

A RECIPE FOR INTOLERANCE: A STUDY OF THE REASONS BEHIND JOHN CALVIN'S APPROVAL OF PUNISHMENT FOR HERESY

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If nothing else, Michael Servetus was certainly bold. Improperly timed, his *Errors of the Trinity* was published in 1531 from Spain, his home and—more importantly—the very citadel of Roman Catholic intolerance. This particular work was destined to render him, in the words of Bainton, “a hunted heretic” and a man on the run.¹ After adopting the pseudonym Villeneuve, Servetus was first to flee to Paris and later to Lyons, where he became recognized as a brilliant physician noted for his work regarding the circulatory system. It is difficult, however, for a resolute spirit to keep silent, and by 1546 Villeneuve, alias Servetus, had become engaged through a third party in a heated theological dispute with none other than John Calvin. Servetus flatly denied both the concept of the trinity and infant baptism, doctrines dear to the heart of historic Catholic dogma. But aside from the fact that the Catholics pursued him, these heretical principles also caused Calvin much consternation, which dissolved into outright anger and a death wish for the heretic when his real identity was discovered. In a letter to Farel, dated February 13, 1546, Calvin made clear his intent concerning the fate of Servetus:

He takes it upon him to come hither, if it be agreeable to me. But I am unwilling to pledge my word for his safety, for if he shall come, I shall never permit him to depart alive, provided my authority be of any avail.²

Again through a third party the authorities in Lyons were informed that Villeneuve was in actuality Servetus, and the heretic was off and running again. Unfortunately by some “fatal fascination” Servetus was drawn to Geneva, and there, at the hands of Calvin and the town council, he was tried, found guilty of heresy and burned at the stake on October 27, 1553.³

Notwithstanding other brutalities inflicted by both Catholics and Protestants against heresy, the Genevan incident has historically become the great foundation for questions regarding the propriety of intolerance and, particularly, ques-

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¹Two excellent works regarding Servetus are R. Bainton, *Hunted Heretic* (Boston: Beacon, 1953), and J. Friedman, *Michael Servetus, A Case Study in Total Heresy* (Geneva: Librairie Droz S.A., 1978). The historical facts in my introductory comments are taken primarily from these sources.

²J. Calvin, *Letters of John Calvin* (ed. J. Bonnet; Philadelphia: Presbyterian Board of Publication, 1858), 2. 33.

³J. T. McNeill, *The History and Character of Calvinism* (London: Oxford University, 1954) 174.

tions about Calvin's character and dogma. Aside from the immediate objections, most notably those writings of Sebastian Castellio, the Servetus episode still alarms us enough to question the reasons why Calvin could approve of mortal punishment for heresy.⁴ Therefore, given the premise that action is derived (in most cases) from attitude, this essay will seek to explore the mental backdrop for Calvin's intolerance toward Servetus' heresy. More specifically it will seek the ingredients resident in Calvin's theological system that would allow or cause him to approve of Servetus' death at the hands of the Genevan magistrates. These considerations should provide us with a better understanding of sixteenth-century attitudes toward heresy in general and furnish us with greater objectivity in the evaluation of an otherwise untainted Reformer.

Calvin's thoughts on the subject of religious tolerance stemmed roughly from three areas of his theology: theology proper, or the doctrine of God; ecclesiology, or the role of the elect in building God's kingdom on earth; and hermeneutics, the way in which the Scriptures are interpreted to support a position. Although our observations are not meant to be exhaustive treatments of each of these complex areas of Calvin's thought, each seems to aid in erecting a suitable framework in which to categorize and thus improve our understanding of an issue that Calvin did not address in any one specific work.

I. CALVIN'S GOD

In actuality the Servetus episode is not an adequate place to begin a discussion of Calvin's concept of God as the instrument behind his intolerance. Influencing his action in 1553 was a comprehensive view of God that the Reformer only inherited.⁵ In the sixteenth century it did not matter if one were Catholic, Lutheran or Zwinglian. A correct belief in God was deemed to be absolutely essential to salvation, and a false belief, especially if made public, was considered an affront to the divine majesty, thus promoting the idea that God must be vindicated.⁶ When it is observed just how many individuals were violently "launched into eternity" at the hands of all sorts of pious, religious zealots, one can quickly grasp just how thoroughly this conviction was held.

⁴Sebastian Castellio (1515-1563) was originally a colleague of Calvin at Geneva, where he was the respected rector of the academy. His problems with Calvin began when he attempted to be ordained into the ministry. He was rejected because of his rather "earthy" use of the vernacular in his translation of the Bible and for his renegade views regarding the Song of Solomon. Breaking with Calvin and his Genevan associates (he called them "gluttonous and wanton playboys"), Castellio lived in poverty until his appointment as professor of Greek at Basel. It was from Basel that his most articulate work on religious tolerance came, but it was the Servetus incident that prompted him to write on the subject. His most pertinent works on this subject include *De haereticis* (1554); *Contra Libellum Calvini* (1554, but not published until 1612 at Amsterdam); *Conseil a la France desolce* (1562). For excellent secondary sources on Castellio see S. Zweig, *The Right to Heresy: Castellio Against Calvin* (New York: Viking, 1936); *Castellionia Quatre Etudes sur Sebastian Castellion et L'Idee de la Tolerance* (ed. M. Valkhoff; Leiden: Brill, 1951). See esp. the article by Bainton, "Sebastian Castellio, Champion of Religious Liberty, 1515-1563," in this volume.

⁵*Castellionia* 28.

⁶*Ibid.*

Although Calvin did not necessarily intensify these historically rooted views of God's majesty, it can be maintained that "no man in that age was so profoundly moved . . . by the contemplation of God as the Lord of all the universe."⁷ He was fond of referring to God as the "Heavenly Judge" whose righteousness not even the angels could bear and before whose throne no one could stand with confidence.⁸ However, as Bainton has observed, this commendable picture of God as highly exalted lent itself easily to a feudal understanding of sin.⁹ All of the language employed to describe the superiority of ruler over subject became equally applicable in describing man's relationship to God. Offenses were graded in accord with the rank of the person offended.¹⁰ Because God was supreme, sin against him transcended all others, and heresy (i.e., having a wrong view of God), even more than immorality, was considered to be the most heightened form of treason against the divine majesty.¹¹ Punishment was considered to be that much more necessary when the affronted king was none other than the Lord God Almighty. To illustrate this in Calvin's own words we need go no further than his comment on the thirteenth chapter of Deuteronomy, where he seems to apply a command of God to Moses (to wipe out an entire city because of their heresy) to sixteenth-century Geneva:

Hence, too, we are admonished, that zeal for God's glory is but cold among us, unless true religion is held to be of more value than the preservation of a single city or people. . . . And since we are created to no other end, and live for no other cause than that God may be glorified in us, it is better that the whole earth should perish, than that men should enjoy the fruits of the earth in order that they may contaminate it with their blasphemies.¹²

In the service of such a God, Calvin makes it clear that we must suppress all considerations of humanity. God does not accommodate himself to our feelings. He is not a father in the sense that we imagine. What father would allow his children to be born morons, or eaten by lions, Calvin asks?¹³ He is the King supreme and as such the absolute Lawgiver. If heresy is to be punished, then without blinking an eye we should willingly take up the sword. To be sure, this arbitrariness on the part of God is only apparent and we should never question his justice. He is fair, and we shall some day be assured of that. However, in the

⁷Ibid., p. 29.

⁸J. Calvin, *Institutes of the Christian Religion*, 3.12.1.

⁹*Castellionia* 29.

¹⁰S. Castello, *Concerning Heretics* (ed. R. Bainton; New York: Columbia University, 1935) 71.

¹¹Calvin's view of the Church (as we shall observe) united two varieties of intolerance, one directed against the doctrinal offense and the other against the moral offense. Because the stress was on the Church as the agent of salvation, there was correspondingly more emphasis placed on doctrinal purity. For a fuller treatment see *ibid.*, pp. 70-74.

¹²J. Calvin, *Commentaries on the Four Last Books of Moses Arranged in the Form of a Harmony* (Edinburgh: Calvin Translation Society) 85.

¹³Castellio, *Heretics* 73.

present we must, like Job, sit on the dung heap and confess that "God does well when he disposes of us according to His will."¹⁴ This is not to say that the punishment of heresy was a comfortable policy for Calvin. He was not devoid of human feeling.¹⁵ Rather, it was a direct consequence of his view that God was supreme Lord and absolute Ruler of the universe. Calvin simply saw himself as an obedient soldier in the ranks of the Almighty's army.

He also seemed to anticipate the questions of those who would still feel guilty in punishing heresy or, even more troublesome, those who would outrightly object to such cruel measures, and in answer to these concerns he attempted to soften the matter by appeal to God's "double predestination."¹⁶ One could be assured that those put to death for heresy were simply not of the elect. Referring again to Deuteronomy 13, where God commanded that entire cities were to be razed, Calvin recognized that this would include infants as well and insisted that "God would never have suffered any infants to be destroyed, except those which He had already reprobated and condemned to eternal death."¹⁷

Thus in the case of Servetus, Calvin could rest assured that he was allowing a previously damned individual to be put to death. "If we admit God's right to deprive of the hope of Salvation whomsoever He sees fit, why should the temporal punishment which is much lighter, be found fault with?"¹⁸

The question still remains, however, as to how Calvin could himself judge who was or was not a heretic. He seemed to condone what Sebastian Castellio, his greatest critic, said of him: "Calvin wishes to kill all heretics and wishes to hold as heretics all who disagree with him."¹⁹ But we know that Calvin was not consistently intolerant toward all who argued against his positions. Examples are numerous, but we can refer to his reluctance to punish Bolsec, or to his letter to John Knox regarding the English prayer book controversy, stating that contention over such matters should be dropped.²⁰ In actuality he distinguished between the essential and nonessential beliefs necessary for membership in the visible

¹⁴Ibid., p. 74.

¹⁵There is evidence that Calvin even felt some remorse in the severity of Servetus' punishment. In a letter to Farel dated August 20, 1553, Calvin writes, "I hope that the sentence of death will at last be passed upon him; but I desire that the severity of punishment may be mitigated." Calvin, *Letters*, 2. 417.

¹⁶By "double predestination" we mean that God "elects" both those who will be saved and those who will be damned. The question as to whether Calvin actually taught this is complicated and hotly debated as well, but in defending the use of the sword, Calvin explicitly taught that God damns in the same way that he elects, according to his sovereign will. See Calvin, *Institutes* 3.23.7, for his general teaching on the subject. For a good discussion of the debate see "The Debate Over Divine Election," *Christianity Today*, October 12, 1959, 4-13.

¹⁷Castellio, *Heretics* 87.

¹⁸Ibid., p. 25. Calvin seems to reflect the position of Augustine, who raised the same point, that temporal punishment is less severe than eternal damnation.

¹⁹Ibid., p. 267.

²⁰Ibid., p. 88; McNeill, *Calvinism* 172.

Church. These could be conceived of as a set of absolute limits, outside of which one dared not go but within which one could enjoy a certain amount of freedom. The essentials necessary for membership in the visible Church were a firm belief that God is one, that Christ is God and also the Son of God, and that our salvation rests in God's mercy.²¹ Other articles could be disputed without any breakup in Church unity, but to go outside of those limits was to deny God and Christ, and for that one would deserve that God should hurl at him the "whole thunderbolt of his wrath."²²

This, then, is precisely why Servetus could be put to death with little remorse on the part of Calvin. The heretic had denied the Christian concept of the trinity, he had denied that Christ was the eternal Son of God, and thus to Calvin he was outside the circle of orthodoxy and God's honor would need to be vindicated.²³

II. CALVIN'S ECCLESIOLOGY

The statement that follows is from Sebastian Castellio and serves to identify another source of Calvin's intolerance:

What has the sword to do with Doctrine? . . . No man can come to me, except the Father which hath sent me draw him. These persecutors wish the magistrate to draw men who are unwilling to be drawn by God, as if the magistrates could accomplish more than God.²⁴

Indeed, what has the sword to do with doctrine, and what rights do the elect have in wielding it and judging who shall be inflicted by it? To answer these questions from Calvin's perspective we must consider his idea of the role of God's elect on the earth.

Whereas Luther and the more radical Anabaptists conceived of a speedy return of the Lord to rescue his saints and judge the Antichrist, Calvin perceived that God had a massive plan for the ages that did not necessarily involve an immediately realized consummation.²⁵ Although he looked forward to the "day of the Lord" with devoted anticipation, he constantly affirmed that the Lord's work on earth would entail the establishment of a theocracy with the predestined

²¹Calvin, *Institutes* 4.1.12.

²²Ibid., 4.1.10

²³According to Calvin, Servetus held that God was tripartite—i.e., there are three Gods. Each person of God is equal to "certain external ideas which do not truly subsist in God's essence, but represent God to us in one manifestation or another." Calvin recognized that Servetus believed in the deity of Christ but held that his thought eventually annihilates both the deity of Christ and the Spirit because as "a part of God exists in the Son and Spirit it makes them both less than God himself." The correct view of the Godhead, as Calvin understood it, was that "the essence of the one God is simple and undivided, and that it belongs to the Father, the Son, and the Spirit; and on the other hand that by a certain characteristic the Father differs from the Son, and the Son from the Spirit" (Calvin, *Institutes* 1.12.21, 22).

²⁴Castellio, *Heretics* 271.

²⁵For a discussion of Luther's concept of a "near" eschatology see P. Althaus, *The Theology of Martin Luther* (Philadelphia: Fortress, 1975) 420. For this element in many of the Anabaptist groups see W. R. Estep, *The Anabaptist Story* (Grand Rapids: Eerdmans, 1975) 199.

company as God's assistants.²⁶ As a matter of fact, one of Calvin's favorite expressions for the place of the elect on this earth was that of a "sentry post."²⁷ The saints were to be the guardians of the truth against all impurity, and their job, regardless of their particular vocational calling, would be to build up and defend the Church, the depository of God's eternal truth.²⁸ But the total implications of this cannot be completely understood unless we come to an understanding of his views regarding the visible Church, its relationship to the state, and the joint policies of discipline advocated by both.

Because it was ultimately impossible to know who was and who was not of the elect, Calvin admitted to a distinction between the visible and invisible Church. He was practical, however, and believed that because we are ignorant of the true or invisible Church we must recognize an individual to be a member of God's institution on earth if he adheres to the creed.²⁹ While quite naturally the visible Church contains contradictory elements, it is necessarily united on the basis of its doctrine and is thus the treasure chest of God's truth on earth.³⁰ Since the Church is spiritual, however, its domain of influence is also spiritual. By this it is meant that she has the power of the keys, the rights of instruction, of preaching, of forgiveness, and also of excommunication, but her power is limited to this spiritual realm alone.³¹ For this reason she does not have the power of the sword, which pertains to the material realm and which only the state possesses.³²

Just as there are two elements in man, the spiritual and material, so also in the world—or, should we say, God's kingdom on earth—there are two powers. The state is the material governor of the world, and its function is to support organic life and the liberty and fortune of man.³³ But this is not all. It too, as a

²⁶It would not be at all correct to say that Calvin was totally occupied with God's kingdom on earth. His prayers were constantly characterized by a longing for the return of the Lord. See W. Niesel, *The Theology of Calvin* (Philadelphia: Westminster, 1956) 209-210.

²⁷Calvin, *Institutes* 3.9.4.

²⁸Ibid., 3.10.6.

²⁹Calvin is clear that the Church has a twofold designation: (1) "that which is actually in God's presence, into which no persons are received but those who are children of God by grace of adoption and true members of Christ by sanctification of the Holy Spirit"—i.e., the invisible Church; (2) "the whole multitude of men spread over the earth who profess to worship one God and Christ . . . just as we must believe, therefore, that the former church, invisible to us, is visible to the eyes of God alone, who we are commanded to revere and keep communion with the latter, which is called 'church' in respect to men"—i.e., the visible Church. Ibid., 4.1.7.

³⁰"The church is the faithful keeper of God's truth in order that it may not perish in the world" (ibid., 4.1.10).

³¹Ibid., 4.8.1.

³²"The church has no right to wield the sword: coercive measures belong to the state, which ought to resort to them in behalf of the interests of God." Quoted in J. M. V. Audin, *History of the Life, Works, and Doctrines of John Calvin* (Louisville: B. J. Webb, 1850) 315.

³³"The church does not assume what is proper to the magistrate; nor can the magistrate execute what is carried out by the church" (Calvin, *Institutes* 4.11.3). For a good discussion of Calvin's perspective on the Church-state relationship see A. M. Hunter, *The Teaching of Calvin* (London: James Clarke, 1950) 191-199.

participant in the theocracy, is to be concerned with doctrinal purity, and thus it also functions to sustain the religious element in the world. Whereas to Calvin's mind the Church and state were at least ideally separate because the Church was the depository of truth, in reality it served as the conscience of the state.³⁴ Interestingly enough, although the Church could excommunicate for heresy but not kill, it was the duty of the state to take up where the Church left off and use the sword if necessary. Calvin explains the relationship in this way:

As the magistrate ought by punishment and physical restraint to cleanse the church of offenses, so the minister of the word in turn ought to help the magistrate in order that not so many may sin. Their functions ought to be so joined that each serves to help, not hinder, the other.³⁵

In the matter of Servetus' death we can readily observe how this Church-state relationship operated in Calvin's Geneva. When Servetus was discovered to be in attendance at church on Sunday, August 13, 1553, it was John Calvin and the spiritual authorities who had him arrested by the town council. For the next two months at the trial before the town council it was Calvin who prepared and defended the charges of heresy against Servetus, and it was Calvin who debated with him at length. But it was on October 27 of the same year, having been convinced of his guilt as proven by Calvin, that the magistrate put Servetus on the stake and kindled the fire. Clearly Calvin did not light the fire, but equally obvious was the Reformer's sanction of the state's action. One is led to question just how much separation there was between the Church and state in matters pertaining to the punishment of heresy.

III. CALVIN'S HERMENEUTICS

Perhaps the most fundamental yet often overlooked aspect of Calvin's thought is the way in which he interpreted the Scriptures to defend the punishment of heretics. Obviously if one wished to gain scriptural support for such action his appeal would be to the OT and especially to Moses and the oftentimes harsh judicial commands associated with the Pentateuch. The question that must be asked is this: To what extent, in Calvin's thought, were the OT judicial commandments still valid for the Church of Christ? In other words, was the OT judicial law abrogated by Christ or were the Reformers in Geneva and elsewhere correct to apply it to meet their immediate need in regard to a persistent and potentially disruptive heresy? Calvin's thought on the subject displays a marked tension between his hermeneutics and his actions.

While believing in a basic unity between the OT and NT, Calvin nevertheless saw some important distinctions. The old covenant was administered by God to the Israelites through the Mosaic legislation. However, this law was unique and

³⁴Ibid., p. 194.

³⁵Calvin, *Institutes* 4.11.3. Ideally discipline was conceived by Calvin in its proper ecclesiastical sense to be applicable only to members of the Church. However, as Hunter has observed, "in practice it merged imperceptibly into legislative disciplinary measures for the whole community" (Hunter, *Teaching* 225).

binding for them alone.³⁶ To say that it was universal would be erroneous, and to further affirm that it was normative for Christians in the sixteenth century would be ridiculous.³⁷ In actuality, because of Christ and the administration of his new covenant, the Mosaic legislation was considered even less applicable to the Christian Church.³⁸ Only the moral law, which is essentially the natural consciousness of right and wrong as summarized by the ten commandments, and Christ's "law of love" remain binding for the Christian.³⁹ Although the judicial law codes were originally given by God as the best way to preserve his eternal will, they were no longer considered to be necessarily valid. Calvin was strongly opposed to those who asserted that those laws were still normative and were to be obeyed, and he contended that every nation should be left free to "make such laws as it foresees to be profitable for itself," as long as the moral law was recognized as the basis for all legislation.⁴⁰

It would be easy to stop on this note and affirm that the Mosaic legislation was interpreted by Calvin to have been abrogated by Christ. We know for a fact, however, that Calvin then contradicted his own hermeneutic by using the Mosaic judicial legislation, earlier considered to be overturned, to defend his own approval of killing Servetus. We have already observed that his favorite appeal was to Deuteronomy 13, wherein Moses is instructed to wipe out an entire city because of their blasphemy. Comparing the heretic to a diseased member of the body Calvin defended this act as not only operable in Canaan but also in Geneva:

Because more severe remedies are applied to perilous diseases, so it is right that so noxious, and altogether deadly pestilence as this should be met with extraordinary means. . . . For although it might seem cruel to betray such as have not publicly transgressed, yet inasmuch as sectaries fly from the light, and creep in by clandestine and deceitful acts, it is necessary to prevent them from fraudulently infecting individual houses with their poison, as always is the case with them.⁴¹

The contradiction in Calvin's hermeneutic, though we are not able to reconcile it, nevertheless needs to be assessed from several standpoints. First, although Calvin believed that the Mosaic judicial laws were revoked by Christ, he rose to defend himself by saying that just because Christ did not will that the gospel should be preserved and proclaimed with the sword it does not follow that this would always be the case. His will applied to that time but was not necessarily eternal. Perhaps it was now his will to bring the magistrates under his subjec-

³⁶Calvin, *Institutes* 4.20.15.

³⁷Ibid.

³⁸Referring to the Christian era and the abrogation of Mosaic ceremonial law, Calvin makes this point about the judicial law: "Therefore, as ceremonial laws could be abrogated while piety remained safe and unharmed, so too, when these judicial laws were taken away, the perpetual duties and precepts of love could still remain" (ibid). See also ibid., 2.8.

³⁹Ibid., 4.20.16.

⁴⁰Ibid., 4.20.15, 16.

⁴¹Calvin, *Commentaries* 82-83.

tion and make them again guardians of pure doctrine as taught by the Church.⁴² In other words, what was once considered to be invalid could now possibly be validated, so that the sword could be employed to force adherence to the faith.

Second, Calvin's hermeneutical difficulties were based on a rather extensive historical tradition. The patristic age generally agreed that the Mosaic judicial legislation was, for the most part, overturned and replaced by Christ.⁴³ Contrary to what we might suppose, however, there were still differences of opinion as to whether heretics ought to be punished. For example, Origen and Cyprian both contended that the heretic should never be physically chastised.⁴⁴ In total agreement was Chrysostom, who stated the option clearly:

It ill befits Christians of all men to correct the mistakes of the erring by constraint. Judges without the Christian fold may exercise coercion against those who are legally convicted, but in our case such men must be brought to a better fruit, by persuasion rather than compulsion.⁴⁵

It is Augustine, though, who seems to be the predecessor to Calvin's opinions on the subject. In apparent agreement that the OT judicial economy had been removed by Christ, he nevertheless drifted toward a position that advocated punishment for heresy, reflecting the same tension inherent in Calvin's thought.⁴⁶

Even though Augustine would never advocate punishment until death, it was nevertheless he who first used the analogy of a heretic as the equivalent of a diseased member of the body, the very analogy that Calvin would press to its extreme application.⁴⁷ Even more interesting in Augustine's position is the fact that he too turned to Moses to defend his opinion.⁴⁸ Thus Calvin's hermeneutical

⁴²Ibid., p. 77: "For, although it was Christ's will that His gospel should be proclaimed by His disciples in opposition to the power of the whole world, and He exposed them armed with the word alone like sheep amongst wolves, He did not impose on Himself an eternal law that He should never bring kings under His subjection, nor tame their violence, nor change them from being cruel persecutors into the patrons and guardians of his church."

⁴³A different attitude is also present in the patristic age, although certainly not evident among its major figures. An example would be Opatos of Milievis, who wrote in defense of punishing the Donatists, "Why should it be wrong to vindicate God by the death of those who are guilty? Are proofs required? The OT is full of them. How can one forget the terrible examples set by Moses, Phineas, or the prophet Elias?" P. D. L. Avis, "Moses and the Magistrate: A Study in the Rise of Protestant Legalism," *JEH* 26 (1975) 150.

⁴⁴Ibid.

⁴⁵Ibid.

⁴⁶Augustine has been claimed for support by both sides of this debate (as he is with most issues). Castellio cites him as being a champion of liberty, while both Luther and Calvin point to him to defend their view that punishment is sometimes necessary for heretics. The problem apparently lies in the fact that Augustine changed his thinking on the subject as a result of the Donatist controversy in approximately A.D. 404. From that period on we see him advocating certain intolerant measures, short of death, toward heretics. See Castellio, *Heretics* 21-29.

⁴⁷Ibid., p. 25.

⁴⁸"Wherefore, if we were so to overlook and forbear with those cruel enemies who seriously disturb our peace and quietness by manifold and grievous forms of violence and treachery, as that nothing at all

tensions were to a large extent inherited from his favorite Church father.

The third perspective from which to evaluate this tension in Calvin is also historical, having to do with the sixteenth-century concept of law in general. It can be argued that Calvin's actual basis for punishing Servetus was not really scriptural, although he did use Scripture to defend himself. On the contrary, it seems that his real precedent was the widely enforced and generally accepted legal foundations of his own day. It will be remembered that alongside the historical development of scriptural doctrine there also came gradually into being an important legal tradition, derived for the most part from a theological concept of natural law.⁴⁹ This can be seen as early as A.D. 519 in the promulgation of the Code of Justinian. With the continual rise of nationalism and the gradual growth of a secular, alongside a purely spiritual, rule, other law codes were also formulated. The most important for our consideration was the *Constitutio Criminalis Carolina*, without doubt very familiar to Calvin, especially when we consider his legal training. Aside from the fact that this code represented a valuable tradition of legal development it is noteworthy that it was derived primarily from legal jurisdiction in Scripture and it advocated the death penalty for heresy, especially for antitrinitarian beliefs.⁵⁰ All hermeneutical considerations aside, it is apparent that, according to the law of the land, to be a heretic after the manner of Servetus was to be an outlawed criminal. Is it not therefore possible and comprehensible that Calvin might have given more authority to a cultural standard than to his own hermeneutic, while not realizing the inconsistency involved?

IV. CONCLUSION

In this essay I have attempted to shed light on a possible cause-and-effect relationship between Calvin's thought and consequent action. I am hesitant to regard these firmly held doctrinal beliefs as the only influences behind Calvin's actions, but I do wish to assert that, given the "proper circumstance" coupled with these beliefs, Calvin would predictably operate in an intolerant manner toward a heretic like Servetus. In conclusion, it might serve to balance our evaluation by referring to that "proper circumstance."

In the early 1540s Calvin's Geneva was not the idealistic, theological Shangri-La that it was sometimes heralded to be. As the lonely leader trying to enforce a unified creed and discipline on a sometimes reluctant city, Calvin was beset with

should be contrived and done by us with a view to alarm and correct them, truly we would be rendering evil for evil. . . . Pharaoh oppressed the people of God by hard bondage; Moses afflicted the same people by severe correction when they were guilty of impiety; their actions were alike; but they were not alike in the motive of regard to the people's welfare—the one being inflated by the lust of power, the other inflamed by love." Augustine, "Letter to Vincentius, A.D. 408," *A Select Library of the Nicene and Post-Nicene Fathers of the Christian Church* (ed. P. Schaff; New York: Christian Literature Co., 1892), 1. 382-383. See also R. A. Markus, *Saeculum: History and Society in the Theology of St. Augustine* (Cambridge: University Press, 1970) 35, 134; P. Brown, *Augustine of Hippo* (Berkeley and Los Angeles: University of California, 1967) 236.

⁴⁹Avis, "Moses" 151-152.

⁵⁰Ibid.

major difficulties from numerous resistant individuals. The term "Libertine" was originally employed by Calvin to denote a certain religious sect which in its enthusiasm came to reject the law.⁵¹ However, by 1545 he would be using the term to describe those individuals in Geneva who, through their lax morality and theological antinomianism, were very resistant to the Reformer's conservative policies. When these disruptive individuals became numerous and unified, their angry resistance toward the Reformation became popular, and indeed the tide seemed to be rising against Calvin.⁵² By 1547 he would write, "I despair of holding this church any longer" and "I wish God would grant me my discharge." In 1548 an active opposition party, led by Philebirt Berthelier, was organized to thwart Calvin's progress. When Calvin protested to the town council about this situation they did not stop the opposition but rather censured Calvin for condemning them in the first place.⁵³ Almost taking leave of the situation, Calvin nevertheless persisted with his reform against the constant aim of the Libertines to subdue his efforts.

When the Servetus episode came to a head the Libertines were the predominant power in Geneva, and Calvin "appears to have believed that Servetus came to complete his overthrow."⁵⁴ He was fully aware, for example, that the firm that had printed Servetus' tract against the *Institutes* was connected with the Libertines. Further, only one day after the trial began Berthelier took up Servetus' cause and defended the heretic against Calvin.⁵⁵ Even though the Libertines had no real interest in the heresies of Servetus they wished to embarrass Calvin, and their actions undoubtedly led both Calvin and Servetus to believe that the heretic would be declared innocent. However, by the agreement of the ministers and magistrates of Zurich, Bern, Basel and Schaffhausen (the opinions of whom the council at Geneva had solicited), that death by burning was appropriate, the Genevan authorities came to agree with Calvin. Servetus was convicted and burned after all. And this action seemed to confirm for Calvin not only his judgment on Servetus but his whole ministry in Geneva.

Despite our sympathy for the dreadful circumstances that Calvin faced in Geneva, and however sincerely he justified his actions through his theological work, his ultimate intolerance was and is a regretfully sad commentary on an otherwise splendid personality of Reformation history.

⁵¹McNeill, *Calvinism* 169.

⁵²Ibid., p. 171.

⁵³Ibid.

⁵⁴Ibid., p. 175.

⁵⁵Ibid.