

HOW DO LUTHERANS VIEW MARRIAGE?

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This essay was composed at the request of the National Church Council of the Evangelical Lutheran Church in Canada to assist the church in considering the matter of the blessing of same-sex relationships.

The author of this essay, the Rev. Dr. John W. Kleiner, died on December 16, 2004, shortly after the completion of this assignment. The church grieves deeply Dr. Kleiner's death even as it is deeply grateful for the fruits of his keen intellect and pastoral heart. Requiescat in pace. +

What is the Lutheran tradition on marriage?

How does the statement by the Conference of Bishops on the possible roles of church and state (July, 2003) inform the conversation?

In July of 2003 the Conference of Bishops of the ELCIC issued a Pastoral Letter (affirmed in November, 2003 by the National Council) that discussed various aspects of the marriage and blessing of same-sex couples. My reflections on this Pastoral Letter and on the Lutheran tradition on marriage are informed by my readings in Martin Luther. Reading some of Luther's statements and treatises on marriage over against the bishops' Pastoral Letter, I was struck by three emphases in Luther that are basic to his understanding of marriage but are under-represented in the Pastoral Letter.

1. The first emphasis in Luther that seems to me to dominate his thinking on marriage is his *strong pastoral concern*. In the central section of their Pastoral Letter the bishops twice appeal to Luther's statements to the effect that "marriage was a matter best left to the state." Although Luther is certainly attracted to this option and says so frequently, he does not drop the matter at that point. In his 1522 treatise on *The Estate of Marriage*, he begins the treatise with the statement, "How I dread preaching on the estate of marriage!" But because of "so many dreadful abuses and false situations" created by the various laws and authorities, he feels he must proceed. "But [he continues] timidity is no help in an emergency. I must try to instruct poor bewildered consciences, and take up the matter boldly."¹ Similarly in his 1530 treatise *On*

¹In *Luther's Works*, vol. 45, *The Christian in Society II*, p. 17.

Marriage Matters, Luther starts out by once again stating that these matters "should be left to the temporal authorities."² Nevertheless, Luther's pastoral heart does not permit him to withhold his advice on difficult marriage matters.

Toward the end of the treatise he writes:

Let the authorities deal with them [i.e., marriage matters], except where their pastoral advice is needed in matters of conscience, as for example when some marriage matters should come up in which the officials and jurists had entangled and confused the consciences, or else perhaps a marriage had been consummated contrary to law, so that the clergy should exercise their office in such a case and comfort consciences and not leave them stuck fast in doubt and error.³

Luther's ongoing concern for "burdened" consciences, "poor" consciences, "entangled and perplexed" consciences does not appear to me to be present in the bishops' Pastoral Letter.

Although the subject of the Pastoral Letter is same-sex marriages, and the persons most affected by this Pastoral Letter and by any discussions and decisions that grow out of it are gay and lesbian couples, the Pastoral Letter never mentions the words gay or lesbian in the central sections of the Pastoral Letter, never recognizes the existence within the ELCIC of gays and lesbians, and certainly never offers any pastoral word to them as individuals or couples. It is interesting that in the context of a statement on same sex marriages the bishops find it appropriate and desirable to address some pastoral words to single people and to divorced and separated people, but none to gay and lesbian people.

2. A second basic emphasis in Luther's thinking on marriage, closely related to his pastoral concern, is his realistic assessment of *human beings as created by God to be sexual beings*. Not surprisingly, Luther is totally heterosexual in his understanding. However, in the context of twenty-first century understandings and the topic of same sex marriages, the following comments by Luther give one pause: "Therefore, each of us must have the kind of body God has created for us. I cannot make myself a woman, nor can you make yourself a man; we do not have the power."⁴ As sexual beings, human beings have been endowed with a powerful sex drive, and "wherever men try to resist this, it remains irresistible nonetheless and goes its way through fornication, adultery, and secret sins, for this is a matter of nature and not of choice."⁵ In a discussion of the forced chastity of nuns in convents, Luther writes in *Against the Spiritual Estate of the Pope* (1522) as follows:

Unless she is in a high and unusual state of grace, a young woman can do without a man as little as she can do without eating, drinking, sleeping, or other natural

²In *Luther's Works*, vol. 46, *The Christian in Society III*, p. 265.

³ *Ibid.*, p. 318.

⁴ *On Marriage Matters*, in *Luther's Works*, vol. 45, *The Christian in Society II*, p. 17.

⁵ *Ibid.*, p. 18.

requirements. Nor can a man do without a woman. . . . The person who wants to prevent this and keep nature from doing what it wants to do and must do is simply preventing nature from being nature, fire from burning, water from wetting, and man from eating, drinking, or sleeping.⁶

Thus, although Luther believed that only those who are "in a high and unusual state of grace" and eunuchs were "persons who should presume to be without a spouse," the church at that time was forcing many persons into an "unnatural" lifestyle with its requirement of clerical and monastic celibacy. Luther's understanding of human nature and his pastoral heart led him to attack clerical and monastic celibacy and to have a strong presumption in favour of marriage. It was the one option that God had given the vast majority of humanity to avoid having to live with a burdened conscience—or, at least, to avoid living with a conscience unnecessarily burdened, for even in Christian marriage sin is present. Luther writes:

With all this extolling of married life, however, I have not meant to ascribe to nature a condition of sinlessness. On the contrary, I say that flesh and blood, corrupted through Adam, is conceived and born in sin, as Psalm 51 [:5] says. Intercourse is never without sin; but God excuses it by his grace because the estate of marriage is his work, and he preserves in and through the sin all that good which he has implanted and blessed in marriage⁷.

The description of marriage in the bishops' Pastoral Letter as "important to the life of people in communities" and as "an estate into which Christians may enter" does not have Luther's sense of the urgency and necessity of this institution, given humanity's strongly sexual nature. Nor does the Pastoral Letter have Luther's zeal for promoting marriage as widely as possible: for the time being, at least, gays and lesbians are to be excluded from what the Pastoral Letter generally describes in very attractive terms. "Human life," the Pastoral Letter asserts, "finds its essence in relationship to others," and "the church's interest . . . is to strengthen the ability of relationships to incarnate and be a model of God's love for others. To this end the church performs marriage rites for Christians . . ." Such rites strengthen relationships "so they might provide a public witness to the love of God for all creation." Twice the Pastoral Letter explicitly links marriage, God's love, and all creation. One wonders if it is logical to speak of marriage in such inclusive terms when a segment of the community is being excluded from this blessing. And one wonders if it is pastoral to speak in this universal way when, in fact, the rite is not universally available.

⁶ In *Luther's Works*, Vol. 39, *Church and Ministry I*, p. 297. Cf. Luther's discussion of the Sixth Commandment in his *Large Catechism* (Sixth Commandment, sec. 212): "Where nature has its way, as God implanted it, it is not possible to remain chaste outside of marriage; for flesh and blood remain flesh and blood, and the natural inclinations and stimulations have their way without let or hindrance, as everyone's observation and experience testify." In T. G. Tappert, ed, *The Book of Concord* (Philadelphia: Muhlenberg Press, 1959), pp. 393-94.

⁷ *The Estate of Marriage*, in *Luther's Works*, vol. 45, *The Christian in Society II*, p. 49.

For example, what are gays and lesbians to make of the statement that "the church performs marriages for Christians and provides the Christian community with an opportunity to invoke God's blessing"? Where do gays and lesbians fit here? Should the Pastoral Letter not read that "the church performs marriages for heterosexual Christians"?

3. A third basic emphasis in Luther's thinking on marriage is his *courageous contextuality*. Luther understood his context broadly and attempted to do justice to its various aspects. For Luther the discussion of marriage was carried out in the context of biblical laws, canon or papal laws, imperial laws, and local laws and traditions, as enforced by secular and ecclesiastical authorities. But Luther found that "the spiritual or papal laws" were often "burdensome" to consciences, "unreliable," and often ran "counter to all propriety, reason, and justice," while the imperial laws, too, were "ineffective in these matters."⁸ Even biblical law in matters of marriage could not be applied without reference to the contemporary context:

One must deal prudently with the laws of Moses, for his rule in marriage matters is of a completely different character than ours, especially in two respects. The first is that a man could have two or more lawful wives But such a thing is quite out of order among us, since a man is permitted to have only one wife. This is why Moses' law cannot be valid simply and completely in all respects with us. We have to take into consideration the character and ways of our land when we want to make or apply laws and rules, because our rules and laws are based on the character of our land and its ways and not on those of the land of Moses. . . .⁹

Thus when Luther was forced to deal with marriage matters, which in his day included such things as clerical and monastic vows of celibacy, secret engagements and forced marriages, and divorce, he would boldly offer his opinion and advice. This was how he felt "strange and unusual" cases should be handled:

And wherever so strange and unusual a case occurs, whether it be in this or other articles and matters, that it cannot be decided on the basis of some writing or book, then one should seek the advice and opinion of one or two good, pious men in the case; and after they have given their advice and opinion, their judgment and advice should be followed without any wavering or doubt. . . .

So, even if these pious men should err a little in such confused cases, God will be satisfied with their error, because their intentions are sincere and true Even though we do our best, we make mistakes in many things which we must commend to God . . . so that God may find an opportunity to forgive our errors and sins and to show us his mercy.¹⁰

⁸ *On Marriage Matters*, in *Luther's Works*, vol. 46, *The Christian in Society III*, pp. 266-67.

⁹ *Ibid.*, p. 291.

¹⁰ *Ibid.*, pp. 287-88.

For Luther the demands of law had to be balanced off by the needs of burdened consciences. It is the persons caught in these matters that form perhaps the most important part of the context as far as Luther is concerned. Marriage matters, "as worldly affairs covered by temporal laws," should be left to the appropriate authorities and officials. Pastors and clergy should get involved only "where their pastoral advice is needed in matters of conscience, as for example when some marriage matters should come up in which the officials and jurists had entangled and confused the consciences, or else perhaps a marriage had been consummated contrary to law, so that the clergy should exercise their office in such a case and comfort consciences and not leave them stuck fast in doubt and error."¹¹

Greater familiarity with Luther's contextual approach to marriage matters might have strengthened the bishops' Pastoral Letter. The context of any treatment of same sex marriages has to be broader than the court decisions and legal definitions in relation to same sex marriages. The human context – the gay and lesbian persons in our world and the gay and lesbian members of our Christian and Lutheran communities – need to be recognized and their "burdened consciences" comforted. If one of the two stated aims of the Pastoral Letter, namely, "to assist members in discussing this issue," is to be realized, the church will have to recognize and involve those members most affected by any discussions and decisions, namely, gay and lesbian members of the ELCIC.

For Further Reading

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¹¹ Ibid., p. 318.