

# The Legacy of Servetus: Humanism and the Beginning of Change in the Social Paradigm

On the Occasion of the 450<sup>th</sup> Anniversary of His Martyrdom

MARIAN HILLAR

Michael Servetus occupies a unique place in the annals of European history. He was a lonely scholar and a bold mind who left two great legacies.<sup>1</sup> In the realm of intellectual inquiry he demanded a radical reevaluation of the entire ideological religious system of assertions and dogmas imposed on western Europe since the fourth century. Servetus's theological inquiry initiated the study of scriptural tradition in an attempt to uncover the real religious doctrines contained in it. On the moral societal level Servetus demanded freedom of intellectual inquiry, thought, conscience and expression, which was denied to millions on doctrinal grounds. By his sacrifice Servetus set in motion a process of change in the entire social paradigm and the recovery of the right to freedom of conscience.

## **Establishment of an Ecclesiastical Paradigm**

Servetus's role as a central figure in history, who initiated the process of recovering the social humanistic paradigm, becomes obvious if we put it in a historical perspective. Greco-Roman pre-Christian society enjoyed toleration and freedom of religion, of conscience, and of thought. Ancient religions never demanded conversion. The ancient western world did not have the concept of "heresy" or "heretic." This was due to the lack of a state religion and state-sanctioned theological doctrine, though the people and the centers of power were highly religious.

All this dramatically changed with the advent of state-supported Christianity. From the fourth century Christianity became an institution of organized clergy, fused with the political power of the Roman Empire and later the rest of western Europe.<sup>2</sup>

---

<sup>1</sup> Ángel Alcalá, "Los dos grandes legados de Servet: el radicalismo como método intelectual y el derecho a la libertad de conciencia," en *Turia, Revista Cultural*, No. 63-64, 2003, 221-242.

<sup>2</sup> Marian Hillar, *The Case of Michael Servetus (1511-1553) - The Turning Point in the Struggle for Freedom of Conscience*, Lewiston, NY: Edwin Mellen Press, 1997, 13-180. *The Theodosian Code and Novels and the Sirmondian Constitutions*, New York: Greenwood Press, 1952.

On February 28, 380, the emperors Valentinian II and Theodosius I established Christianity as interpreted by the Roman bishop as the obligatory religion in the empire, declaring that those who would dare not to embrace it were “demented and insane” and would “be smitten first by divine vengeance and secondly by the retribution of Our own initiative, which We shall assume in accordance with the divine judgment” (*Cod. Theod.* 16.1.2). This decree may be considered an official declaration of the first forced adherence to a state religion and the official initiation of persecutions for the convictions of conscience.

In a short span of time Christian emperors accomplished the elimination of free thought and the imposition of a totalitarian theocratic system so that they could congratulate themselves in 423 on a job well done: “The regulations of constitutions formerly promulgated shall suppress any pagans who survive, although We now believe that there are none [left]” (*Cod. Theod.* 16.10.22).

Constantine the Great had persecuted “heretics” and schismatics from the beginning, issuing an edict against them on September 1, 326. The fundamental principle on which the persecution was based was deviation from the official state religion. Heresy was considered “a public crime, since whatever is committed against divine religion amounts to the detriment of all” (*Cod. Theod.* 16.5.38-39). The definition of a “heretic” left no doubt that a theocratic society could not tolerate any free thought:

Those persons who may be discovered to deviate, even in a minor point of doctrine, from the tenets and path of the Catholic religion are included under the designation of heretics and must be subject to the sanctions which have been issued against them (Arcadius and Honorius, September 3, 395, *Cod. Theod.* 16.5.28).

In the sixth century Emperor Justinian explicitly incorporated the Catholic doctrine of the creed, especially the Trinity, into Roman state law.<sup>3</sup> In Book I, entitled *De Trinitate et Fide catholica*, chapter 1 confirms the establishment of the Catholic faith and the Trinity as the official state religion and forbids any critical thought under penalty of being burned at the stake. In section 5 Justinian defines faith in the Trinity in terms of the Nicene creed (“trinitatem consubstantialem”) and says any deviation from it, as well as any so-called heretical views, should be punished. It is interesting that Article 5.6 (413 C.E.) of the Theodosian Code declares the death penalty for the crime of rebaptism.

Thus in the fourth century a switch took place in the social paradigm, if we may borrow the concept from the history of science,<sup>4</sup> from the humanistic principles of ancient morality to the new ecclesiastical principles. The social

---

<sup>3</sup> *Corpus Iuris Civilis*, Editio stereotypa sexta, Volumen secundum, “Codex Iustinianus,” Recognovit Paulus Krueger, Berolini: Apud Weidmannos, 1895.

<sup>4</sup> Thomas S. Kuhn, *The Structure of Scientific Revolutions*, University of Chicago Press, 1970, 175.

paradigm can be defined as an entire constellation of beliefs, values, and worldview which is shared by the community and has a normative character. Initially it was imposed forcefully by the emperor and formulated by the clergy; later it became a tradition established by a system of laws (state and ecclesiastical) and theological doctrines, and its preservation was scrupulously supervised by the ecclesiastical authority, institutions (e.g., infant baptism, canon law), and courts (e.g., Inquisition).

The Reformation arose in the 16th century as a trend to correct the financial abuses of the ecclesiastical institution and the competition for political power by local centers. It brought also new trends: the assertion of individual, personal experience as a basis for religion and an emphasis on biblical studies. It also underscored the need for tolerance, at least in the initial phase, for its own survival. Unfortunately, the “reformed” churches quickly became as intolerant as the old Roman church and ossified into the old dogmatic tradition. A few leaders of liberal religious thought opposed the moral corruption and power of the popes and the clergy; however, any real investigation of the accepted dogmas or dogmatic assertions was persecuted by both the Roman Catholic and Protestant churches.

### **The Case of Servetus**

Servetus was sought by the Catholic Inquisition after the publication of his *De Trinitatis erroribus* in 1531, but he was able to evade capture by disguising his identity under the assumed name of Michaelis Villanovanus, and refraining from publicly expressing his ideas. Calvin, however, upon learning about the book *Christianismi restitutio*, which Servetus undertook to publish secretly in 1553, designed an intricate scheme to condemn Servetus and denounced him to the Catholic Inquisition in Vienne. Servetus managed to escape from prison, but was tried and condemned *in absentia* on June 17, 1553. The list of charges was as follows: “the crime of scandalous heresy, dogmatization; elaboration of new doctrines, publication of heretical books; sedition; schism and disturbance of unity and tranquility by public rebellion; disobedience against the decree concerning heresies; breaking out and escaping from the royal prison.”<sup>5</sup>

Calvin, himself a “heretic” by Catholic standards, strongly supported capital punishment for those who deviated from imposed doctrines — his own doctrines in the region under his control. He later defended the punishment of Servetus in his *Defensio orthodoxae fidei* (Geneva, 1554)<sup>6</sup> where he attacked freedom of

---

<sup>5</sup> Ioannis Calvini, *Opera quae super sunt omnia*; 1870, reprint New York, London: Johnson Reprint Corporation, and Frankfurt a. M.: Minerva G.m.b.H, 1964, Vol. VIII, 752.

<sup>6</sup> *Defensio orthodoxae fidei* in Calvini, *Opera*, Vol. VIII, 480-481.

conscience and justified the right to condemn to death the so-called heretic in his own doctrine of persecution “by the mandate of God.”<sup>7</sup>

Calvin’s doctrine is representative not only of his own views; he is a spokesman for all of Catholic and Protestant Christianity as well. His arguments to justify this conclusion were derived from the Old Testament and run against the spirit and letter of the New Testament.

When Servetus showed up in Geneva in August of 1553, Calvin seized the moment to realize his promise of February 13, 1546 not to let him go alive from Geneva. The arrest was made at the explicit demand of Calvin who admitted it in several documents.<sup>8</sup> The whole trial and procedure in Geneva were orchestrated by Calvin who, as a leader of the church, was considered superior to everyone except God (which is attested by his biographer Théodore de Bèze). Moreover, Calvin was motivated by his own brand of Christian thinking. The supporters of Calvin take this fact as an excuse for his action. They say Calvin was doing only what the whole of Christianity approved: “Unanimously, all the churches of Switzerland replied: ‘Servetus ought to be condemned to death.’”<sup>9</sup> The law under which Servetus was condemned was the Codex of Justinian that prescribed the death penalty for the denial of the Trinity and the repetition of baptism. The sentence was carried out immediately on October 27, 1553.

### **The Humanism of Servetus**

Servetus placed great value on human natural spontaneity, reason, and capability to do good works, and through this he emphasized human dignity and autonomy in moral decisions. Catholics could not agree with him because he eliminated the role of the church and papacy for justification and salvation, and Protestants disagreed with his concept of faith and acceptance of the works of love. Though he stated that faith is first as a precondition of secondary grace, he confirmed that love is the greatest and supported this statement with several arguments. “Faith then, to conclude, if considered in its pure and essential property, does not contain such perfection as love...Love is superior to everything...durable, sublime, more resembling God, and closer to the perfection of the future age.”<sup>10</sup> Even faith from the act of mental assent to the credible propositions becomes an act of will and is “a creative act of the soul.”<sup>11</sup> Luther, Calvin, and other reformers denied man any spontaneity and moral impulse.

Human nature cannot be depraved, condemned, utterly corrupt and helpless, claimed Servetus, in opposition to the reformers and Catholics. There is no

---

<sup>7</sup> *Ibid.*, 478-479.

<sup>8</sup> *Ibid.*, 462, 479.

<sup>9</sup> Émile Doumergue, *Jean Calvin. Les hommes et les choses de son temps*, Lausanne, Paris, 1899-1927; Genève : Slatkine Reprints, 1969, Vol. VI, 351.

<sup>10</sup> *Christianismi restitutio*, 350-354.

<sup>11</sup> *Ibid.*, 631.

inherent necessity for sin in man, no state of sin and depravity. Though Servetus justified this state by constant communication with God through God's innate Spirit and inner light, he stated we have knowledge of good and evil, and we act with a free will. Thus sin becomes qualified, conditioned by historical, cultural and personal factors. From this Servetus was able to deduce a universal and humanistic moral principle:

Natural righteousness is to give everyone what is his: that is to help everybody in need and harm nobody; to do what conscience and natural reason dictate so that whatever you want others to do to you, do to others. In such righteousness...nations are justified and saved, including the Jews.<sup>12</sup>

Thus all nations and peoples are taught from nature. Israelites were capable of righteousness through the Law and all other people through the inner natural light. Servetus granted all men dignity and recognized equal endowment in their ability to recognize good and evil.<sup>13</sup>

Servetus was the first Christian thinker in modern times who proclaimed the right of every individual to follow his own conscience and express his own convictions. *He was the first to express the idea that it is a crime to persecute and kill for ideas.* His argument was rational based on the humanistic principle of morality:

Neither with those nor with others I am in agreement in everything, because all seem to me partly right and partly in error. Moreover, everyone sees the error of the other, but nobody sees his own...It would be easy to distinguish all this if in the church all people would be allowed to speak by contending in a prophetic spirit.<sup>14</sup>

Servetus clearly stated that persecution and killing for ideas is contrary to the teaching of the apostles and the original church doctrine. In a letter in 1531 to Iohannes Oecolampadius (Johan Hausschein), leader of the Reformation in Basel, Servetus stated: "It seems to me a grave error to kill a man only because he might be in error interpreting some question of the Scripture when we know that even the most learned are not without error."<sup>15</sup>

This assertion of Servetus was later fully elaborated by Sebastian Castellio in his famous defense of Servetus and condemnation of Calvin, *Contra libellum Calvini* (1554):

---

<sup>12</sup> *Ibid.*, 331.

<sup>13</sup> *Ibid.*, 623-624, 635, 733.

<sup>14</sup> *De Iusticia*, a tractate added to Servetus's *Dialogorum de Trinitate libri duo*, F7a-F7b, 1531. Reprinted by G.m.b.H., Frankfurt am Main, 1965.

<sup>15</sup> Letter to Oecolampadius in Calvin, *Opera*, Vol. IX, 861-862.

To kill a man is not to defend a doctrine, but to kill a man. When the Genevans killed Servetus they did not defend a doctrine, they killed a man. The defense of a doctrine is not a matter to be resolved by the judges, it is an issue only to be solved by teachers. What has the sword to do with the matter of teaching?<sup>16</sup>

In a letter to the judges in Geneva dated August 22, 1553, Servetus defended the right to freedom of conscience and expression. He accused the court of instituting “a new invention unknown to the apostles, to their disciples, and to the ancient church of initiating criminal procedures for the doctrines of the Scripture or for the theological themes derived from it.” Even the Arians in the time of Constantine the Great were not handed over to civilian tribunals in accordance with the ancient doctrine, but the church alone decided questions and the only possible punishment for “heresy” was banishment. Such a punishment was always used against heretics in the primitive church. On the basis of these precedents Servetus demanded to be set free from criminal accusations.<sup>17</sup>

Servetus’s struggle for freedom of conscience was a part of his program for the restitution of Christianity and one of the “heresies” for which he was condemned. Servetus attempted to discuss the issue with Calvin in one of his letters published with *Christianismi restitutio*. He approached a problematic subject in his time and rhetorically asked himself whether it is ethical for the Christian to fulfill the duties of a magistrate, or to be a king, or to kill. And Servetus answered himself: “While there is the world, regardless whether we want or not, we have to preserve the worldly order, especially the one which is safeguarded by the administration of justice.” He admitted the death penalty for some especially malicious crimes, but categorically rejected such a penalty for schism or heresy: “In other crimes...we have to expect corrections by using other types of punishment and not by killing. Among those we prefer exile...as well as excommunication by the church which was used initially when there still were preserved traces of the apostolic tradition and with which schisms and heresies were punished.”<sup>18</sup>

### **Setting in Movement a Process of Change in the Social Paradigm**

Just as in science where accumulation of new data and scientific facts makes it necessary to reevaluate the old paradigm and establish a new one,<sup>19</sup> so the personal sacrifice of a pious scholar became a turning point, inducing thinking

---

<sup>16</sup> Sébastien Castellion, *Contra libellum Calvini*, Vaticanus 77, Amsterdam, 1612.

<sup>17</sup> Letter to the judges in Geneva of August 22, 1553. In Calvin, *Opera*, Vol. VIII, 762-763.

<sup>18</sup> Miguel Servet, *Treinta cartas a Calvino*, traducción de Ángel Alcalá, Madrid: Editorial Castalia, 1981, carta XXVII, 186-187.

<sup>19</sup> Kuhn, 175.

people to rethink the morality of prevailing church ideology and the mental framework of how religion and society treated the issue of intellectual inquiry and its repression.

The idea of punishing “heretics” was so pervasive in the society that it did not occur even to most thinking Protestants that the whole concept of repression of thought was evil and against the spirit and the letter of the Gospels. No Protestant religious leader was against the punishment of heretics in general. Even Sebastian Castellio, recognized champion of rational tolerance and a precursor of the French Revolution and the *Déclaration des Droits de l’Homme*, could not avoid these contradictions. Only later did he develop, through the experience of the fraternal religious war in France, the concept of mutual toleration and freedom of conscience based on a rational, humanistic and natural moral principle. The trap of contradictions and the theocratic mentality were so pervasive that even in 1762 Jean Jacques Rousseau wrote in his *Contrat social* that in the future ideal state, one who did not believe in the religious truths decreed by the legislator should be banished from the state, and even one who, after having recognized them, ceased to believe should be punished by death.<sup>20</sup>

A month after the publication of Calvin’s *Defensio* there appeared in Basel an anonymous, eloquent pamphlet against intolerance entitled *De haereticis, an sint persequendi...* A few weeks later there appeared a French translation of this treatise entitled *Tracté des hérétiques, a savoir, si on les doit persecuter, etc.*<sup>21</sup> This treatise was later translated into German and Dutch (1620, 1663) and English (1935).<sup>22</sup> The book contained extracts promoting toleration taken from the writings of some 25 Christian writers, ancient and modern, including Luther and Calvin himself, and was authored by Castellio, perhaps with some collaboration from Laelius Socinus and Celio Secondo Curione. Castellio wrote also a rebuttal to Calvin’s *Defensio*, the already mentioned *Contra libellum Calvini*.

The movement for tolerance grew out of the influence of Castellio and his associates in Basel. Servetus’s martyrdom gave stimulus to the rise of religious toleration as a general policy, as a moral principle. But the process was very slow and lasted for several centuries before the switch in paradigm could take place.

<sup>20</sup> Jean Jacques Rousseau, *Oeuvres immortelles du contrat social. Du Contrat social ou principes du droit politique*, Genève: Consant Bourquin, Éditeur, 1947, 370.

<sup>21</sup> Sébastien Castellion, *Traité des hérétiques, a savoir, si on les doit persecuter, et comment on se doit conduire avec eux, selon l’avis, opinion, et sentence de plusieurs auteurs, tant anciens, que modernes*, 1554; Édition nouvelle publiée par A. Olivet, préface par E. Choisy, Genève: A. Julien, Libraire-Éditeur, 1913.

<sup>22</sup> Roland H. Bainton, *Concerning heretics; whether they are to be persecuted and how they are to be treated; a collection of the opinions of learned men, both ancient and modern; an anonymous work attributed to Sebastian Castellio now first done into English, together with excerpts from other works of Sebastian Castellio and David Joris on religious liberty*, New York: Columbia University Press, 1935.

The figure of Servetus stands out at the beginning of the movement. In the later phase, Castellio deserves more ample recognition than he received. He continued to point out that most important is the principle of absolute tolerance of differing views. This position was an outgrowth of an entirely new concept of religion initiated by Servetus as centered not in dogma but in life and character. It is the very essence of this kind of religion to regard freedom and reason not as incidental but as fundamental conditions of a thoroughly wholesome existence of religion.

In the long run, Servetus's legacy led to the development first of the anti-Trinitarian and Unitarian movement represented by the Unitarians of Transylvania and Socinians of Poland, then the Unitarians in England and America. The Socinians were the first who demanded and fully understood the moral imperative of the complete separation of church and state. Such ideas were developed by Faustus Socinus (1539-1604), John Crell (1590-1633), Christopher Ostorodt (d. ca. 1611), Andrew Wojdowski (1565-1622), John Sachs (1641-1671), and particularly by Samuel Przymkowski (1592-1670) and Jonasz Szlichtyng (1592-1661).<sup>23</sup>

Their moral, social, and political doctrines eventually led to the development of the Enlightenment with the writings of philosophers John Locke (1632-1704), Pierre Bayle (1647-1706), Voltaire (1694-1778), and David Hume (1711-1776), leading eventually to the establishment of the principles of American democracy by Thomas Jefferson (1743-1826) and James Madison (1751-1836), expressed in the Bill of Rights and prompting the Declaration of Human Rights by the French Revolution.<sup>24</sup> In the religious realm the result of the seminal thoughts of Servetus and the trends of the Renaissance was the development of a universalistic understanding of the divinity, which breaks with tribal or ecclesiastical particularism and finds its expression either in the theistic form as Universalist Unitarianism or in the non-theistic or atheistic forms of modern humanism.

From a historical perspective, Servetus died in order that freedom of conscience could become a civil right of the individual in modern society.

---

<sup>23</sup> M. Hillar, "From the Polish Socinians to the American Constitution," *A Journal from the Radical Reformation*, 3:2, 1994, 44-51.

<sup>24</sup> *Ibid.* Also, Marian Hillar with Claire S. Allen, *Michael Servetus: Intellectual Giant, Humanist, and Martyr*, Lanham, New York, Oxford: University Press of America, 2002, 257.