

Conjugal union and moral dignity – the Early Reformers on the moral context of marriage and the minimum standards for sustaining moral integrity in society

ABSTRACT

The early Reformers identified general standards for attaining moral dignity and right in society. To this end they applied and developed the perspectives on benevolence needed for stating the minimum levels of ensuring individual participation of all reasonable people towards the virtuous ends of society. Luther's and Calvin's views regarding rights, ethics and the moral law are particularly instructive with regard to the jurial ethics of conjugal union. Some of the most important implications of the early Reformers' views are that if the lawmaker of a state passes laws extending the definition of conjugal union to the prohibited relationships of consanguinity or to same sex unions, it would forsake its duty, undermine moral dignity and before the bench of positive moral law fabricate spurious law.

ABSTRAK

Huwelikseenheid en morele waardigheid – die vroeë Reformatore oor die morele konteks van die huwelik en die minimum-standaarde vir die behoud van morele integriteit in die samelewing

Die vroeë Reformatore het algemene standaarde vir die bereiking van morele waardigheid en geregtigheid in die samelewing gestel. Vir dié doel het hulle die perspektiewe met betrekking tot welwillendheid gestel wat nodig is ten einde die minimum vlakke te formuleer vir individuele deelname van alle redelike mense aan die bereiking van die deugdelike oogmerke van die samelewing. Luther en Calvyn se standpunte met betrekking tot reg, etiek en die morele wet is besonder insiggewend vir die juridies-morele konteks van die eenheid van die huwelik. Van die belangrikste implikasies van die vroeë Reformatore se standpunte is dat indien die wetgewer van die staat wette maak wat die definisie van die huwelik uitbrei na die verbode grade van verwantskap of na verbintenisse van dieselfde geslag, sou dit sy taak versaak, morele waardigheid ondermyn en in die lig van die positiewe morele wet skynreg positiever.

1. INTRODUCTION

Marriage, to the early Reformers, was one of God's eminent gifts for the propagation of the human race and for attaining man's destiny in the order of divine providence. However, in our day and age, sensism, subjectivism and the notion that rights take precedence over duties have contributed substantially to the degeneration of moral dignity generally, and conjugal morals

in particular. For the major ideas impacting upon man's moral rights and duties in the social sphere of life, the early Reformers drew heavily from the Ciceronian treatises on moral duties and the fourth century Church Fathers, such as Lactantius's statements on the divine order and providence "steering" man's moral decisions towards their ultimate (and virtuous) end.

The Reformers' ideas, central to the discourse on moral dignity and which produced fundamental perspectives in the areas of rights and public morals, were, firstly, the moral context of right, and secondly, the existence of universal truth, virtue and right in opposition to sensism, moral relativism and subjective autonomy of choice.

The ideas central to the Reformers' discourse on the moral context of right were expressed in terms of the common moral element shared by all human beings and their natural moral equality; and also by the fact that all men are endowed with duties and responsibilities which they cannot shun or devolve onto others, and that all human beings reflect moral equality and liberty related to human personhood as an element common to all human beings.

The ideas posited by the early Reformers on morals and right are open to interpretation and susceptible to development into a legitimate and sustainable theory of human rights. Particularly at the juncture of man's callings, duties and responsibilities on the one hand, and the virtues of love, justice and peace on the other, the "connecting points" for Reformational human rights theory emerge.

Although the Reformers, in many respects, followed the natural law tradition of the later medieval authors, for example St. Thomas Aquinas, they saw the volative principle as that which is supreme and (relatively speaking) most excellent in human nature. Although man's reason functions central to gaining knowledge of that which is naturally just, the moral subjectivity rather than the rational faculty as held by Aquinas, represents the highest point of existence in human nature.

In all matters involving man's moral actions, Luther focused on the moral liberty of man in its intricate attachment to the spiritual liberty provided by God's spiritual law of love and the submission of man's will to the will of God (WA, 3: 621 (12-14), Psalmvorlesung (1513-1515)¹). Through the work of God's Spirit man's liberty is a liberty of love by submitting oneself to God's law (WA, 1: 437 (27-29), Schriften (1512-1518)²). The outcome of Luther's argument is that God's will, expressed in natural law and God's moral law, is a law of spiritual freedom; it disseminates a spirit of liberty in relation to both God and one's neighbour (cf. WA, 2: 500 (23-25), Schriften (1518-1519)³); it liberates man from egoistic self-love and humbles man to serve his neighbour in benevolence and beneficence (WA, 56: 481 (22-24), Römervorlesung (1515-1516)⁴); also it

1 "Et solius Christi iudicium est iustum et verum: pater enim omne iudicium dedit filio. Sicut enim iudex per iudicium: ita pater per filium iudicat." References to WA (S) are to the standard edition of Luther's *Werke* (Schriften): *kritische Gesamtausgabe*; Weimarer Ausgabe (Luther, 1883-1987). References to LW are to the works of Luther in the American Edition of *Luther's Works* (Luther, 1958-1976). The specific work of Luther referred to, is reflected, e.g. *Lectures on Genesis* [LG], and the relevant Scriptural citation given where applicable. The abbreviations are explained in the works of Luther reflected in the bibliography.

2 "Verum omnia mandata (ut dixi) requirunt charitatem, Cum sine charitate, id est, facili, prompta, hilari, liberte voluntate, si implentur, non implentur. Manet enim invita ideoque et rea voluntas, licet opus faciat manu et extra."

3 "Igitur spiritualis est, quia spiritum fidei requirit, id est, non propter signum sed propter rem spiritualis est, cum nullum opus bonum fiat, nisi hilari, volente gaudenteque corde fiat, id est in spiritu libertatis."

4 "Aliam servitutem optimam appellat Gal. 5.: 'Servuire Inuicem per charitatem', de qua dicit, Quod, cum liber esset, omnium se servum fecit. Que servitas est summa libertatis, Quia nulus eget, non

moves man to submission and obedience of divine law (WA, 39(1): 203 (16-20), Disputationen 1535-1538⁵). Applied to rights, this means that human beings have the fundamental right to accomplish their callings in all stations of life, subject to the moral law, in promoting the common good.

Marriage is not a union destined to satisfy man's physical desires only. The early Reformers opposed and rejected the idea of satisfying the senses without being led by the essence (or nature) of human existence. They therefore rejected the inclination towards sensism for a number of reasons, the first being that sensism opposes the idea that the human mind possesses universal ideas, and to subject man's sensual experiences to such universals. Secondly, sensism leads man's actions to wherever man's fantasies lead him. Already in pre-Reformational times St. Augustine warned against scepticism regarding universal ideas in the domain of man's moral judgements: "When you hear it said, 'God is Truth', do not go asking what the truth is. If you do, the darkness of corporeal images will rise up before you, and clouds of fantasies will appear to disturb the calm light that shone over you when I first mentioned Truth: *quae primo ictu diluxit cum dicerem Veritas*" (*De Trinitate*, 8, 2).

When the distinction between unwilled acts of (synthetic) knowledge and willed acts is abandoned, human beings knowingly err and exchange truth for sensism; sensism destroys natural society by removing from humanity the common possession of truth and moral virtue. The problem is further exacerbated, according to the Reformers, by the fact that if the idea of "supernatural society" is discarded, it becomes increasingly difficult to identify the ideas of truth and moral virtue necessary to prevent the deterioration of moral dignity and the landslide of society into the quagmire of sensism and moral relativism.

Accordingly, the early Reformers saw marriage as a "natural society" structured for the unification of the human race, according to God's providential plan for the world. This view of marriage was applied by the early Reformers to develop a distinct view of the moral dignity and natural justice attributed to conjugal union according to the divine plan for the universe. The Reformers did not interpret "natural society" to mean the fusion of two partners through the bond of marriage solely to give expression to the natural instincts for conservation, procreation, and the other things desired by nature, *quod natura omnia animalia docuit*, in other words the needs and instinct teaching the "animals" to seek satisfaction from them (subjectively speaking), but primarily in terms of the superior meaning of the term, namely to live according to the exigencies and indications of the "nature of things".

Already the Stoics, such as Cicero, argued that we should love other human beings as ourselves because our nature is equal: all human beings should bestow extensive benevolence upon another endowed with equal virtue; "this act is necessary if he is to love another no less than himself. How does he differ, all things being equal?" (*De Legibus* [Leg.], 1: 12]). Furthermore, the nature of right is to be sought in the nature of human beings ([*Leg.*], 1: 5]).

The "good" attached to "human good", refers to *human good*, not merely *animal good*. Therefore, human nature possesses superior instincts as well as *rational good*, in distinction from the mere instincts of animal behaviour. The efforts of man to unite with other human beings are guided by the objects of their moral duties. Man's attachment to the being of another in conjugal union is the end of marriage and the moral dignity attached to the union of marriage

accipit ..."

5 "Lex igitur dupliciter impletur, scilicet per fidem et charitatem. Fide impletur in hac vita, reputante interim Deo nobis per Christum iustitiam seu legis impletionem gratuito. Charitate implebitur in futura vita, cum perfecti erimus nova creatura Dei. Quamvis improprie dicitur, legem tunc implerie, cum futura tunc sit nulla lex, sed res ipsa, quam lex in hac vita requirunt."

is closely related to the issues of right, duty and the nature of human beings.

Also in marriage, human beings are confronted with many choices in making decisions. In order to understand the issues of choice related to conjugal union more deeply, this essay employs the views expressed by the early Reformers to the effect that reason and will are associated in love, and that if the will is blinded by evil passions, it leads human reason to falsehood and steers man's choices (in conflict with God's providential plan with man) towards sensism and moral degeneration. Man's will, attaching his whole being to other human beings, according to God's providential government of the world, provides innermost enhancement, or moral dignity – all this produces a unity with and love of order, producing many good things – thereby forming new bonds and unifying human beings on a deeper level of existence. In brief, the teachings of the Reformers maintain that moral dignity is acquired by rational creatures through the practice of virtue, as well as the opposite: although human beings have the same source of truth in their hearts, the same source of enlightenment in their minds, and the same source of love in their beings, two or more individuals may differ not only in knowledge and affections but may also contradict each other in opinions and affections. The general cause can be attributed to the fact that false reasoning, instead of simply following the precepts of truth, subjects human beings to the dictates of animalistic passion.

For the moral upliftment of human society, the Reformers teach that virtue is necessary to conjugal union, and, at the same time, that all vice and immorality harms, injures and tears apart this society which seeks the fullest union of two intellective moral creatures. The intellective and moral nature is guided by the orderliness permeating man's existence in the world.

This essay considers some of the implications of the Reformers' views on moral dignity for the regeneration of conjugal union at a time when the morals pertaining to marriage are at a very low ebb in our society in particular, and moral degeneration is burdening South African civil society with a culture of immorality that is reaching alarming proportions. The ultimate question is whether certain minimum levels of moral dignity can be postulated for curing the moral evils flowing from sensism, and for the fundamental regeneration of marital union in particular and moral dignity in general.

To answer these questions, consideration must be given to the origins of the ideas pertaining to the ability of man to know that which is divinely ordained regarding morals, the Reformers' interpretation of the divine nature of the moral law applied to conjugal union, and the demands of benevolence and its implications for civil society on moral issues.

2. UNIVERSAL DIVINE PROVIDENCE AND MORAL DIGNITY

2.1 Providence and God's moral order

2.1.1 Lactantius on God's providence and order in the world

Prior to St. Thomas Aquinas⁶ and Luther's views on God's providential government of the

6 Thomas Aquinas's classic statements on providence postulated a close relatedness between God's rule of the universe and the order of divine law for mankind towards its desired end. Firstly, "divine law" is "God's providence" through which God governs the whole universe (*ST*, 1(a), 2(ae), q. 91, art. 1). Man partakes of a share in God's providence – the rational creature's share of God's eternal law, its natural inclination to its proper act and end, is called natural law. The light of natural reason enables man to discern what is good and what is evil – this is an imprint of the divine light in human reason (*ST*, 1(a), 2(ae), q. 91, art. 2). Also to Aquinas the general principles of the natural law are the same for all people (cf. *ST*, 1(a), 2(ae), q. 94, art. 2). Also note the remarks in Raath, 2007: 416-417.

world, the early Church Fathers had posited a close connection between divine providence and God's government of the world through His law. The fourth century ante-Nicene Father, Lactantius, reverting to Cicero, gave, in his works on providence, a succinct statement of the universal moral ideas governing man's decisions, in maintaining the divine providence of God in all matters concerning nature and man's social life. Following the view of the Stoics, who taught that the universe could neither have been made without divine intelligence, nor continue to exist unless it were governed by the highest intelligence, Lactantius states that "there is no one so uncivilised, and of such uncultivated disposition, who, when he realises his eyes to heaven, although he knows not by the providence of what God all this visible universe is governed, does not understand from the very magnitude of the objects, from their motion, arrangements, constancy, usefulness, beauty and temperament, that there is some providence and that that which exists with wonderful method must have greater intelligence" (*Divine Institutes [DI]*, Book 1, chapter 2 (page 19)) [1, 2 (19)]. To Lactantius the universe is ruled by the will of one supreme deity – God, the Creator and Father of all created being (see *DI*, 1, 3 (21)). Alluding to Chrysippus's view that God is a natural power endowed with divine reason, and Zeno's statement to the effect that God is "a divine and natural law", Lactantius observes that "whether it be nature, or aether, or reason, or mind, or a fatal necessity, or a divine law, or if you term it anything else, it is the same which is called by us God" (*DI*, 1, 5 (26)). He also quotes Cicero's acknowledgement of God as the Governor of the universe: "Nothing is superior to God: the world must therefore be governed by Him. Therefore God is obedient or subject to no nature" (*DI*, 1, 5 (26)).

The sovereignty of God over the whole of creation is manifested in His "sensitivity, intelligence, providence, power, and vigour, He is able to create and He has the means of making everything" (*DI*, 1, 2, 9 (111)). Also man, together with his wisdom, intelligence and foresight, was proclaimed by divine providence: "But if nothing can be done or produced without design, it is plain that there is a divine providence to which that which is called design peculiarly belongs. Therefore God, the Contriver of all things, made man." To Lactantius, even ancient authors like Cicero, subscribed to man's providential origins: "And even Cicero, though ignorant of the sacred writings, saw this, who in his treatise on the Laws, in the first book, handed down the same thing as the prophets; and I add his words: 'This animal, foreseeing, sagacious, various, acute, gifted with memory, full of method and design, which we call man, was produced by the supreme Deity ...'" (*DI*: 2, 12, (123)).

2.1.2 Luther and Calvin on providence and God's benevolent government of the world

2.1.2.1 Luther on God's universal involvement in the universe

Quoting from the works of the fourth century Fathers, Luther maintains that from and through God all things come into being and are (*LW*, [CF], XVIII (On Free Will), 2, 18, 6).⁷ Luther condemns the Pelagians and others who teach that without the Holy Spirit, "by the power of nature alone", we are able to love God above all things, and can also keep the commandments of God in so far as the substance of the acts is concerned (*LW*, [CF], 2, XVIII, 2).

The providence of God extends even to the smallest minutiae of man's daily needs – God causes the grain to grow and blesses and preserves it in the field; if God's providence did not provide for "our daily bread and all kinds of sustenance", we could never take a loaf of bread from the owner to set on the table (*LW*, [LC], 3, 70)). The same point is also made in the *Small Catechism*, on the Fourth Petition of the Lord's Prayer: God provides daily bread, even to the wicked, without our prayer. "Daily bread" includes everything required to satisfy

⁷ E.g. Luther refers to St. Augustine's *Hypognosticon contra Pelagionos et Coelestincarios*: III, 4, 5 (which is ascribed to Augustine in older collections of his works).

our bodily needs, such as food and clothing, house and home, fields and flocks, money and property, a pious spouse and good children, trustworthy servants, godly and faithful rulers, good government, seasonable weather⁸, peace and health, order and honour; true friends, faithful neighbours, and the like (LW, [SC], III, 13)). Through God's faithful intervention in all aspects of man's existence, God governs His creation: "I believe that God has created me and all that exists; that He has given me and still sustains my body and soul, all my limbs and senses, my reason and all the faculties of my mind, together with food and clothing; house and home, family and property, that He provides me daily and abundantly with all the necessities of life, protects me from all danger, and preserves me from all evil. All this he does out of his pure, fatherly, and divine goodness and mercy without any merit or worthiness on my part. For all this I am bound to thank, praise, serve, and obey him" (LW, [BC, CELC], First Article: Creation, [SC], II, 2).⁹

In His superior majesty and sovereignty, God's providence shines throughout the whole of creation: He makes all creation help provide the comforts and necessities of life – sun, moon, and stars in heaven, day and night, air, fire, water, the earth and all that it brings forth, birds and fish, beasts, grain and all kinds of produce. Moreover, God gives all physical and temporal blessings – good government, peace, security. Luther adds: "Thus we learn from this article that none of us has life of himself, or anything else that has been mentioned here or can be mentioned, nor can he by himself preserve any of them, however small and unimportant. All this is comprehended in the word 'Creator'" (LW, [BC, CELC, LC], First Article: 2: 14). God's providence also rules the spiritual domain: God the Father has not only given us all that we have and see before our eyes, but also daily guards and defends us against every evil and misfortune, warding off all sorts of danger and disaster; "(a)ll this He does out of pure love and goodness, without our merit, as a kind father who cares for us ... hence, since everything we possess, and everything in heaven and on earth besides, is daily given and sustained by God, it inevitably follows that we are in duty bound to love, praise, and thank him without ceasing, and, in short, to devote all these things to his service, as he has required and enjoined in the Ten Commandments" (LW, [BC, CELC, LC], First Article: 2: 14).

Under the sixth commandment God's concern and providence relates to the institution of marriage in particular – God has most richly blessed this estate above all others and, in addition, has supplied and endowed it with everything in the world in order that this estate "might be provided for richly and adequately". Marriage is a glorious institution and an object of God's serious concern; it is of the highest importance to him that persons be brought up to serve the world, promote knowledge of God, godly living, and all virtues, and fight against wickedness and the devil (LW, [BC, CELC, LC], the Sixth Commandment: 1, 208).

2.1.2.2 Calvin on providence and the orderly structure of created being

In Calvin's writings the direct bond between God's providential government of the world, justice and the virtues man should manifest, is more closely attached to the orderly structure

8 In his Table Talk Luther states that Cicero's argument from the conversation of species is a "beautiful" one – an apple tree does not become a pear tree, a cow does not become an ass, etc.; therefore it is necessary that the world be ruled by divine providence (LW 54: 475 [TT], recorded by Jerome Besold). Elsewhere it is recorded that Luther attributes it to God's providence that the writings of pagan authors have remained with us (LW 54: 211, [TT], recorded by Anthony Lauterbach and Jerome Weller).

9 Also note LW, [BC, CELC, LC], First Article: 2: 14: "I hold and believe that I am a creature of God; that is, that he has given and constantly sustains my body, soul and life, my members great and small, all the faculties of my mind, my reason and understanding, and so forth; my food and drink, clothing, means of support, wife and child, servants, house and home, etc."

of created being. Furthermore it is through man's conscience that he becomes aware of God's providential order, also expressed in and through the precepts of natural law and man's natural ability to comprehend that which is right. In his *Institutes*, Calvin makes this view more explicit by observing that the human conscience is instrumental in recognising the need for order and the truths of natural law (*CO*, 2: 1106, [I (1559)]: 4, 20, 16).¹⁰ Natural law, to Calvin, fulfils a most important role for man's determining the providential will of God, in so far as natural law is the "witness", "monitor", or "testimony" of the conscience – the law of God, which we call the moral law, is nothing other than that natural law and of that conscience which God has engraved upon the minds of men (*CO*, 2: 1106, [I (1559)]: 4, 20, 16). Civil government is also not excluded from divine providence (*AICR* (1585), 4.20.3).¹¹

2.2 Providence and matrimony

2.2.1 Lactantius on providence and moral evil

To Lactantius, the evil of the wicked and the virtues of the believer are also taken up in God's providence – God permits the wicked and the unjust to become powerful, happy and rich, and, on the other hand, God suffers the pious to be humble, wretched, and poor. However, the believers should remember that God regards them as His children, and permits many evils to happen to good men because He thinks them worthy of His corrections (*DI*, 1, 5, 23 [326]). Those people who are not committed to virtue, but to the attraction of pleasure, are overcome in great numbers and "are drawn aside to the pleasantness", they who have given themselves up to the body and earthly things "are pressed to the earth, and are unable to attain the favour of the divine bounty, because they have polluted themselves with the defilements of vices" (*TAG*, Chapter 19 [19]). However, they who follow God, and live in obedience to Him, despise the desires of the body, and prefer virtue to pleasures, preserve innocence and righteousness and God "recognises as like to himself" (*TAG*, 19). The yardstick for measuring virtue is God's holy (moral) law – "He has laid down a most holy law", and wishes all men to "be innocent and beneficent" (*TAG*, 19). Lactantius asks: "Is it possible that He should not be angry when He sees that His law is despised, that virtue is rejected, and pleasure made the object of pursuit?" (*TAG*, 19). Lactantius answers as follows: "If He is the Father and God of all, He is undoubtedly delighted with the virtues of men, and provoked by their vices. Therefore He loves the just, and hates the wicked" (*TAG*, 19). In order to know God's providential will, man was created with reason and wisdom (*WOG*, Chapter 4, page 595 [4 (595)]).

Lactantius posits a direct relationship between God's providential provision for man's existence in the world, and God's furnishing of man with reason and intelligence: "It is plain that

10 The natural ability to know God's providential laws was given in man's nature: "Iam quum Dei legem, quam moralem vocamus, constet non aliud esse quam naturalis legis testimonium, et eius conscientiae quae hominum animis a Deo insculpta est, tota huius, de qua nunc loquimur, aequitatis ratio in ipsa praescripta est. Proinde sola quoque ipsa legum omnium et scopus et regula et terminus sit oportet. Ad eam regulam quaecunque formatae erunt leges, quae in eum scopum directae, quae eo termino limitate, non est cur nobis improbentur, utcumque vel a lege iudaica, vel inter se ipsae alias differant. Lex Dei furari prohibet." All references to Calvin's writings are to his works in the Apeldoorn edition of the *Calvini Opera* [CO]. Specific works in the CO are abbreviated and reflected in the bibliography. Where necessary, Scriptural citations are also provided in the references to his works. All references to other Calvin sources are listed separately in the bibliography.

11 "Therefore there is no lesse vse of ciuill pollicie, (which causeth not only that we liue well together: but that no offence of religion arise) then of bread & water. Ant it hath 3. Parts: the magistrate who is the keeper of the lawes: The lawes according to which the ruleth: the people which obeieth the Magistrate."

God, when He commenced His work of the world – than which nothing can be better arranged with respect to order, no more befitting as to utility, nor more adorned to beauty, nor greater as to bulk – Himself made the things which could not be made by man; and among these also man himself, to whom He gave a portion of His own wisdom, and furnished him with reason, as much as earthly frailty was capable of receiving, that he might make for himself the things which were necessary for his own uses” (*TAG*, 10 (557)).

To Lactantius, virtue and justice are indispensable in attaining immortality, which he calls the “chief good” (*EDI*, 35 (487f.)). All men are born to justice. Justice comprises both that which we owe to God and what we are due to man (*EDI*, 34 (486f.)). Doing justice to God presupposes obedience to His law: “For if justice is the worship of the true God (for what is so just with respect to equity, so pious with respect to honour, so necessary with respect to safety, as to acknowledge God as a parent, to reverence Him as Lord, and to obey His law or precepts?), it follows that the philosophers were ignorant of justice, for they neither acknowledged God Himself, nor observed His worship and law ...” (*EDI*, 56: 509f.)). Obedience to God’s law requires doing justice to both God and to our fellow men: “When the affairs of men were in this condition (wars, mutual depredations; laws being crushed, the power of acting with violence was assumed without restraint), God pitied us, revealed and displayed Himself to us, that in Himself we might learn religion, faith, purity, and mercy; that having laid aside the error of our former life; together with God Himself we might know ourselves, whom impiety had disunited from Him, and we might choose the divine law, which unites human affairs with heavenly, the Lord Himself delivering it to us; by which law all the errors with which we have been ensnared, together with vain and impious superstitions, might be taken away. What we owe to man, therefore, is prescribed by that same divine law which teaches that whatever you render to man is rendered to God” (*EDI*, 60 (514f.)).

2.2.2 Luther on providence and the toleration of moral evil

In God’s command to Noah to make provision for food in the ark, Luther detects the providence of God, according to whose counsel the ungodly are punished but the good are preserved. “This takes place in an amazing manner: while God punishes the ungodly, He nevertheless does not destroy nature in its entirety but graciously makes provision for future descendants” (*LW*, 1 [LG], Gen 6: 21). Luther adds that even today, as ungodliness grows, the contempt of godliness becomes greater from day to day, and it appears as if God is asleep and people keep on sinning against both the First and the Second Table of the Law, God’s provident care does not cease; even in the midst of the sheer wantonness of the adversaries of the believers, condemning the “acknowledged and confessed truth”, aiming at our throats, “and out of devilish rage they cause the blood to flow and amidst the crying to God of the believers for the hallowing of His name not to permit His kingdom to be destroyed and His fatherly will to be obstructed, God maintains the believers through his providential care” (*LW*, 2 [LG], Gen 6: 12).¹²

The believer has God’s providence as a guide through the sinful world (*LW*, 4 [LG], Gen 27: 14). The highest forms of worship and those that are necessary in the highest degree are dependent on the promise and providence of God, “who has promised that He will be our Father, and that one should hope and look for help from Him” (*LW*, 5 [LG], Gen 26: 1). Because of sin our life in the world is wretched; when we try to be very wise and to give the best advice, we often cause the greatest havoc, “to such an extent that if our errors were not corrected because of God’s compassion and providence, everything would be utterly overturned” (*LW*, 5 [LG], Gen

12 Even the First Commandment places our children and descendants under God’s protection and providence (*LW* 43: 176, [SFC]).

27: 14). Although God has created all things that are necessary for this life, that we should expect them from Him directly but that we should enjoy those things that are at hand, and in the order which He Himself has prescribed (*LW*, 6 [LG], Gen 31: 19).

It is a “truly heavenly doctrine” and not a matter of human reason and wisdom that in this life empires, states, and households – in short, everything in this world – are all governed by God’s providence (*LW*, 6 [LG], Gen 32: 2). The fact that the ungodly and evil people flourish and enjoy innumerable benefits must be attributed to the wonderful and comprehensible wisdom of God which human reason does not grasp (*LW*, 6 [LG], Gen 32: 2). When the evil things which happen daily are compared with the good things, the number and abundance of the good things will be far greater than the evil things (*LW*, 6 [LG], Gen 32: 2).¹³ Although the devil causes great disturbances, brings kingdoms and monarchies into conflict with each other, and throws provinces, states, and households into confusion; yet he is not able to carry out what he most desires, to overthrow all things and to mingle heaven with earth. God tolerates even the wicked and sinners to declare His great goodness and tolerance, but only up to the time which has been set for punishment. When their iniquities have been filled up, He withdraws His hand (*LW*, 6 [LG], Gen 32: 2). In his providence God brings his saints down to hell and leads them back again, comforts and saddens them, that we may become accustomed to trust His Word alone and cling to it. For the affairs of the godly must be brought to the point that they feel nothing, understand nothing else, and see nothing on which to rely, especially in death, but the Word (*LW*, 6 [LG], Gen 37: 11).

God’s providence is useful to cultivate faith, by granting good things to the evil, or evil things not to them alone, and evil things to the good, or good things not to them alone. Thereby, says Luther, we are trained to expect other things, both good and evil (*LW*, 10 [LG], Ps 73: 16). Even if we are killed by evil, it does not harm us, thus, “if we are wise, we find ourselves dwelling in the midst of blessings and yet at the same time, in the midst of evils. All things are so wondrously tempered under the providence of God’s goodness!” (*LW*, 42: 160 [DR(1), FC]).

2.3 Providence and the good of conjugal union

2.3.1 Lactantius on providence and the good of conjugal union

To Lactantius, the root of justice, and the entire foundation of equity, is that we should not do that which we would be unwilling to suffer, “but should measure the feelings of another by your own” (*EDI*, 60 (514)). With particular emphasis on the vices of lust, Lactantius observes that the passion of lust is implanted and innate in us for the procreation of children; but they who do not fix its limits in the mind use it for pleasure only: “Thence arise unlawful loves, thence adulteries and debaucheries, thence all kinds of corruption. These passions, therefore, must be kept within their boundaries and directed into their right course, in which, even though they should be vehement, they cannot incur blame” (*EDI*, 61 (516)). In order to combat vice generally, and evils of marriage in particular, Lactantius advocates a wide interpretation of God’s law. Therefore, the command to abstain from adultery not only prohibits polluting the marriage of another, which is condemned even by the common law of nations, but to abstain from those who prostitute their persons; “(f)or the law of God is above all laws; it forbids even those things which are esteemed lawful, that it may fulfil justice” (*EDI*: 64 (519)). Faith in God is expressed in obedience to His law and the duties contained in this divine moral law, also those duties to be observed in marriage. It is not sufficient to abstain from another’s bed, or from the brothel: “Let him who has a wife seek nothing further, but, content with her alone, let him guard the mysteries of the marriage-bed

¹³ Therefore, we should thank God for his ineffable love, providence, and faithfulness towards us (*LW* 43: 205, [SWP]).

chaste and undefiled. For he is equally an adulterer in the sight of God and impure, who, having thrown off the yoke, wantons in strange pleasure either with a free woman or a slave. But as a woman is bound by the bonds of chastity not to desire any other man, so let the husband be bound by the same law, since God has joined together the husband and the wife in the union of one body" (*EDI*, 66 (521)). Not only the deeds of evil and injustice should be shunned, but because the mind is polluted by the desire, though unaccomplished, a person should neither do, nor wish to do, that which is unjust: "Therefore the conscience must be cleansed; for God, who cannot be deceived, inspects it. The breast must be cleared from every stain, that it may be a temple of God, which is enlightened not by the gleam of gold or ivory, but by the brightness of faith and purity" (*EDI*, 66 (522)). The exercise of virtue finds its culmination in the worship of God, "that by means of religion, which is also justice, man may receive from God immortality, nor is there any other reward of a pious mind; and if this is invisible, it cannot be presented by the invisible God with any reward but that which is invisible" (*EDI*, 69 (526)).

In the Christian history of ideas Lactantius's statements on law, justice and marriage provide a framework for judging on the ethics of matters related to justice and right within the context of God's providential government of the world. Firstly, Lactantius gives expression to the classic notion that justice is not of human fabrication, that justice is prior to laws made by human beings, and that human laws can only be expressive of justice. In this respect Lactantius advanced the principle postulated by Seneca, that law is the rule of what is just and unjust (*De Beneficacione*, 4, 12) and the statements by the classical Roman jurists contained in the *Institutes of Roman Law*, to the effect that justice is defined as the constant and perpetual wish to render to every one his due; jurisprudence (the study of justice) is the knowledge of things divine and human; the science of the just and the unjust (*Institutes*: 1.1.1-3); secondly, Lactantius's views on justice are in general agreement with those of other Church Fathers of the fourth century, for example St. Augustine, that justice is the essence of all laws, to the extent that that which is unjust is no law¹⁴; thirdly, no authority exists except as a servant of justice, because justice is the very essence of authority itself¹⁵; fourthly, within God's providential government of the world, justice is the highest virtue for rendering justice to God and doing justice to our fellow men, which in essence means that justice denotes man's fulfilment of all duties in the process of re-unification of the human person with the Creator¹⁶; fifthly, there can be no true complete right, whatever its source, which can be immoral – immorality destroys right; even the rights that people have amongst themselves cannot be dealt with without taking into consideration the rights of God – if human rights were to come into collision with the divine right contained in divine providence, the former would cease to be rights because they would ipso facto be rendered immoral.

God's providential will concerning moral matters and matters of right communicated to man, manifest themselves on two levels: through His Spirit God infused in man's nature the moral principles of divine natural law; later God revealed His positive moral law to Moses.

14 Cf. St. Augustine, *De lib. Arb.*: 1, 5 and *De Civ. Dei*: 19: 21. This tradition was later followed by St. Thomas Aquinas, *S.T.*: I-II, q. 96, art. 4).

15 Scriptural authority for this interpretation is to be found in the book *Proverbs*: "By me kings reign, and princes decree justice" (*Proverbs*: 8: 15).

16 Cf. Also St. John Chrysostom's statement of the principle "*omnium mandatorum custodia*", to the effect that "it becometh us to fulfil all righteousness", and "to be ruled by our Lord in all things" (*Hom. 12 in Matt.*).

2.3.2 Luther and Calvin on providence and matrimony

At the advent of the Reformation, the Reformer's statements on moral dignity, virtue and social benevolence gave expression to the ideas on man's purposeful moral existence in the world, subject to universal moral criteria for distinguishing right from wrong, and moral dignity from moral evil. Man's moral involvement in the world is subject to a purposeful order of law and right which, following Cicero's distinction between the eternal divine law of providence, divine natural law¹⁷ and divine moral law makes peaceful human co-existence possible in the world.

To Luther, God's governing and preserving will of the universe flows from the fount of his boundless kindness and mercy. In order for piety and true religion to be maintained, God provides for the public proclamation of his divine, eternal law "and the wonderful counsel concerning our redemption, namely the Holy and saving Gospel of his Eternal Son, our only saviour and Redeemer, Jesus Christ" (LW, [BC, CELC, FC]: Free Will or Human Powers: 2, II, 50).¹⁸

God's providence exceeds human understanding, "the divine providence for us is greater than all our anxiety and care" (LW, 1 [LG], Gen 1: 14). Man's createdness according to God's image and likeness, reflects God's special plan and providence, because man is a creature far superior to the rest of the living beings that live a physical life, especially since his nature had not as yet become depraved (LW, 1 [LG], Gen 1: 26).

In God's providential provision for mankind, the institution of marriage has a unique place. God provided Adam with a helpmeet for the propagation of the human race and as a blessing because he was alone (LW, 1 [LG], Gen 2: 18). Even after man's fall into sin, marriage still occupies a constitutive place in God's grand design of the order of civil society – woman is needed not only to secure increase but also for companionship and for procreation; the management of the household must have the ministration of the "dear ladies". In addition – and this is lamentable – woman is also necessary as an antidote against sin. And so, in the case of the woman, we must think not only of the managing of the household, which she does, but also of the medicine, which she is. In this respect Paul says (1 Cor 7: 2): "'Because of fornication let each one have his own wife.' And the Master of the Sentences declares learnedly that matrimony was established in Paradise as a duty, but after sin also as an antidote'" (LW, 1 [LG], Gen 2: 18; cf. also Peter Lombard, *Sententiae*, IV, Dist. XXVI, Col. 908-909).

In essence Luther's views on marital union, within the broad context of God's providential government of the world, carry with them two important elements for judging on the rightness of marital relations in the world: firstly, it is noted that since marriage has been given us by the providence of God, we should use it wisely and in the fear of God, as long as it pleases him for us to use it (LW, 44: 209 [CIS1, CNGN]); and secondly, it is no less sinful to violate the freedom established by divine providence than to sin against any other commandment of God (LW, 44: 311 [CIS1, CNGN]).

To Calvin, man's ability to distinguish good from evil is due to the human conscience being a remnant of the divine image; it serves not only to condemn the human being before the judgement seat of God but to conserve society by distinguishing good from evil, equity from

17 Among the early Reformers it was Philippe Melanchthon who posited a much closer relatedness between the three manifestations of law according to the classical distinction. He preferred to speak of natural law as a manifestation of divine law.

18 God's Word is instrumental in maintaining his universal sovereignty; also in the design of the universe. The formation of the universe testifies to God's having a definite plan and skill according to which everything was formed (LW 1 [LG], Gen 1: 6). Everything man needs was provided by God – not only did God create man, he also gave him the gift of procreation and provided him with food (LW 1 [LG], Gen 1: 29).

injustice and order from disorder (CO: 33: 489, [SJ1], Job 10: 7-15).¹⁹ To Calvin, man's natural inclinations could be divided into three general categories: the natural impulse for unity or the formation of society; the instinct for order within the family, and the necessity for an ordered civil government. God created Eve in order that there might be human beings on the earth who cultivate mutual society among themselves. The natural impulse in man drives him towards the formation of society and makes human beings care for the human race as a whole; nature makes us feel for one another – for example murder is contrary to the order of nature and to our “natural sentiment” (CO: 23: 96-97, [CGS], Gen 4: 15).²⁰ Even the pagans recognised the natural inclination towards unity and preservation, since they knew that all people were born for the sake of one another (CO: 24: 679, [CEP], Ex 22: 25).²¹ The preservation of the human race is engraved in human nature and is part of natural law, so for example Juda's instructions to Onan to go to his brother's wife is an instinct of nature for the preservation of the human race (CO: 23: 495, [CGS], Gen 38: 8).²² Calvin also relied on the integrity of human natural perceptions and instincts to account for the continued existence of society; because man is social in nature, he tends through natural instinct to foster and preserve society, for in men's minds are universal impressions of fair dealings and order (CO, 2: 196-197, [I (1559)]: 2, 2, 13).²³

The universal impressions in men's minds manifest themselves in the bonds of marriage and family life and in submission to civil authorities and the rule of law. The bonds of marriage and family ties are engraved in the eternal and inviolable laws of nature and are understandable to all people, in terms of which the woman is the man's helper, for example, and should willingly

19 “Que la vie estoit la clarté des hommes. Quand lean a déclaré que par la parole de Dieu toutes choses sont vivifiees, que ceste sagesse eternelle qui est en Dieu est la fontaine de vie et de vertu, il monstre que less hommes n'ont point seulement une vie pour boire et pour manger: mais il y a (dit-il) aussi une clarté qui leur reluist. Par ce mot *de clarté* il signifie, que l'image de Dieu est imprimee en nous, d'autant que nous avons intelligence et raison, que nous discernons entre le bien et le mal, que les hommes sont nais pour avoir quelque ordre, quelque police entre eux: qu'un chacun a sa conscience qui lui rend tesmoignage que cela est mauvais, que cela est bon. Voila Donne un privilege que Dieu a donné aux hommes, c'est qu'il ne les a point seulement vivifiez: mais il a illuminé leurs ames tellement qu'ils iugent et discernent, mesmes ils apprehendent la vie eternelle.”

20 “Prodigiose violatus fuerat naturae ordo: quid postea futurum erat, crescente hominum malitia et audacia, nisi violenta manu cohibitus fuisset aliorum furor? Scimus enim quam pestilens et mortiferum venenum propinet in malis exemplis Satan, nisi protinus adhibeatur remedium. Pronunciat ergo Dominus, si qui imitabuntur Cain, non solum minime fore excusabiles eius exemplo, sed gravius plectendos: quia in eius persona agnoscere debeant quam detestabile sit scelus coram Deo. Quare multum falluntur qui mitigari putant iram Dei peccandi consuetudine, quae inde magis inflammatur.” Regarding man's natural aversion to murder, cf. [CO: 24: 611-612, [CE], Exodus 20: 13).

21 Cf. Melancthon's second precept of the divine moral law: since we are born into a life that is social, a shared life, harm no one but help everyone in kindness.

22 “Tametsi de fraternis coniugiis, ut frater superstes semen mortuo suscitaret, nulla adhuc lex perscripta erat: non tamen mirum est solo naturae instinctu huc propensos fuisse homines. Nam quum nascentur siguli homines ad totius generis conservationem, si quis moritur sine liberis, videtur hic quidam naturae defectus.”

23 “Hinc fit ut nemo reperiatur qui non intelligat, oportere quosvis hominum coetus legibus contineri, quique non earum legum principia mente complectatur. Hinc ille perpetuus tam gentium omnium, quam singulorum mortalium in leges consensus, quia insita sunt universis, absque magistro legislatore, ipsarum semina.”

be subservient to him (*CO*, 23: 46-47, [CGS], Gen 2: 18; *CO*: 52: 277, [CP-P], 1 Tim 2: 13).²⁴

To Calvin adultery and promiscuity, which destroy the family, are not only violations of the morality commanded by Scripture, but contrary to the “dictates of nature”. All nations have impressed on their minds that violation of holy matrimony is a crime worthy of divine vengeance, and therefore they fear the judgement of God (*CO*: 23: 362-363, [CGS], Gen 26: 14). Monogamy is inviolable and recognised by all societies; a wife is, as it were, a part of the husband, and there exists an inseparable bond between husband and wife (*CO*: 51: 759, 762, [SGE], Sermon on Ephesians 5: 28-30).²⁵ Adultery, polygamy and incest are immoral, “contrary to nature”, and contrary to the divinely established order. Such unnatural acts threaten to reduce people to the level of beasts; polygamy is “disordered and confused”; all such lasciviousness degenerates men into beasts (*CO*: 24: 648, [CEP], Commentary on Deuteronomy 22: 22).²⁶ The pure sentiment of nature condemns adultery which threatens the safety and stability of society (*CO*: 23: 433, 499, [CGS], Commentary on Gen 31: 50, 38: 24). Regarding incest, all men are instilled with a great horror of incest, so for example natural reason judged it abhorrent for Judah to lie with Tamar (*CO*: 23: 500, [CGS], Commentary on Gen 38: 26; *CO*: 24: 661-662, [CEP], Harmony of the five Books of Moses, Lev 18: 6).

Calvin follows Luther’s view that what is natural cannot be abrogated by any consent and custom, therefore the prohibition of incest flows from the fountain of nature itself and is founded on the general principle of all laws, which is perpetual and inviolable (*CO*: 24: 662, [CEP], Harmony of the Five Books of Moses, Leviticus 18: 6; *CO*: 28: 61, 63, [SD4], Sermon on Deuteronomy 22: 25-30).²⁷ Calvin insists that a king cannot for example command an incestuous marriage “for no legislator can effect that a thing which nature pronounces to be vicious should not be vicious; and if tyrannical arrogance dares to attempt it, the light of nature will presently shine forth and prevail ... even among the heathen nations this law, as if engraved and implanted on the hearts of men, was accounted undissolvable” (*CO*: 24: 662-663, [CEP], Harmony of the Five Books of Moses, Leviticus 18: 6). Consequently, for Calvin, familial ties among husband, wife, and children are grounded in the law of nature and recognised through natural reason (*CO*: 52: 309, [CP-P], Commentary on 1 Timothy 5: 8; *CO*: 24: 602-603, [CEP], Harmony of the Five Books of Moses, Ex 20: 12; *CO*: 27: 686-687, [SD3], Sermon on Deuteronomy 21: 18-21; *CO*: 51: 774, 788, [SGE], Sermon on Ephesians 5: 31, 33, 6: 1-4).²⁸

24 Cf. the following remarks by Calvin in his commentary on 1 Timothy 2: 13 (*CO*: 52: 277, [CP-P]): “Moses autem docet, ita posteriore loco creatam esse mulierem, ut sit quasi viri accessio: et hac lege fuisse viro adiunctam, ut praesto adsit ad exhibenda obsequia. Quum ergo non duo capita Deus aequa potestate creaverit, sed viro addiderit adiumentum inferius: merito ad illum creationis ordinem nos apostolus revocat, in quo relucet aeterna et inviolabilis Dei institutio.”

25 At 762 Calvin observes: “Voici (dit-il) il ne faut point que nous ayons l’Ecriture sainte pour nous enseigner de ceci: car les povres ignorans qui ont eu une apprehension naturelle pour cheminer comme leur sens leur monstroient, ceux-là n’ont-ils pas cognu que la femme estoit comme une portion du mari, et qu’il y avoit un lien inseparable, et qu’il ne falloit point que l’un reiettast l’autre, sinon qu’il se voulust deschirer par pieces?”

26 At 648 Calvin states: “Unde etiam adulteros ignominiose propheta (Ier. 5, 8) equis adhinnientibus comparat: quia ubi talis exultat lascivia, homines in belluas quommodo degenerant.”

27 At 662 Calvin states: “In summa, prohibitio incestuum de qua nunc agitur, minime est ex legum numero, quae pro temporum et locorum circumstantiis abrogari solent: quandoquidem fluit ab ipso naturae fonte, et fundata est in generali omnium legum principio, quod perpetuum est ac inviolabile: Deus certe morem qui apud profanos invaluerat, sibi displicere assertit.”

28 At 774 Calvin adds: “Si cela donc n’est point supportable, que le fils se leve contre le pere, le

3. FAITH, BENEVOLENT LOVE AND THE DIVINE MORAL LAW IN THE TEACHINGS OF LUTHER AND CALVIN

3.1 Luther on benevolence and the divine moral law

To Luther, faith should reign supreme in the hearts of believers. In his early work *The Freedom of a Christian* [FC] (1520), Luther admonishes Christians to subject all human works and virtues to faith: “Your one care should be that faith may grow, whether it is trained by works or sufferings. Make your gifts freely and for no consideration, so that others may profit by them and fare well because of you and your goodness. In this way you shall be truly good and Christian. Of what benefit to you are the good works which you do not need for keeping your body under control? Your faith is sufficient for you, through which God has given you all things” (LW, 31: 370-371 [CR(1), FC]). According to this rule, the good things we have from God should flow from one to the other and be common to all, so that everyone should “put on” his neighbour and so conduct himself toward him as if he himself were in the other’s place. From Christ the good things have flowed and are flowing into us. He has so “put on” us and acted for us as if he had been what we are. From us they flow on to those who have need of them so that I should lay before God my faith and my righteousness that they may cover and intercede for the sins of my neighbour which I take upon myself and so labour and serve in them as if they were my very own. “This is true love and the genuine rule of a Christian life. Love is true and genuine where there is true genuine faith” (LW, 31: 371, [CR(1), FC]).²⁹

To Luther a Christian lives not in himself, but in Christ and in his neighbour. Otherwise he is not a Christian. He lives in Christ through faith, in his neighbour through love. By faith he is caught up beyond himself into God. By love he descends beneath himself into his neighbour. Yet he always remains in God and in his love, as Christ says in John 1: 51, “Truly, truly, I say to you, you will see heaven opened, and the angels of God ascending and descending upon the Son of man.” (LW, 31: 371, [CR(1), FC]).

The believer’s faith in Christ does not free him from works but from false opinions concerning works, that is, from the foolish presumption that justification is acquired by works. Faith redeems, corrects, and preserves our consciences so that we know that righteousness does not consist in works, although works neither can nor ought to be wanting; “just as we cannot be without food and drink and all the works of this mortal body, yet our righteousness is not in them, but in faith; and yet those works of the body are not to be despised or neglected on that account” (LW, 31: 368, [CR(1), FC]). Regarding the works of the believer, Luther states that through his faith the believer has been restored to Paradise and created anew; he has no need of works that he may become or be righteous; but that he may not be idle and may provide for and keep his body, “he must do such works freely only to please God” (LW, 31: 360, [CR(1), FC]). However, since we are not wholly recreated, and our faith and love are not yet perfect, these are to be increased, not by external works, however, but of themselves (LW, 31: 360, [CR(1), FC]).

Luther often reiterates that man does not need works for his righteousness and salvation. Therefore he should be guided in all his works by this thought and contemplate this

lien de mariage est encore plus sacré et plus expressément recommandé de Dieu. Puis qu’ainsi est donc, il faut bien que chacun regarde à s’acquitter de son devoir. Car si une femme a une mauvaise teste pour s’escarmoucher à chacune minute, et qu’elle ne se vueille point assubietir à son mari: que le mari aussi soit si terrible et cruel qu’il dedaigne sa femme, cela n’est point faire iniure à la creature humaine, mais à Dieu qui est autheur du mariage, et qui l’a institué à telle condition que nous oyons ici. Voilà donc ce que nous avons à retenir en premier lieu de ce passage.”

one thing alone, that he may serve and benefit others in all that he does, considering nothing except the need and the advantage of his neighbour. Accordingly the Apostle commands us to work with our hands so that we may give to the needy, although he might have said that we should work to support ourselves (*LW*, 31: 359, [CR(1), FC]).

Luther states that repentance proceeds from the law of God, but faith or grace comes from the promise of God, as Romans 10: 17 says: “So faith comes from what is heard, and what is heard comes from the preaching of Christ.” Accordingly man is consoled and exalted by faith in the divine promise after he has been humbled and led to a knowledge of himself by the threats and the fear of the divine law (*LW*, 31: 359f, [CR(1), FC]).

Faith comes through preaching the Gospel, and faith breeds love. Therefore, if we recognise the great and precious things which are given us, as Paul says in Romans 5: 5, our hearts will be filled by the Holy Spirit with the love which makes us free, joyful, almighty workers and conquerors over all tribulations, servants of our neighbours, and yet lords of all (*LW*, 31: 367, [CR(1), FC]).

To Luther, faith remains the pivot and centre of Christian love: “Behold, from faith thus flow forth love and joy in the Lord, and from love a joyful, willing, and free mind that serves one’s neighbour willingly and takes no account of gratitude or ingratitude, of praise or blame, of gain or loss. For a man does not serve that he may put men under obligations. He does not distinguish between friends and enemies or anticipate their thankfulness or unthankfulness, but he most freely and most willingly spends himself and all that he has, whether he wastes all on the thankless or whether he gains a reward” (*LW*, 31: 366-367, [CR(1), FC]).

Man’s moral attitude proceeds from faith and love. There is no tension or conflict between the absolute morality of love contained in the First Table of the law and the demands of the Second Table of the law, in so far as social relationships in society are subject to civil laws and the power and authority of rulers in political society. The spirit of the moral law does not contradict the power and authority wielded by those in authority, because they should exercise their authority in love (*WA* (S), 19: 625 (Schriften, 1526); *WA* (S), 18: 361 (Schriften, 1526); *WA* (S), 41: 324ff. (Predigten, 1535-1536); *WA* (S), 49: 103ff. (Predigten, 1540-1545)).³⁰ Luther believes that God demands obedience (*WA* (S), 3: 19 (Psalmvorlesung, 1513-1515))³¹; that faith and obedience go together, that they are inseparable, just as faith and love go hand in hand.

In all stations and relationships of life, the just are drawn to God through “love and joy”, and man is called upon to serve his neighbour through a free, willing and joyful life. The person who lives in close companionship with God, who answers to God’s unfathomable goodness and saving grace and finds his joy and rest in God, experiences something of the joyful and liberated

30 Cf. *WA* (S), 19: 625 (1-11) (Schriften, 1526): “Sondern ich rede hie von der eusserlichen gerechtikeit, die ynn den ampten und wercken stehet und gehet; das ist, auff das ichs ja deutlich sage: Ich handele hierynne, ob der Christliche glaube, durch wilchen wir fruem gerechent werden, auch neben sich leiden koenne, das ich ein kriegesman sey, krieg fuere, wuerge und steche, raube und brenne, wie man dem feinde ynn kriegs leufften nach krieges recht thut; ob solch werck auch sunde odder unrecht sey, davon gewissen zu machen sey, fuer Gott, odder ob ein Christen musse der werck keines thun, sondern alleine wothuen, lieben, niemand wuergen odder beschedigen. Das heisse ich ein ampt odder werck, wilchs obs schoen goettlich und recht were, dennoch boese und unrecht werden kan, so die person unrecht und boese ist.”

31 See e.g.: “Sed in lege domini hoc non facit, nisi cuius primum voluntas in ea fiska fuerit. Nam que volumus et mamamus, intime et diligenter ruminamus. Que autem odimus vel vilipendimus, leviter transimus et non profunde, diligenter, aut diu volumus. Igitur radix orimum mitatur in corde voluntas, et sua sponte veniet meditatio ...”

will demanded by the moral law (see *WA* (S), 7: 35-36, (Schriften 1520/1521)).³²

3.2 Calvin on faith, love and the divine moral law

The basis of the Reformational views on faith, love and the moral law formulated by Luther, also find expression in Calvin's works dealing with these matters. Whereas Luther proceeds from faith, Calvin takes the moral law as an expression of God's love and grace as point of departure. To Calvin the moral law is much more powerful than the natural moral feelings in men's hearts; it has the power to bind men together, make men's acts morally pure, and culminate in a pure conscience (*CO*, 2: 565, [I, (1559)], 3.13.2-3; *CO*, 303, [I, (1559)], 2.8.50-51³³).

The contents of the moral law are expressed in the twofold demand to love God and man's neighbour. This clearly indicates that the love towards one's fellow man finds its origin in the love towards God (see *CO*: 2: 304, [I, (1559)], 2.8.51-53; *CO*, 298, [I, (1559)], 2.8.50-51). The essence of the moral law is therefore a reflection of man's divine origin and purity before man's fall into sin, now seeking re-unification with God (*CO*: 2: 203, [I (1559)], 2.8.50-51). Love towards God, without pure faith and purity of conscience without piety (godliness) and obedience are unthinkable (*CO*: 2: 565, [I, (1559)], 3.13.2-3).

In line with Luther's views on faith and love, Calvin states the general Reformational position that man's moral attitude comes to expression in faith and love. He does not detect a fundamental tension between the absolute morality of love contained in the First Table of the law, and the law, power and authority given by God for the virtuous ordering of civil society (*CO*, 2: 565, [I, (1559)], 3.13.2-3).

For Calvin, obedience cannot be separated from love. Obedience is a testimony expressed in man's piety—they cannot be separated from one another. The fear of God carries with it the realisation of man's dependence in order to obey God voluntarily (*CO*, 26: 458, [SD]). Also see *CO*, 24: 263, [CEP], and *CO*, 27: 36, [SD2]). Obedience and honour to God come to expression in man's experience of freedom. Through faith the honour and the fear of God are fused into one religious act ("tametsi unus est"). However, honour and fear originate from two different human acts (experiences). Obedience is the voluntary submission to God's divine majesty, strengthened by the sureness of man's re-unification with God (see *CO*, 2: 419, [I, (1559)], 3.2.25-26). The honour we show towards God is a voluntary act, carrying with it the consciousness of man's total dependence upon God, which drives man towards obedience to God. Obedience and honour towards God not only signify the distance between man and God, and which we should rightfully maintain towards God, but also produce a profound consciousness of freedom.

In man's relationship with God obedience, love and the moral law form an essential combination in man's moral experience of God's divine Being: obedience is a voluntary submission to God's divine Majesty, brought about and strengthened by the re-unification with God in faith. In essence it implies that no person will show obedience to God, if such a person is not re-unified with the Father; nobody will be committed to obey and uphold the moral law if such a person is

32 Luther writes: "Ey so will ich solchem vatter, der mich mit seynen uberschwennglichen guttern also ubirschuttet hat, widerum frey, froelich und umbsonst thun was yhm wolgefallet, Unnd gegen meynem nehsten auch werden ein Christen, wie Christus mir worden ist, und nichts mehr thun, denn was ich nur sehe yhm nott, nuetzlich und seliglich seyn, die weyl ich doch, durch meynenn glauben, allis dings yn Christo gnug habe'. Sih also fleusset aus dem glauben die lieb und lust zu gott, und aus der lieb ein frey, willig, frohlich lebenn dem nehsten zu dienen umbsonst. Denn zu gleych wie unser nehst nott leydet und unszers ubrigem bedarff, also haben wir fur gott nott geliden und seyner gnaden bedurfft"

33 See e.g.: "Ex ea protinus ultro fluet proscimi dilecti. Quod ostendit apostolus (1 Tim. 1, 5), dum scribit finem praecepti esse caritatem ex conscientia pura et fide non simulata."

not convinced that his obedience does not please God (see *CO*, 2: 435, [*I*, (1559)], 3.3.1-2; *CO*, 31: 335, [*CP1*]; 24: 263, 247, [*CEP*]).

The honour of God is accompanied by man's love towards God, because God demands man to honour Him with man's whole being; if love is absent, the honour man should show towards God is also destroyed (*CO*, 2: 419, [*I*, (1559)], 3.2.25-26). Furthermore, love is the fountain of obedience and honour; through love the honour of God is made pure, true and real (*CO*, 26: 439, [*SD2*]; *CO*, 26: 266, [*SD2*]; *CO*, 24: 723, [*CEP*]; *CO*, 26: 267, [*SD2*]). Furthermore neighbourly love expressed in and through social benevolence, produces the peace needed for living virtuously in society.³⁴ This point is explained rather prominently by Luther's student, Melanchthon. According to Melanchthon the leading idea of the natural law-oriented goal contained in the Second Table of the law, is the peaceful ordering of society. The precept not to harm others is the leading notion for ensuring public peace.³⁵

4. LUTHER AND CALVIN ON SELF-REFLECTION AND THE DIVINE MORAL LAW

Both Luther's and Calvin's focus on man is that a person is made just through faith and drawn to God through love and joy, and serves his neighbour with a free and joyful life. To experience joyful liberty, sincere and honest self-reflection is needed. Self-reflection brings with it an understanding of evil and injustice having their source within the heart and mind of every individual. Luther emphasises the universal nature of this self-reflection on oneself: because all people have knowledge of the divine moral law, there is a common standard for reflecting on one's own relative involvement in the upliftment of moral dignity and advancing truth in society. Even those people who do not have Scriptures to gain knowledge of the divine moral law, have the "works of the law" to inform them; they have the works of the law written on their hearts. Self-reflection on the works of the law stimulates the conscience to give witness of both the good and the evil deeds that have been done. Such self-reflection is a duty-revealing venture in

34 This is emphasised rather prominently by Luther's friend, Melanchthon.

35 *CR*, 21: 119: "Quia nascimur in quendam communem vitae societatem nemenim laede, sed officii quosius iuvato. Si fieri nequit, ut prorsus nemo, ut paucissimi laedatur, sublati iis qui publicam quietem interturbant ... ceterum per contractus alii aliorum in quam sublevent ... res dividunt propter publicam pacem." Melanchthon's remarks are reminiscent of Cicero's statements to the effect that nature and reason oblige human beings to maintain peace in society, through the moral law: "However, nature does not allow us to increase our means, our resources and our wealth by despoiling others (22). The same thing is established not only in nature, that is in the law of nations, but also in the laws of individual peoples, through which the political community of individual cities is maintained: one is not allowed to harm another for the sake of one's own advantage" (23) (The "law of nature" alluded to by Cicero is the divine natural law (divine positive law) which applies to all human beings and is the standard set for human laws by providential reason that rules the world). Cicero continues: "For the laws have as their object and desire that the bonds between citizens should be unharmed. If anyone tears them apart, they restrain him by death, by exile, by chains or by fine. Nature's reason itself, which is divine and human law, achieves this object to a far greater extent. Whoever is willing to obey it (everyone will obey it who wants to live in accordance with nature) will never act so as to seek what is another's", nor appropriate for himself something that he has taken from someone else (23). For loftiness and greatness of spirit, and, indeed, friendliness, justice and liberality, are far more in accordance with nature than pleasure, than life, than riches. Indeed to disdain these when comparing them with the common benefit, and value them as nothing, is the mark of a great and lofty spirit. On the other hand, for anyone to take from someone else for the sake of his own advantage is more contrary to nature than death or pain or anything else of the type" (24). Also note: "Therefore all men should have this one object, that the benefit of each individual and the benefit of all together should be the same" (26).

the light of the moral obligations posed by the moral law: “For they do not judge themselves on the basis of the words of such a praise or on the basis of their innermost thoughts, which are so deep in their hearts that their souls cannot escape from these thoughts and get away from them, as they cannot silence the judgements and the words of men” (*LW*, 25: 187 [LR], Romans 2: 15). The law driving man to consider his duties towards others is a spiritual law, “this law is impressed upon all people, Jews and gentiles, and to this law all people are bound. Therefore the Lord says in Matthew 7: 12: ‘Whatever you wish that men would do to you, do so to them; for this is the Law and the Prophets.’” The whole transmitted law is nothing but the natural law, which cannot be unknown to anyone and on account of which no one can be excused (*LW*, 25: 180 [LR], Romans 2: 12).

Also Calvin maintains the view of constantly reflecting on the moral stimulus or impetus for acting virtuously or evilly. Calvin maintains a constant reflexive position towards the moral law. Neighbourly love (as beneficence and benevolence) in serving the neighbour is no voluntary achievement, but rather the completion of the duties placed on man through natural law, the refusal of which would constitute a “monstrosity” (*CO*, 2: 511, [*I* (1559)], 3.7.6-7). Loving one’s neighbour is a duty from which nobody can escape or free himself (*CO*, 2: 511, [*I* (1559)], 3.7.6-7).

All moral acts flow from duty and honour towards the divine law, are reminiscent of the Kantian view on duty and orient the whole of life towards a reflexive consideration of the law of God (*CO*, 2: 509ff., [*I* (1559)], 3.7.4ff.; *CO*, 2: 306, [*I* (1559)], 2.8.55-56). The duty of love towards the neighbour is fundamentally the duty (and responsibility) of acting benevolently by desiring the good of one’s neighbour. This does not amount to a cold, impersonal fulfilment of the requirements set by the Word of God – all benevolent deeds towards our fellow-men should flow from a genuine feeling of love, and the need of our neighbour should inspire us internally as if we are concerned about ourselves (*CO*, 2: 509ff., [*I*, (1559)], 3.7.4ff.).

The manifestation of brotherly love in all inter-individual relationships produces a harmonic orientation of life in accordance with God’s will and the divine law ([*CO*, 2: 305, [*I* (1559)], 2.8.54-55). Such love is no nomism because nomism manifests itself when man takes an impersonal law as the basis of man’s moral life and regards obedience to such a law as a reward or compensation for obedience. Furthermore, the divine law, to Calvin, is the living expression of the highest spiritual will of God (*CO*, 2: 369, [*I*, (1559)], 2.15.2-3). Obedience to God’s will is not the result of force, but flows from the love of God, and is therefore voluntary. The power of obedience to God’s law is no compensation, but is a gift of the total justice of Christ attributed to us through God’s grace (*CO*, 2: 254, [*I*, (1559)], 2.7.2). Such a love produced through faith, is a living and free thing, whilst nomism hides the fount of man’s attitude and reduces man’s actions to a few selected deeds in the hope of receiving some kind of reward ([*CO*, 2: 270, [*I*, (1559)], 2.8.5-6).

5. CONCLUSION

The early Reformers built not only upon the edifice of providence formulated in the writings of early Church Fathers, like Lactantius, they also identified general standards for attaining moral dignity and right in society, by developing the perspectives on benevolence needed for stating the minimum levels for ensuring individual participation of all reasonable people towards the virtuous ends of society, for the establishment of peace and for the moral upliftment of society. Some of the primary perspectives emanating from this view of society and the minimum levels of moral dignity needed for the fulfilment of its social ends can now be listed in the form of

minimum levels for attaining the common good of all in society. In His providence (God's eternal law) God provided for the positive divine law to serve as a "benchmark" for steering man's actions in the direction of His providential care and government of both believers and unbelievers alike. Although the Christian believer cannot be content with honouring God's positive moral law only, because, together with the whole of mankind, Christians are called upon to submit to the demands thereof in engendering the benevolence needed for attaining man's ultimate end.

The implications of the Reformer's teachings on moral duty and the attaining of virtue are manifold. Luther's and Calvin's views regarding right, ethics and the moral law are particularly instructive in their application to the jural ethics of conjugal union. Regarding right, ethics and the precepts of the divine moral law, Luther and Calvin's views entail that justice (the science of right) is concerned with rights alone, whilst ethics (as the science of morals) is concerned with the study of all duties – also with jural duties; furthermore, right exists only in virtue of duty which imposes on other human beings respect for the faculty that constitutes the matter (and existence) of right. Because a faculty becomes right by virtue of its relationship with duties, this means by implication that morality precedes right. Rights are protected by the moral law and rights do not impose obligations: ethics do.

In the sphere of morality it has to be noted that morality consists solely in a relationship of the will of the human being with the law. Furthermore, the human being is increasingly a moral, rational being, to which rights are always due. From the area where right and morals meet, it appears (from the Reformers' teachings) that rights appertain to human dignity, which constitutes human nature, and right is a faculty of man's free nature.

The first supreme duty of man in the moral sphere is to adhere to the truth, and acknowledge the dignity of being, in order that the voice of the law of truth impressed by God's Spirit in our hearts continuously be heard.³⁶ In addition to the general standards of duty and obligation contained in the moral framework of God's providence, the Reformers' statements on right being informed by moral duty produce important consequences for marital relations in civil society. All sanctions are to be rejected as spurious and illegitimate which are not generated and contained virtually in the supreme source of all supremely good things, inserted by divine providence in the human mind, which underlie the force of every right and the strength of every obligation. Political society has, through its positive laws, to protect true rights; it is not entitled to create new, arbitrary and imaginary rights, nor to overlook the rights which could and should be protected. A single example should suffice: if the lawmaker of a state should endeavour to refrain from protecting the rights of lawfully married spouses, it would act contrary to its obligations of right; also if laws are passed extending the definition of conjugal union to the prohibited relationships of consanguinity or to same sex unions, it would forsake its duty, undermine moral dignity and before the bench of positive moral law fabricate spurious law. The moral order of the universe presents itself to human beings as an orderly system, which is not within man's power to destroy, change or alter in accordance with what is merely useful or pleasurable to man – in the words of Cicero: "If we have learned anything at all about philosophy, we must have a firm, deep conviction that, even if we were able to hide what we do from all the gods and from mankind, we should nevertheless abstain from all avarice, injustice, lust and intemperance" (*Off.*, 3, 8).

Firstly, because all of mankind, to a certain extent, share the same sources of knowledge (imprinted in the heart), a certain level of enlightenment (through God's revelation and the

³⁶ This is said of God's divine law in Psalm 118: 142: "Your righteousness is an everlasting righteousness, and Your law is truth". By submitting to the duties contained in the divine positive law, respect for the faculty that constitutes the matter of Right is cultivated. Also note Psalm 19: 9 and John 17: 17.

Holy Spirit), and the desire for benevolence (flowing from the being of the human person), the Reformers regarded the contents of and submission to the divine moral law as the minimum level in sustaining moral dignity in the comparative worth of human beings. A person who with his will (his whole being) adheres to other beings in accord with their comparative worth, feels peace and has pure enjoyment in other beings. He receives into himself the love of beings, and lovingly conforms himself to it. The individual's sharing in and love of this order, this innermost enhancement, is called *moral dignity*. All the good things which human beings acquire by practising virtue form a new bond between human beings, and they extend and appreciate the order of benevolence.

With particular emphasis on Luther's views on the spiritual dimensions of the bonds of benevolence established by practising love, three aspects need to be emphasised: In the first place the order of being within which human beings are called upon to practise love, is a unifying bond of benevolence; in the second place the adherence to the precepts of divine moral law establishes uprightness (virtue) which brings peace and joy, which wells up in love for being generally; in the third place moral dignity is acquired by practising virtue and submitting to the demands of the divine moral law.³⁷

Secondly, because all natural rights presuppose the moral duties contained in the divine moral law, and because natural obligations precede natural rights, all members of civil society should subscribe to the minimum levels of *obligatory right* contained in the precepts of the second table of the divine moral law. This also implies that the minimum levels pertaining to the rights and duties contained in the divine moral law have to be subscribed to in order to establish minimum levels of obligation in protecting and enhancing the moral dignity of marital union.

Thirdly, the members of any society, in order to share in the good of that society, should contribute towards universalising the public good (including themselves) *as members of that society*. However, the good of society, to which they belong, needs minimum levels in order to universalise moral dignity for the whole of society. By implication a minimum level of consensus is needed corresponding with the aim of social benevolence in general. In order for such benevolence to be universalised, standards of mutual benevolence contained in the second table of the divine moral law should be subscribed to by all members of society. The implications of subscribing to universalise social benevolence to the individual members of society are many: by desiring the good of society, they consider and love themselves as members of society; they associate with other persons solely for the advantage to be gained from the association; by attaching themselves to this society, they love it and its common good only for their own good, that is, for the love of themselves; they love the good of others because it is necessary for their own good because social benevolence has a subjective source – it is a subjective love generating an objective love for the good of others.

Fourthly, the minimum level for the maintenance of the common good can only be attained if there is a minimum level of consensus to attain a benevolent society and to commit themselves to the social end which is common to all. A benevolent society is an association of two or more persons with the intention of obtaining some good for themselves, which is the end of society. This good must be sought for the advantage of all persons forming society. The associated persons therefore form a moral person (of which the individuals are only parts) who's good is that sought by society.

Applying the principles enunciated above to conjugal life generally will affect the

³⁷ Therefore, being (truth), the order of being (providence) and the rule of the affections (moral law) are values to be sought in uniting people to a common goal of benevolence.

institution of marriage over a wide spectrum of morally-related aspects. Perhaps the most outstanding implications are firstly, the consideration that a minimum level of benevolent love attached to marriage, demands that conjugal union should be composed of two persons of different sex endowed with individual natural rights; secondly, the requirement that the expression of the legitimate sexual desire between human beings must be limited to sexual acts in marriage befitting human nature; thirdly, because of the constitutive nature of conjugal union in the propagation of the human race, stronger protection of the natural rights of spouses in marriage is needed for fulfilling its contribution to the common good.

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