



Abstract from Article

MOSES AND THE MAGISTRATE: A STUDY IN THE RISE OF PROTESTANT LEGALISM

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Abstract

Though often neglected by historians as an important factor in the Reformation, the question of the validity of the Old Testament judicial (as opposed to moral or ceremonial) law frequently arises in the writings of the Reformers, and their various answers made no slight impact on the course of events. It bears directly on Henry VIII's divorce and the bigamy of Philip of Hesse; the treatment of heresy and the possibility of toleration; the persecution of witches; usury and iconoclasm; sabbatarianism and the rise of the "puritan" view of the Bible as a book of precedents, and the corresponding shift to legalism in Protestant theology. The question is also of fundamental relevance to the thought of the Reformers on natural law, the godly prince and magistrate, and the so-called "third use of the law". This article is an attempt to survey, up to the end of the sixteenth century, the various interpretations of the Mosaic penal and civil laws, with particular reference to the development of legalistic tendencies after Luther.

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