

## The Language of Revolt:

### The Political Thought of Francisco de Vitoria's *De Potestate Civili* and Its Context

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This paper provides a discourse on the relationship between the king and the people before the foundation of modern social contract theory, focusing on Francisco de Vitoria's (1483-1546) *On Civil Power*, with reference to the political context of the 15th and 16th centuries. This perspective contributes not only to the study of the political thought of 16th century, but also to the articulation of modern social contract theory.

In the preface, we see it is necessary to understand the concrete arguments for social or political contract theory before Hobbes and Locke, in order to narrate a correct historiography of political thought. In the first and second chapters, we discuss the revolt against the Kingdom of Castile that occurred in 1465 and the critique of the rebels by Spanish theologian Rodrigo Sánchez de Arévalo (1404-1470). The rebels legitimated their action by citing the authority of courts and the right of nobles. Arévalo denied the right of nobles to elect and depose kings by citing the history of Castile and the legitimacy of the Castile kings who were distinguished from the emperors of Holy Roman Empire who were elected by nobles and priests.

The third chapter discusses the revolt of the *Comuneros*, which occurred in 1520 and had a direct relationship to Vitoria's argument. The many peculiarities of this revolt are clear when contrasted with another revolt. For example, the *Comuneros* consisted mainly of common people, who demanded freedom without domination and criticized the power of the nobles and courts.

Finally, we investigate Vitoria's argument against and standpoint on revolt. Vitoria criticized the idea of freedom which was conceived of by the rebels and claimed that the political power of a king is directly legitimated by god, not by the people. Vitoria's legitimation of political power depended not on the historical background of a kingdom but on a general theory of natural law. Vitoria's contract theory concerning the power of kings makes a remarkable contrast with the theory of the Monarchomachs who justified revolt by using a contract theory of their own.