

The lawyer as theologian

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Calvin was trained as a lawyer before he became a theologian, a training that shaped his thought. He had studied at Orléans under Pierre de l'Estoile, one of the leading French jurists of the traditional school, and at Bourges under Andrea Alciato, the Italian founder of legal humanism, whose method Chapter II described. His first publication, in 1532, was a commentary on Seneca's treatise *De clementia*, a humanist work on the virtue of clemency in rulers that displayed his mastery of classical learning and his interest in the ethics of government.¹

The legal mind is visible throughout the *Institutio*. Calvin organised his material systematically, defined his terms precisely, distinguished between cases and argued from principles to conclusions. He treated the relationship between God and man in legal categories, covenant, law, justification and adoption. He discussed the civil government, the magistrate and the laws in the final chapter of the first edition, which dealt with Christian liberty, ecclesiastical power and political administration. His doctrine of the civil magistrate, which recognised the authority of rulers while allowing lesser magistrates to resist tyranny, became an important source of the Reformed theory of resistance and of constitutional government.

Calvin's legal training also shaped his approach to economic questions. He considered contracts, loans and interest as a jurist would: by their nature, their purpose, their effects on the parties and the conditions of their validity. His letter on usury reads in places like a legal opinion. Its method of weighing the interests of the parties and the community in the light of equity is the method of a jurist trained in the humanist school. The Reformed ethics of credit is thus, in part, a product of the legal humanism that flourished in the universities of France and in the circle of Bonifacius Amerbach in Basel.

This connection between law, ethics and economics is worth emphasising in a book written by a lawyer for readers who work in finance. The rules

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that govern financial transactions express judgements about fairness, responsibility and the common good. The lawyers who draft and interpret these rules, and who advise clients on their application, stand in a tradition in which Calvin, the lawyer-theologian who wrote his first great work in Basel, occupies a significant place.

1 Notes

1. On Calvin's legal studies at Orléans (Pierre de l'Estoile) and Bourges (Andrea Alciato) and his commentary on Seneca's *De clementia* (Paris, 1532), see the standard biographies of Calvin. To be verified. ↩

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