ever commented on or even knew of the work of Copernicus. It is nonetheless true that Calvin held to an understanding of astronomy derived in large part from Aristotle and Ptolemy. However, it seems to me that this attention to Copernicus misses the central point that Calvin makes, which is to distinguish entirely between the teaching of the Holy Spirit in Scripture, and the teaching of the Holy Spirit in the learned investigations of the astronomers. Scripture simply has nothing to say about the question of astronomy. 'He who would learn astronomy, and other recondite arts, let him go elsewhere.' Moreover, 'the Holy Spirit had no intention to teach astronomy' in Scripture. Hence the question of whether one agrees with Copernicus, or Galileo, cannot be settled by an appeal to Scripture, but only by learned investigation of the universe. There is simply no way in principle that Calvin could have agreed with the Roman Church's condemnation of Galileo, which stated, 'The proposition that the Sun is the center of the world and does not move from its place is absurd and false philosophically and formally heretical, because it is expressly contrary to Holy Scripture.'

Over and above disentangling the learned investigations of the philosophers (and subsequently the scientists) from the authority of Scripture, the book of the unlearned, it seems to me that theology today could benefit from renewed attention to the discipline of astronomy, which Calvin called the alphabet of theology. The scope of the universe is much greater than it was in Calvin's day, but that is the more reason to contemplate it as the clearest image of the infinite nature of God. Indeed, I would go so far as to say that no one can contemplate the images being sent down to us from the Hubble telescope without being ravished with wonder, and reduced to nothing, due to the astonishing things which we can now see in our universe. Such contemplation would go a long way toward fostering the kind of humility which Calvin recommended, and it would also have the effect of de-centering our anthropocentric way of thinking about our relationship with God. The God who created us and cares for us also created and cares for the entire universe, which we now know is thirteen billion years old and one hundred fifty-six billion light years in size. The motion that Calvin so admired is even more astonishing now, with the Milky Way galaxy itself travelling at one million miles an hour through space. Calvin’s sense of the connection between life on earth and the cosmos has been intensified by our discovery that all the material of human cares for the entire universe, which we now know is thirteen billion years old and one hundred fifty-six billion light years in size. The motion that Calvin so admired is even more astonishing now, with the Milky Way galaxy itself travelling at one million miles an hour through space. Calvin’s sense of the connection between life on earth and the cosmos has been intensified by our discovery that all the material of human
thinking laid the basis for Locke's great work on rights and toleration; Calvin, he argues, opens the way for later reflection on the theological foundations of human rights, especially liberty and equality, and this as a direct articulation of the theology of Creation, as is the case with John Locke. 12 Similarly, David Hall's new book on Calvin and liberal democracy presents a historical trajectory leading from Calvin to the American founding fathers with their constitutional democracy. In Hal's view, the "roots of many freedoms, which most moderns take for granted, extend back to—and seldom before—Calvin's foundational institutions in his tradition."

Even if America is now in decline, Hall assures us that it was once a great nation, to the extent that it was the last great bastion of Calvinist principles. In another recent study, Timothy Beach- Verhey argues that Calvin should be understood as a natural law theorist who 'promotes a moderate, mutually limiting, deliberative politics' which can be translated into the context of the modern 'multicultural, liberal-democratic nation.' For Beach-Verhey, a Calvinist perspective today can promote a necessary balance between 'participation and tolerance' on the one hand, and 'democracy and liberalism' on the other. 13 In such accounts, Calvin emerges as the fundamental thinker of modernity, the one who lays the basis for our own highest ideals of human rights, toleration and liberal democracy.

Witte's book is a towering work on Calvinist political history, and his account is in many respects a natural language about 'rights'. As Witte observes, it is important to note that Calvin has two very different traditions of rights, and gradually cast these rights teachings into enduring institutional and constitutional forms in early modern Europe and America. 14 It is thus not from the Enlightenment that we receive our modern doctrine of rights, but from the deep wells of Calvinist theological tradition. 15 Witte's genealogy runs from Calvin to the revolutionary politics of John Milton, and then to the rights theory of Locke and the tradition of American constitutional democracy. It is here, finally, that 'the best of the Calvinist tradition' is realised: a politics based on inalienable individual rights and liberties. Once individuals have been set in motion by the notion that they are possessors of inherent God-given rights, they are able to build an entire social and political edifice on that foundation—as in fact occurred when the English Calvinists exported their faith across the seas to America.

Witte's book is a towering work on Calvinist political history, and his account is in many respects a compelling one. Nevertheless, I want to problematise this historical narrative, by scrutinising Calvin's own language about 'rights'. As Witte observes, it is important to note that Calvin has two very different ways of talking about 'rights' (iuris). But I will try to show that Calvin's whole political vision should nevertheless be understood as an articulation of the objectivity of rights: not as qualities inhering naturally in individuals, but as objective orders and relations which entail specific moral and political responsibilities.

Subjective and objective rights

One of our most deeply-assumed assumptions in the West today is that there is such a thing as 'human rights,' subjective qualities that inhere inalienably in the individual. We think of rights as something that belongs to our very nature, something we possess merely by virtue of our humanness. But before the invention of this modern doctrine of rights, 16 'ius' or 'right' was understood primarily as 'the just possession which it due between persons, not as something belonging to the person herself. 17 In this objective understanding, ius means 'to be in proper order, to perform what is right and required, "to give to each his due." 18 This kind of right is not a quality of the subject; it is rather the right thing (iusum) for that subject. 19

So a subjective right is fundamentally a possession and entitlement—it is no coincidence that the doctrine of human rights emerges originally from property law—while an objective right is fundamentally an obligation. As David Little puts it, the medieval notion of 'objective right' meant that 'earthly magistrates have imposed on them by nature and/or God duties and obligations to treat subjects in certain ways, but subjects have no prior and independent individual entitlements to liberty, liberty or property, on the basis of which they might challenge the magistrate. 20 Subjective rights are meant to secure your freedom over against the state and other people, while objective rights refer to the state's own responsibility, and the responsibility of other citizens, to treat you in a way that is right for you and for the whole social order.

Understood objectively then, as Leo Strauss observes, 'right' is a quality not of individuals but of 'the best regime'; it designates the shape of a whole social and moral order. The doctrine of subjective rights emerges only where the notion of 'right' becomes detached from this objective moral ordering—from a vision of the best way to order a common life. An understanding of objective right requires a close connection between ius, right, and the virtues by which a good human society is shaped. But with the doctrine of subjective rights, the idea of right becomes permanently severed from virtue, since one
cannot deduce the 'definite character of the virtues' merely from human nature. 18

Objective right in Calvin

As John Witte rightly argues, Calvin's understanding of *ius* is generally much closer to medieval assumptions about the objectivity of right. Primarily, Calvin speaks not of the subjective liberties of individuals, but of liberty and right as a function of the political office. 26

In the confession of faith prepared by Calvin and submitted by the ministers of Geneva in 1558, we read that the authority of rulers is 'ordered by God'. Princes and magistrates have an obligation 'to guide the life of the people by very good laws', to preserve the purity of true religion, and 'to procure the welfare and tranquillity of their subjects'. 25 Here, a society is organised not according to the private rights and freedoms of individual citizens, but according to the obligation of rulers to the will of God and to the flourishing of their subjects. Similarly, the 1541 church ordinances (Les Ordonnances ecclésiastiques), drafted by Calvin and the ministers of Geneva, placed special emphasis on the obligations of the city's diocesan and welfare institutions to provide for the poor, the sick, the elderly, widows and orphans, as well as to provide education for the young. 27 Again, the thinking here is framed not in terms of the rights of individuals to such welfare, but simply in terms of society's obligation to care for the weak and the vulnerable.

In a similar vein, Calvin's early teaching on property stresses that all property is a gift of God which entails specific duties and obligations. Through Christ, the prelapsarian economic order is restored; 'this restored order is embodied...in a life of fellowship (which includes the care of the poor) and in a shared service to the glory of God'. 22 The right relation between citizens and their property is thus determined by the whole shape of the common life of a people. Individuals have no innate rights to property. Instead, a 'right' or obligation is laid on the entire community, so that all are responsible to use their property in ways that promote the common good.

The duties of magistrates

This theme of objective right is especially pronounced in Calvin's writings on the duties of magistrates. In Book IV of the Institutes, Calvin underscores the 'duty' of magistrates to represent the providential care of God to their subjects. Magistrates are God's 'ambassadors'; they carry out their vocation by attending to their obligations before God and their subjects. 21 In this view, the authorities are servants of God, not of people or citizens. 22 Calvin cites an Old Testament passage (1 Samuel 8:11–17) on the right of the king to rule over Israel. He explains that this refers not to any private right which the king possesses; rather 'it was called a right in relation to the people, for they had to obey it and were not allowed to resist'. 26 First and foremost then, it is the magistrate, not the people, who has specific 'rights'—but these are simply duties to do what is right before God for the sake of the people. At the same time, the responsibility of the people is to respect this right-ordering of their common life.

Calvin argues that the obligations of magistrates extend to both tables of the Ten Commandments. On one hand, they have an obligation to the worship of God. The magistrate's 'first care' is to religious piety, so that the 'rights of God' (Dei ius) are respected. 27 This obligation is fulfilled when society is preserved from offences against God such as idolatry, blasphemy, slander against religious truth, and so forth. 28 On the other hand, their obligation is also to the second table of the Law, to care for their subjects with equity and justice/right (ius). Calvin explains this responsibility with a citation of Jeremiah 22:3: 'Thus says the Lord: Do justice and righteousness, and deliver from the hand of the oppressor him who has been robbed. And do no wrong or violence to the alien, the fatherless, and the widow, nor shed innocent blood in this place.' Magistrates, he says, 'are the ordained protectors and vindicators of public innocence, modesty, honour, and tranquillity, so that their sole endeavour should be to provide for the common safety and peace of all'. 29

For Calvin, then, a political order is founded not on the rights of its citizens, but on the rights of God, and on the rights which God communicates to the magistrate as God's ambassador. In Calvin's later writings, this accent on God's own rights becomes even more sharply pronounced. In his lectures on Daniel, published in 1561, he remarks that 'all earthly power which is not founded on Christ must fall', since such powers seek to 'deprive [God] of his right'. 30 God will not allow himself to be defrauded of his rights. 31 Wicked rulers try to seize God's throne and so to 'spoil God of his rights'. 32

What is really 'right' for magistrates, therefore, is to respect and uphold the rights of God. In this way, magistrates take responsibility for their own proper place within the social order: not as sovereign powers, but as servants of God for the sake of God's people. Calvin understands the role of civil law along the same lines: God is the true *Legislator*, the 'lawgiver' who establishes all worldly authority. 33 It is then the task of legislative and judicial bodies to fulfil their obligations towards God: this obligation is their 'right', their ordained duty and place within the order of society.

19 *Wittes*, *Reformation of Rights*, p. 49.
27 *Commentary* on Daniel 4:17.
30 *Institutes*, IV.20.10.
In its broad outlines, this political vision requires no notion of subjective rights. Magistrates act justly not by respecting the inherent rights of individual citizens, but by working for the common good, out of respect for God's own right over the entire social order.

**Resistance and the rights of God**

We could summarise all this simply by saying that Calvin's understanding of law and politics is theological through and through. Law is defined in terms of the obligations God lays on rulers. The theological nature of civil law is illustrated in a striking passage of the 1559 *Institutes*, where Calvin insists that wicked and immoral laws can no longer rightly be called laws:

Those barbarous and savage laws, for instance, which conferred honour on thieves, permitted promiscuous intercourse, and other things even fouler and more absurd, I do not think entitled to be regarded as laws, since they are abhorrent not only to all justice, but also to humanity and civilised life.  

Laws that are severed from their proper relation to the divinely established 'right' order of society are no longer laws at all; they cease to be laws when they cut themselves loose from their responsibility to God.

The logic of this argument recalls Augustine's claim in the *City of God*, that a republic without justice is a mere crowd or rabble, not a true republic. Where justice and legality are construed in thoroughly theological terms, the way is paved in principle for the possible rejection of an entire legal-political order. Calvin himself did not take this step, and indeed he warned against it. But some of his more radical theological terms, the way is paved in principle for the possible rejection of an entire legal-political order.

A similar—and highly illuminating—argument appears a little later in the same chapter of the *Institutes*; this argument was added only to the 1559 edition. Considering the possibility of resisting a lawful magistrate, Calvin says:

But in that obedience which we hold to be due to the authority of rulers, we must always make this exception, indeed, to observe it as primary, that such obedience is never to lead us away from obedience to him, to whose will the desires of all kings should be subject, to whose decrees their commands must yield, to whose majesty their sceptres must bow. . . . We are subject to the persons who rule over us, but subject only in the Lord. If they command anything against him let us not pay the least regard to it, nor be moved by all the dignity which they possess as magistrates—a dignity to which no injury is done when it is subordinated to that singular and truly supreme power of God. On this ground Daniel denies that he has committed any offence against the king when he refused to obey his impious decree (Daniel 6:22). For the

As Quentin Skinner has observed, this brief comment on the Book of Daniel adds, for the first time, a new 'dramatic phrase' to the *Institutes*. Daniel has not sinned in disobeying the king, since the king had abrogated his own authority. By exceeding his divinely appointed limits, the ruler ceases to be a ruler. The power of the state may now in principle be resisted—not out of disobedience, but precisely in humble obedience to the true law which the ruler has violated. The Lord, therefore, is the King of kings.  

This conception of civil resistance is based on a deep logic of the objectivity of rights. If the people resist such a ruler, it is not because the ruler has failed to respect their innate 'rights'. It is rather because the ruler has failed to fulfill those rights that belong to his office. As Skinner notes, William of Ockham had sketched a similar argument in the fourteenth century, based on objective right and obligations:

'It is a mistake to claim that kings are free from any obligations towards their subjects, since 'they owe them justice and protection by divine law and the laws of nature'; 'if they fail in this... then it is time to apply that law of nature which prescribes that we may repel force with force.' Even though Calvin's argument does not appeal to natural law in the same way, the logic of his argument is similar: the authority of a ruler lies in his fidelity to the obligations that have been laid upon him. A ruler's role is to do what is right for the people, as prescribed by God. In this respect, as Ockham puts it, the king can be said to 'owe' the people justice and protection, so that a ruler who fails to fulfill this obligation likewise fails to be the people's ruler, and may therefore be resisted.

In his commentary on the Acts of the Apostles—published in 1552–54, with a second edition in 1560—Calvin develops the implications of this argument more explicitly. Commenting on the verse, 'We ought rather to obey God than men' (Acts 5:29), he writes that God sets authorities over a people in such a way that God 'still keeps his own authority safe and sound'. The office of rulers is grounded in their 'lawful' use of God's own authority. Obedience to rulers is thus an extension of obedience to God; conversely, 'we must obey rulers only to the extent that the divine command is not broken.' Calvin can therefore assert: 'If a king or ruler or magistrate becomes so lofty that he diminishes the honour and right of God, he becomes merely a human being'—his own authority is abrogated by his violation
of the rights of God. Indeed later in the same commentary, Calvin refers to Catholic polemics which claimed that the reformed church ‘overthrows all civil government’ and ‘subverts the authority of kings’. Instead of answering these accusations as one might expect—explaining the compatibility between divine sovereignty and the authority of rulers—Calvin takes the bait, insisting that ‘prerogatives and commandments’ must not be obeyed, if they conflict with the right and honour of God. To resist such laws and rulers is not ‘rebellious’, but an act of fundamental obedience. Calvin thus advances the cunning proposition that it is possible to disobey the king ‘without violating the authority of the king’. The king’s right to rule derives solely from his obligations before God.\footnote{Calvin, Acts of the Apostles, 17:6.}

Yet even with this relatively late emphasis on the possibility of resistance, Calvin continues to insist that individual citizens have no right to a popular uprising. The people may resist a ruler only through the agency of a duly appointed subordinate magistrate who rises up on their behalf. On the one hand, even tyranny is ‘more bearable than no order at all’.\footnote{Calvin, Commentary on Daniel, 6:22} And on the other hand, ‘the correction of unbridled despotism is the Lord’s to avenge’, and it is not ‘entrusted to us’.\footnote{ Ibid.} Although Calvin’s emphasis has changed in his later writings, his position remains substantively the same as that of the 1537 confession of faith: ‘it is fit to endure those who tyrannically abuse their power, until, through legitimate order, we are freed from their yoke.’\footnote{Ibid.} Even in the case of tyranny, rebellion by private individuals would be a violation of the right ordering of society; it would amount to robbing God ‘of his honour and right’.\footnote{Ibid.}

The distinctiveness of Calvin’s argument is thrown into sharp relief when it is contrasted with the argument of his Genevan successor, Theodore Beza. As John Witte observes, one of Beza’s most striking innovations was to formulate a relation between subjective rights and governance. Calvin ‘had made the rights of political subjects largely a consequence of good government’ (so that there can, among other things, be no such thing as a ‘right’ to rebel against a tyrant). But Beza made the rights of political subjects not a consequence but a condition of good government. ‘The magistrate exceeds his authority, the people…have not only the right but also the duty of conscience to resist such tyranny.’\footnote{Ibid.} In Beza’s formulation, the rights belong to the subjects not a

\textbf{Individual rights?}

Although I have been emphasizing the objectivity of rights in Calvin’s thought, it is also true, as Witte notes, that subjective rights make several appearances in Calvin’s works, especially in his later writings. In some of the late works, Calvin speaks of the ‘rights’ (iusa) of individuals, the ‘common rights of humanity’ (ius commune hominum), the ‘equal rights and liberties’ (pari turto et libertatis) of all. He speaks of property rights: ‘the right to land’, ‘the right to enjoy and use what one possesses’, the right to bequeath or inherit property; as well as the conjugal rights between husbands and wives, the ‘natural’ rights of parents in relation to their children, and even the ‘just and natural’ rights of orphans, widows and the poor.\footnote{Witte, Reformation of Rights, pp. 17-18.}

Some interpreters (e.g., Witte, Skinner) thus see a development in Calvin’s thought towards a later understanding of rights, while others (e.g., David Liddle) argue that these different forms of rights point to enduring tensions or contradictions within Calvin’s thought. There is, however, no necessary contradiction between Calvin’s regular insistence on the objectivity of rights, and his occasional references to the subjective rights of citizens. One can easily imagine certain legal rights attaching to individual citizens as a consequence of good government and a well ordered society. Such rights might still be subjective and individual, but they are not innate qualities of human nature—they have nothing to do with modern doctrines of ‘human rights’. Instead, they are freedoms that arise from the objective right-ordering of society. Indeed Witte himself acknowledges that Calvin’s late references to subjective rights are only ‘occasional minor keys in his loud new orchestrations on law and order’. In his late writings, Calvin’s pronounced emphasis is on rule, stability, order, law; he insists everywhere that ‘liberty and law’, ‘freedom and order’, ‘rights and rules’ belong together.\footnote{Witte, Reformation of Rights, pp. 57-58.} The kind of society that Calvin envisages is one that produces its own extensive range of legal rights and liberties for individual citizens. Such rights and liberties are the flowering, never the root, of a rightly ordered society.

When Calvin’s diverse statements about rights are interpreted along these lines, it thus becomes possible to make sense of his late remarks about individual rights within the wider framework of his doctrine of the subjective right of God and of the authorities appointed by God. There is no need here to posit either a neat development or an abrupt divergence within Calvin’s political thought. Instead, one can view his statements about rights as distinct moments within a coherent political vision of the benefits that accrue from a well ordered society.
Rights and virtues: the difference the church makes

Political historians have often suggested that Calvin's writings evoke two very different forms of rights-discourse, one objective and the other subjective. It is certainly striking to observe that most of Calvin's followers, from the late sixteenth century to the American experiments, took up his occasional references to subjective rights, and constructed entire legal-political edifices on that basis. Already by the time of Beza one finds an accent on the duty of rulers to respect the individual rights of citizens—an approach that culminates in the revolutionary politics of John Milton, where the autonomy of the individual is asserted as an absolute theo-political axiom. And so by the time of the Declaration of Independence, the doctrine of innate human rights has become not merely a political theory but a truth that is accepted as 'self-evident'. One can see here why the political philosopher John Gray would characterise modern politics as merely 'a chapter in the history of religion'.

Early modern politics took up one thread from Calvin's thought: not his overarching vision of a rightly ordered society, but instead his 'minor theme' of the individual rights of citizens. In the history of political thought, this doctrine of subjective rights—rights that I possess, rights that are my entitlement—produces an increasingly individualising conception of politics and citizenship. Politics becomes more and more a contest between competing individual rights and freedoms. My relation to society is defined no longer in terms of mutual responsibilities, but in terms of what society owes me as a private individual.

In Western societies, the extraordinary expansion in recent years of a culture of litigation is simply a further step in this direction: my place in society is defined by the rights I possess, by what the rest of society owes me. A culture of litigation begins to look frightfully like what Thomas Hobbes called the bellum omnium contra omnes, the war of everyone against everyone else. In Hobbes's analysis, a society in which everyone asserts their rights will necessarily descend into violence and chaos; what is needed, he argued, is the relinquishment of such rights for the sake of a safe and peaceable common life. Or rather, from Calvin's perspective, one might question the validity of this entire schema of subjective insensible rights.

To put it as baldly as possible, I think Alasdair MacIntyre is correct in his assessment of 'human' rights: The truth is plain: there are no such rights, and belief in them is one with belief in witches and in unicorns...Natural or human rights...are fictions. 51 We are not born with rights: we are born into rights: 'The truth is plain: there are no such rights, and belief in them is one with belief in witches and in unicorns.' Natural or human rights...are fictions. We are not born with rights: we are born into rights: 'The truth is plain: there are no such rights, and belief in them is one with belief in witches and in unicorns.'

What is needed, Calvin thinks, is the transformation of human life through the Word of God which is proclaimed and enacted in the Christian community. It is in the community of believers that the world learns how to be worldly. The common good of depends on the fragile yet indispensable witness of this community of virtue, peace and justice.

What would a political order look like if we understood rights not as inhering naturally in individuals, but as 'that which is right' for the order of a society? For a start, the political order would need to be defined in terms of virtue, duty, obligations to one another and to our collective flourishing as a people. Here, my own identity is defined not in terms of what I am owed, but in terms of my obligations and commitments to society. Taking up Calvin's thought we might thus begin to re-imagine politics, not as something that arises from the need to preserve individual rights, but as an order which establishes the basic conditions within which a community of virtue can flourish. In such a society, the fundamental political question would no longer be what are my rights? but rather, what is right?

But is all this mere day dreaming? Surely we don't really expect our secular societies to become spontaneously just and virtuous? At this point too, Calvin provides an insight that is of critical importance for any Christian consideration of political order. As I have argued, Calvin's vision of a justly ordered society is from start to finish not a 'secular', but a theological vision. His political philosophy cannot be divorced for a moment from theological considerations of sin, grace, justice, virtue and divine sovereignty. For Calvin, all human beings and all societies are profoundly damaged by the corrupting influence of sin. A society cannot raise itself by its bootstraps: a people ruled by vice cannot become virtuous through their own efforts or through any formal improvements of legal procedures and political structures. (This is why Calvin thinks that any existing political structure—monarchy, aristocracy, democracy—can be accepted; no structure as such is more just than any other.)

What is needed, Calvin thinks, is the transformation of human life through the Word of God which is proclaimed and enacted in the Christian community. It is in the community of believers that the righteousess of God—God's way of putting things right—is shown to the world. It is in this community that the virtues necessary for a just social order are cultivated and preserved. It is here that the world catches a glimpse of justice, order, virtue and peace. It is in the Christian community that the purpose and rationale for a flourishing public life: a public directed towards a common good. It is by looking at the church that the world learns how to be worldly. The common good of depends on the fragile yet indispensable witness of this community of virtue, peace and justice.