



Abstract from Thesis

THE POLITICAL THOUGHT OF SAMUEL RUTHERFORD

by

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Abstract

Samuel Rutherford (1600?-1661) was a Scottish Presbyterian minister and college professor whose political writings form a part of the controversial literature written during the English Civil War period in the mid-seventeenth century. Most of his political writing was done while he sat as a Scottish commissioner in the Westminster Assembly of Divines meeting in London during the war. His major political book, *Lex, Rex* (London 1644) was burned by order of the Restoration Government in 1660, and Rutherford was cited on a charge of treason as its author.

The author's purpose in *Lex, Rex* was to offer a reasoned defense for resistance to the King given by the Scots in the National Covenant of 1638 and the Bishop's Wars which followed and by the Long Parliament after 1640. He was moved to offer his theory of resistance mainly because of his basic concern to promote the establishment of Presbyterianism as the national church in England, Scotland and Ireland. Resting his argument principally on the two pillars of Natural law and the social contract, he drew extensively on ancient and medieval theories of law, as well as on political ideas of sixteenth-century thinkers who found need to resist constituted political authority in the name of religion, i.e., the author of *Vindiciae contra tyrannos*.

Showing Calvinistic influence, Rutherford's political theory has a distinctly theological framework. God is considered sovereign and His will the law for man. Man will find his place and function as he discovers the laws of his own nature, which are at the same time the laws of God, and he acts morally when his actions conform to these laws. Man's nature is essentially social and rational; and, furthermore, every individual has the natural inclination to preserve himself. Using reason men devise means of preserving the Natural Law of their nature; governments, for instance, arise from men's rational power and have an ethical purpose—states are divinely ordained to make men good. Because reason implies freedom of choice, only a government based on consent of the governed can preserve the dignity of man's rational nature, and the individual is the basic unit of the state. The individual is

finally responsible for obeying the Law of Nature. All actions of governments are brought to the bar of the individual's judgment. Forms of government ought to be sought which are most sensitive to the voice of individuals. A parliamentary form is therefore better than royal absolutism.

To make a government men contract with one or more men among themselves, giving to them the authority of rulership. The ruler is under contract to rule according to the higher law for the welfare of all people. Rulership is a trust from the people and is never given without reservation. If the ruler misuses his trust, the people have the right and duty to resist him in order to preserve themselves within the higher law.

Knowledge of the higher law comes through reason, but reason is fallible. However, God has graciously provided the infallible Scripture as a guide to reason. Rutherford believes there is only one true interpretation of Scripture and that God has given to the church primary authority in interpretation. His doctrine of exclusive truth leads him to an uncompromising position of religious intolerance.

Rutherford clearly provides for a right of revolution, but it is a right based on duty to a higher law. He assumes that the higher law is an objective reality which informs the reason and conscience of men; thus, he never conceives of the autonomous, "masterless" individual pictured in some modern political theories. He stands on a middle ground between politically conservative medieval Natural law theory and modern positivistic theories of law which emphasize the autonomy of the individual.

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