

Rights and Resistance: Early Protestant Contributions to Western Democratic Revolutions

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Over the past three decades, a small cottage industry of important new scholarship has emerged dedicated to the history of rights talk in the Western tradition prior to the Enlightenment. We now know a great deal more about classical Roman understandings of rights, liberties, capacities, and powers, and their elaboration by medieval and early modern civilians. We can now pore over an intricate latticework of arguments about individual and group rights and liberties developed by medieval Catholic canonists and moralists and the ample expansion of this medieval handiwork in early modern Spain and Portugal. We now know a good deal more about classical republican theories of liberty, and their transformative influence on early modern common lawyers and political revolutionaries on both sides of the Atlantic. We now know, in brief, that the West knew “liberty long before liberalism,” and had many fundamental rights in place before there were modern democratic revolutions fought in their name.

Early modern Protestants, too, made monumental contributions to the development of Western rights, as they worked out their logic of revolution against tyranny. Most Protestants did not start off as political revolutionaries. The Bible taught believers to “be subject to the authorities” and to “render” them all due honor, respect, and obedience. Martin Luther, John Calvin, William Tyndale, and others before 1550 thus counseled their followers to practice only passive and non-violent resistance against tyrants and to bear political persecution with penitence, patience, and prayer. After the 1550s, however, French, Spanish, German, and English authorities began repressing Protestants with a vengeance, killing them by the tens of thousands, even with the primitive weaponry of the day.

In response to this escalating genocide, Protestant jurists and theologians in the later sixteenth century developed a robust theory of political revolution. Their theory was, in essence, a Christian government contract theory, modeled in part on ancient Israelite prototypes. Every political government, they argued, is formed by a tacit or explicit covenant or contract sworn between the rulers and their subjects before God. In this covenant, God agrees to protect and bless the community in return for their proper obedience of the laws of God and nature summarized in the Decalogue and other biblical texts. The rulers agree to exercise God’s political authority in the community and to honor these higher laws and protect the people’s natural rights. The people agree to exercise God’s political will for the community by electing and petitioning their rulers on God’s behalf and by honoring and obeying these rulers so long as they remain faithful to the political covenant. If any of the people violate the terms of this

political covenant and become criminals, God empowers the rulers to prosecute and punish them – and sentence them to death in extreme cases. But, in turn, if any of the rulers violate the terms of the political covenant and become tyrants, God empowers the people to resist and to remove them from office – and sentence them to death in extreme cases. The power to remove tyrants, however, lies not directly with the people, but with their representatives, the lower magistrates, who are constitutionally called to organize and direct the people in orderly resistance -- in all out warfare and revolution if needed.

On this theory, political tyrants were rulers who had been legitimately elected to political office but who were now pervasively violating the terms of the political covenant – particularly the fundamental rights of the people. “The people are not made for rulers, but rulers for the people,” French Calvinist Theodore Beza and English philosopher Christopher Goodman each wrote famously. If the magistrate rules properly, the people must obey him.

But if the magistrate exceeds his authority, in chronic violation of the political covenant, the people, through their representatives, have not only the God-given right but also the God-given duty to resist him as a tyrant, with organized violence if necessary.

The issue that remained for early modern Protestant political theorists was how to determine which rights were so fundamental that, if chronically and pervasively breached by a tyrant, triggered the foundational right to organized resistance and revolt. The first and most important rights, they reasoned, had to be the people’s religious rights. Christians, after all, are first and foremost the subjects of God and called to honor and worship God above all else. If the magistrate, who is supposed to be the representative of God on earth, breaches these religious rights, then nothing can be sacred and secure any longer.

They continued catechetically: What is essential to the protection of religious rights? The ability of the people to live in full conformity with the law of God. What is the law of God? First and foremost the Ten Commandments, which set out the core duties of right Christian living. What do these Ten Commandments entail? The rights to worship God, to obey the Sabbath, to avoid foreign idols and false oaths in accordance with the First Table of the Decalogue, and the rights to marriage, parentage, and a household, and to life, property, and reputation protected by the Second Table. Is the Decalogue the only statement of the law of God? No, the natural law that God has written on the hearts of all people teaches many other rights that are essential to the protection of a person and a people and to the cultivation of life, liberty, and the pursuit of happiness and holiness.

By 1650, Protestants had used this catechetical logic to develop and defend almost every one of the rights and liberties that would appear, a century and a half later, in the United States Bill of Rights of 1791 – freedoms of religion, speech, press, and assembly, rights to bear arms and be free from forced quartering of soldiers, rights to jury trial in civil and criminal cases, and the full panoply of criminal procedural rights (from no unreasonable searches seizures to no cruel and unusual punishment), along with the guarantees of due process when government threatened to take their lives, liberties, or properties.

This new Protestant political theory— that the state was formed by a political covenant with fundamental rights whose pervasive breach triggered the right to revolution—became a standard argument in the “age of the democratic revolutions,” as historian R.R. Palmer once called it. In France, the most famous exposition of this argument came in the 1579 tract *Vindiciae, Contra Tyrannos*, which even the eighteenth-century Jacobins would later cite with reverence in the build-up to the French Revolution. In Scotland, the most powerful exposition was George Buchanan’s *Dialogue Concerning the Rights of the Crown and the People of Scotland* (1579/1601), which would become an anchor text for later Scottish Enlightenment theories of “common sense” that were so influential on both sides of the Atlantic. In the Netherlands,

these ideas were axiomatic for the powerful Calvinist logic of revolution against Spanish tyranny, which was set out in more than 10,000 pamphlets and sermons published from 1570 to 1610. The Dutch revolutionary writers were soon outdone by the 22,000-plus Calvinist tracts published in England from 1640 to 1660 in defense of the Puritan revolution against the tyrannical King Charles and the ultimate execution of this tyrant by public beheading in 1649. And the English were outdone a century later by the New England preachers who rallied the American revolutionary troops with hellfire and brimstone sermons that rang with the familiar Protestant adage: "resistance to tyranny is obedience to God."

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