<sup>22</sup> Time and again, Calvin makes such

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21 Cf. Calvin with regard to both tables of the law, Institutes IV, 20, 9.

22 Institutes IV, 20, 10-12.

suggestions to find a balance in border situations, and he defines them in more detail with sensitive references to the given contexts.<sup>23</sup> Thus the authorities are by all means to collect taxes and, if necessary, emphasize their dignity through a certain “magnificence of their household”. However, they are to beware of “tyrannical predaciousness” and keep in mind the fact that they administer “possessions of the entire people” and that these possessions are above all “supports of public necessity”.<sup>24</sup>

### *3. The mistake of confusing the kingdom of Christ and civil government*

From the beginning of the Institutes, Calvin emphasizes that a religious reference to God’s majesty *remoto Christo* leads into ambivalence and finally into despair. It is only in Christ and in the power of his Spirit that we realize God’s love in his election and providence. It is only in the unity with Christ that we reach the knowledge of faith and the peace of heart and soul. The “Apostolic instructions” of Jesus Christ and the New Testament seem to contradict many directions to establish the civil government. The requests not to resist evil, not to retaliate, to turn the other cheek also after the blow on the right cheek (Matth. 5:39 par.), Paul’s condemnation of lawsuits (1. Cor. 6:5ff) – Calvin regards these and numerous other instructions as “Apostolic” orientations for the life in discipleship of Christ and in the kingdom of God.<sup>25</sup>

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23 See the subtle considerations in Institutes IV, 20, 16; but also Strohm, Calvin, with regard to Calvin’s knowledge in law and historical exegesis, 22ff and 119ff (see note 2).

24 Institutes IV, 20, 13.

25 Cf. Institutes IV, 20, 19-21, but also 20, 1.

It is important to Calvin that in these instructions as well love for God and love for one's neighbor are guiding factors which have to be decisive for the establishment of the civil government under the difficult conditions of public life. His differentiation between the "inward preparation of the heart" for eternal life and the "activity in public" demands further theological reflection, especially since at certain points he considers interdependencies and transitions between both governments. Here the difficult difference and assignment of "law and gospel" and his teaching of the *tertius usus legis* come into view.

In his biography, Christoph Strohm has rightly emphasized that the great theologian and exegete Calvin cannot be understood without the humanist and jurist Calvin. The final chapter of the Institutes impressively bears witness to this connection. Calvin sees Paul's rejection of lawsuits in the congregation as a fight against an excess of litigations. In his opinion, the establishment and the fostering of the civil government which allows itself to be strengthened by the Apostolic instructions of Christ in the love of God and the love of one's neighbor will have beneficial effects on the way human persons deal with the law.

The accused is to appear before the court without bitterness, and the plaintiff is to make his complaint without greed, acrimony, vindictiveness and hate. A truly just handling of the conflict can only happen if each of them treats "his adversary with the same love and

good will as if the business under controversy were already amicably settled and composed.”<sup>26</sup>

Calvin states that such a (so to speak) “cool” handling of legal contentions and conflicts is likely to strike many people as “a wonder”. However, in the realm of civil government it would make visible a mirror, and would bring out a glimpse, of the reality which Christ’s government aims at. True love of one’s neighbor develops in orientation on the love of God and in the willingness to thank God for His creative goodness and to honor Him. This love seeks to strengthen and to honor one’s neighbor without ignoring or questioning the foundations of one’s common life. It has a clear orientation even in complex situations of conflict. It calmly engages the ethos, the law, politics, education and religion with all their inner tensions and conflicts. For it sees all these ordering powers oriented on God’s honor: *Ad majorem Dei gloriam*.

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<sup>26</sup> Institutes IV, 20, 18.