

Luther on marriage, adultery, and its punishment: A brief comparison with Calvin's thoughts

Balázs Dávid Magyar

University of Pretoria, South Africa
magyarmogyoro@gmail.com

Abstract

The early period of the time of the Reformation was full of social, economic, and political problems reaching the circumstances of *status confessionis*. It is beyond dispute that the two high esteemed reformers, Luther and Calvin paid strong theological and ethical attention to the evaluation of the several topics of sexuality. Pursuing this “holy project” they were struggling for a more sacred marital and family life. However, as the reformers were trying to commit everything to prevent sexual sins/crimes, there still were so many cases when they were called to discuss in detail what the adequate punishments of adultery would be.

Keywords

Luther; Calvin; sexual crimes; adultery; forgiveness

To begin with, there are many, said Luther so bitterly, “who are completely abandoned to lust, whoredom, and adultery, who dream day and night only of their sexual fun and imagine what they would be able to change wives every night and have fun with them according to the flames and ardent desires of the flesh as they have fun with their harlots. They do not distinguish the saintly life [...] from their own whoredom” (*Lectures Genesis 30,1*, LW 5:322). It not surprising that the reformers believed, the world was crying for the new breath of Christ’s Gospel, because many were fallen into the sins of fornication and adultery (*Lectures Genesis 4,1*, LW 1:238, cf. Cocke, 1973: 103–116.). Due to the fact that the morality of Christian marriage and family life raised several crucial questions at that time (Ozment, 1983; Safley, 1984; Brundage, 1987; Brooke, 1991; Magyar, 2018: 289–306), the reformers were intended to put their best

effort to reshape the entire minds and hearts of the members of Christian communities supporting them to fulfil the requirements of the Bible and the Decalogue in their lives and deeds. It is beyond dispute that these two reformers constructed a new Protestant theology, ethics and church law that made “marital formation and dissolution, [...] family cohesion, and support, and sexual sin and crime an essential concern for both church and state” (Witte, 2009: 455). The purpose of this study is not to provide a comprehensive treatment of Luther’s and Calvin’s doctrine of marriage and family life, but to investigate what in Luther’s mind was related to the main questions of marriage, and the proper punishment of adultery. Doing so, the article offers the first English translation of three pieces of Luther’s heritage written in German. Moreover, this study is an attempt to compare the two reformers’ thoughts on the adequate punishment of adultery.

1. Luther on marriage: its origin, meaning, necessity, goals, and distresses

It is hard to deny that besides the “traditional topics” of the Protestantism (e. g. original sin, church discipline, forgiveness, justification, and mercifulness), the reflection on everyday questions of marriage and family life and cohesion was a substantial element of Luther’s pastoral ministry. His written heritage reveals a vivid and realistic theological ethics of sexuality and family life. Luther insisted that God placed human creatures in societies where people had to put into practice what they learned in God’s school about the adequate Christian morality and disciple toward others. “For we are not made for” – states Luther in his commentary on Matthew 5:27–30 – “fleeing human company, but for living in society and sharing good and evil. [...] We must be ready to live among wicked people, and there everyone must be ready to prove his holiness instead of becoming impatient and running away. [...] So Christ teaches you [...] to get hold of yourself [...] to avoid the evil appetite and lust that proceeds from your heart” (*Comm. Mt 5:27–30*, LW 21:86, Cf. *Serm. Jn 6:63*, LW 23:171). Building on this cause, Luther brings to mind again the divine origins of marriage, by which God “ordained for every person to have his own wife and husband, to control and channel his lust and his appetite” (*Ibid.*), because people “can’t be without a wife and remain without sin” (*Table Talk* 233, LW 54:31). Illuminating the personal necessity of marriage, Luther

went further saying: most of the people need marriage not only to avoid fornication and adultery, and not only for money and property (*Comm. 1 Cor 7:9*, LW 28:27, *Lectures on Genesis 25:1–4*, LW 4:305). God introduced marriage for “the natural desire of sex, the bringing to life of offspring, and live together in mutual fidelity” (*Table Talk* 185, LW 54:25., Cf. 5212, LW 54:397, *Comm. 1 Cor 7:9*, LW 28:27). Lecturing on Genesis 24:1–4, he was trying to give a true definition of marriage as follows: “marriage is the divinely instituted and lawful union of a man and a woman in the hope of offspring, or at least for the sake of avoiding fornication and sin, to the glory of God. Its ultimate purpose is to obey God and to be a remedy for sin; to call upon God; to desire, love, and bring up children to the glory of God” (*Lectures Genesis 25:20*, LW 4:244. Cf. *Ibid.* 26:8, LW 5:32, *Table Talk* 5513, LW 54:441–442, *Lectures Genesis 2:18*, LW 1:115–119, *Ibid* 2:22, LW 1:133). He was praising the modesty and good manners of Rebecca around the household (*Lectures Genesis 24:16–18*, LW 4:270–271), and Rachel’s constant wish for an offspring (*Ibid.* 30:2, LW 5:330–331). In everyday practice, the marriage and the family life become a vocation in the eyes of Luther, where the members live in hierarchy, mutual love, obligation, disciple, and self-denial for the peaceful harmony of the house (see more: Parsons, 2005: 141–202, Magyar, 2018: 301–306). Doing so, in marriage a woman “nourishes and brings up children, serves her husband and manages the household affairs (*Lectures Genesis 24:35–44*, LW 4:291). At the same time, theologically, marriage was not just a special-personal gift, but a base thing for the right order of the whole society. Firstly, the marriage has a great value for “body, property, honour, and soul of an individual”, but it is for the “benefit of whole cities and countries” as well, because “we know [...] the most terrible plagues have fallen lands and people because of fornication” (*The Estate of Marriage*, LW 45:44, *Lectures Genesis 7:1*, LW 2:84). Secondly, procreation and sexual intercourse (*Table Talk* 3610, LW 54:244, *Comm. 1 Cor 7:3*, LW 28:13) are permitted only in the marriage. The whole world and every human society would have remained empty and fallen in ruins without this gift of true God (*Table Talk* 3528, LW 54:222–223): “Imagine what it would be like without sex. The home, cities, economic life, and government would virtually disappear. Men can’t do without women” (*Table Talk* 1658, LW 54:210). As a result, a child is a perfect and useful gift of God for families and for the whole society as well (*Table Talk* 3613, LW 54:245, *Lectures on Genesis 24:35–44*, LW 4:293).

As we see, Luther accepted wholeheartedly two elements of the system of *bonum triplex* elaborated by Saint Augustine. Certainly, he underlined the *bonum prolis* as an intention to have offspring, and the *bonum fidei* as a pledge of the carnal-spiritual faith. Nevertheless, the third pillar of Augustine’s theory, namely the *bonum sacramenti* remained out of the interest of Luther (Magyar, 2018: 84).

2. “No music for dancing”: the roots and the evaluation of adultery in Luther

It is striking from Luther’s commentaries, sermons, and theological treatises that he was irritated by every means of sexual sin. Contrary to his well-known and much cited unfortunate words concerning the recommendation of bigamy for Philippe Hesse, Luther had a very strict view of sexual morals in his mind. He was convinced the pagans are deceived: fornication and adultery are both sinful acts before God (*Table Talk* 1647, LW 54:204, *Lectures Genesis* 3:7, LW 1:166). Doing so, he took effort to discover the main cause of adultery which was the lustful temptation of the body fired by the original sin (*Lectures Genesis* 24:35-44, LW 4:289, Cf. Wright, 1984: 126–135). Luther pointed out: adultery has two kinds: the first (Mt 5:27-28) which nobody escapes, and the second (Jn 8:3-11) that is horrible (*Table Talk* 3510, LW 54:218). Due to his pastoral care, he knew well the heart and the body could easily follow the eyes (*Comm. Mt* 5:27–30, LW 21:86-87, *Comm. Mt* 5:31–32, Ibid. 92). People should constantly pray for the prevention of adultery (Cf. *Serm. Jn* 8:38, LW 23:399). According to Luther, all people should know that “they have been called to war against the flesh. This is one battle” (*Lectures Genesis* 25:20, LW 4:335). God’s people have to act like soldiers in this war, because He did not create “us for fornication and adultery, but for marriage” (*Lectures Genesis* 24:5–7, LW 4:251). Nevertheless, as he reminded his readers: King David lost (*Lectures Genesis* 25,29-30, LW 4:391), but Joseph won (Ibid. 24:29–33, LW 4:283) in this battle. Luther made clear: “when a man does not look at his wife, on the basis of the Word of God, as the one whom God gives him and whom He blesses, and when instead he turns his gaze to another woman, this is the principal cause of adultery: [...] Soon the heart follows the eyes, bringing on the desire and appetite that I ought to reserve for my wife alone. With the devil’s promptings, a person seeks only his wife’s

faults [...] and every other woman seems more beautiful and better to his eyes” (*Comm. Mt 5:27–30*, LW 21:87). Luther would remind the reader: the modern commandment of “Just follow your heart!” is not the best advisor (Cf. *Serm. Deut 22:1*, LW 9:129) in sexual relations, because in the case of fornication no one can rule over his own body. Turning to the ethical side of the coin, Luther illuminates that adultery is a very sin against God and the Holy Spirit, which undermines the domestic life: “when the adulterer is inflamed with desire, even though, opportunity, place, person, and time are lacking, he is still plagued by lustful emotions and cannot concentrate on anything else in his thoughts” (*Lecture Genesis 8:21*, LW 2:122, *Comm. 1 Cor 7:3*, LW 28:13). In short, it was obvious for Luther that adultery is a capital sin when heavy prayer is needed (*Comm. Mt .:27-30*, LW 21:88).

3. Marriage cases as “worldly things” belonging to the civil magistrates

The main position of Luther concerning the evaluation of marriage cases was influenced by what he thought about the Christian sacraments. At this point we are the witnesses of the progress of his theology, since in his work, entitled *Ein Sermon vom ehelichen Stand* (1519) Luther emphasized: marriage is a sacrament, like the baptism (*Ein Sermon vom ehelichen Stand*, WA 2:168), but only one year later he changed his mind very profoundly. Publishing his book *De captivitate Babylonica ecclesiae* (1520) Luther said, on the basis of the Scripture the “the marriage is not sacrament” (*De captivitate Babylonica ecclesiae*, WA 6:550), an opinion which characterized his later career. However, Luther confessed, the inner content of the marriage links to the “spiritual government”, because this order was established by God, but its outward matters are not subjected to the pope’s authority, they belong to the civil authority. In one of his sermons, Luther was speaking so vehemently: “lords and princes became sleepy and negligent” considering marriage cases, so the “pope could intrude their government and made such a stew in the Church, mixing one thing with another [...] the pope has usurped a government belonging to another. The secular princes have aided him with their negligence” (*Serm. Mt 18:9*, LW 67:390). The Church has to imitate Christ, who during His whole lifetime was not functioning as a lawyer or a governor to prescribe any regulations for judicial cases, because He was a preacher instructing

the conscience (*Comm. Mt 5:31–32*, LW 21:93, Cf. *Table Talk* 414, LW 54:65–67). Nevertheless, the church is called to teach and preach about the true spiritual meaning of marriage. She ought to have thoughts “of God’s favour, of the consolidation of spouses and of how the man and the woman should be taught to keep the passion of lust in check, to govern domestics, about the divine blessing, then about bearing weaknesses in one’s wife, and about enduring dangers on account of one’s children” (*Lectures Genesis 24:1–4*, LW 4:222). At the same time, Luther insisted: lords and princes have to set forth laws with Christian contents: the sole author of the marriage is the true God, so marriage laws can’t be contrary to the Holy Bible (Cf. *Comm. 1 Cor 7:10–11*, LW 28:31).

It would be overwhelming to count how many times Luther declared in his written heritage that the magistrates are owed the right to resolve in marriage cases, and that “they should punish adultery” (*Lectures Genesis 9:6*, LW 2:141). Using his very straight language, he did so at least four times in the *Table Talks*, writing: legal problems pertaining to marriage “are pure external things belonging to the civil magistrates” (*Table Talk* 3267, LW 54:194), because “marriage is a civil affair. In all its outward circumstances it has nothing to do with the church, except insofar as there may be a case of conscience” (*Table Talk* 4068, LW 54:315). Luther was well aware its main reasons. According to him, marriage “cases arise every day because men are married every day” so pastors can’t “get rid of these marital cases. They keep us from having quiet for study” (*Table Talk* 3980, LW 54:305). He went further, saying: we leave these cases to lawyers and consistories, because “First, we have enough work in our proper office. Second, marriage is outside the church, is a civil matter [...] Third, these cases have no limits, extend to the height, the breadth, and the depth, and produce many offenses that bring disgrace to the gospel” (*Table Talk* 4716, LW 54:363).

4. Luther on the adequate punishment of adultery

4.1. On the basis of Luther’s works already published in English

Reading Luther’s colourful writings, it is apparent that he was familiar with the questions regarding the proper penalty of adultery (Csepregi, 2017: 139–147). However, it is evident that he kept himself aloof from publishing

regulations mandatory for every city and region in Germany (Cf *Table Talk* 3967, LW 54:302, *Ibid.* 5568, LW 54:455). He was convinced, the judgement of the question was far from being unified in German territories (Cf. *Lectures Deut 21,1*, LW 9:211). As we have seen, marital cases are “outward things”, so Luther insisted not to derogate the rights of the civil government to judge sexual crime. He wrote: “We neither command nor forbid but leave it to the government to act here; and we submit to whatever the secular law prescribes in this matter” (*Comm. Mt 5:31–32*, LW 21:96).

To be sure, the nature of the punishment advised by Luther was associated with the concrete circumstances of adultery which could be “clandestine” or “public”. According to his main work on the subject, in the case of “clandestine” adultery “the husband may rebuke his wife privately and in a brotherly fashion and keep her if she mends her ways” (*The Estate of Marriage*, LW 45:32). But if a “clandestine” crime happens there is no place for punishment. In the case of “public” adultery the sentence will be published before the congregation, but the judicial public decision will be sentenced by the civil government (*Ibid.*, LW 45:31). Its penalty could be realized in three ways:

The first: regulation without laying on punishment: “To those who really want to be Christian, we would give this advice:” – said Luther – “The two partners should be admonished and urged to stay together. If the guilty partner is humbled and reformed, the innocent party should let himself be reconciled to him and forgive him in Christian love” (*Comm. Mt 5:31–32*, LW 21:96). In other words, the main goal was to reach the reconciliation: “one should make an effort to reconcile the couple again after the guilty party has been sharply rebuked” (*Table Talk* 4499, LW 54:349)

The second: if it happens that there is no hope for “improvement, [...] and his restoration to good graces is followed only by his (stubborn) abuse” the mercy for a person like that is not tolerable, punishment is needed: “I would help to have such a person flogged or jailed” (*Comm. Mt 5:31–32*, LW 21:96). Nevertheless, he was well aware that the possibility of the “penalty of fasting with bread and water” as well (*Table Talk* 183, LW 54:24). Perhaps, the execution was followed by the divorce, since “no one should be compelled to take back a public prostitute” (*Comm. Mt 5:31–32*, LW 21:96).

It goes without saying that the third type of the punishment was the most serious involving the very possibility of the capital sentence. On the basis of Lev 20:10, Luther was clarifying that adultery should be punished by death and the forgiveness is not favourable. Adulterers morally have divorced themselves from their wives, bringing on their own death before God, even though the judge may not have executed them (*Comm. Mt 5:31–32*, LW 21:96). In his *Table Talks*, Luther was much more concrete, saying: “Men like this ought to have their heads chopped off” (*Table Talk 4499*, LW 54:349), or in other place: “I am afraid, I would stab” them (*Table Talk 5381*, LW 54:415), or “they have to suffer” (*Annotations Mt 16:13*, LW 67:271). As a result, it is not surprising that Luther was criticizing the judicial laxity of civil magistrates, who failed to inflict the death penalty, because the adulterer, showing bad example, can betake himself and remarry in a foreign country (Cf. *The Estate of Marriage*, LW 45:30–31, *Serm. Mt 18:6*, LW 67:354). “This blame rests with the government”, said Luther, so “the temporal sword and government should [...] put adulterers to death, for whoever commits adultery has in fact himself already departed and is considered as one dead” (Ibid, LW 45:30). Thus the duty of the lords and princes is not to be sleepy and negligent, but to investigate and punish the wrongdoers. Nevertheless, if the wicked woman becomes pregnant, said Luther, it would be a very harsh law to kill the mother (and the unborn child), so the wise decision is to “keep her in prison until she has given birth to the fetus” (*Lectures Genesis 38:24*, LW 7:43).

4.2. What do the new English materials show?

It is always a great honour and challenge to read Luther’s heritage in its original Weimarer Ausgabe, where readers will find at least four materials in which the reformer was treating the question of the proper punishment of adultery with great attention. Three of them contain Luther’s arguments on the topic.

Regarding the concrete question of the punishment of adultery, Luther’s more detailed advice was an answer for a letter written by the civil magistrates of the city of Zerwest, asking what the proper action of the civil magistrates for adultery can be. The letter reveals, however, that Luther accepted the possibility of death penalty in theory; still, he knew well that secular governments control these cases with less severe adjudication in the

practice. He wrote: “To the venerable and wise Burgomaster and Magistrates of the City of Zerwest! Dear Gentlemen and Friends! Grace and tranquillity in Jesus Christ! Venerable Gentlemen! Your letter concerning the adequate punishment of adultery was read by us as senators and doctors, and our answer is the following: although according to the laws of Moses [Lev 20:10 and Deut 22:22] perpetrators of these kinds of sins were sentenced by stones (to death), still these laws had been given not for us, but for the Jews. We are under the authority of the Pagans and the pagan governments, so we are obliged to follow their laws and statutes. Unfortunately, the strict law and practice are rarely seen. Accordingly, here, in Wittenberg by our consent, using a less strict means of punishments, the venerable members of the City Council are used to sentence the adulterers to be flogged out of the city. It is a worthy act, because the rule of the Kaisers which produces right has no effect. Thus it is possible to follow the rule practiced by the City of Wittenberg, but if you wish, the strict statutes of the law of the Kaisers could be adapted by you as well. (October 8th, 1546, Martin Luther)” (Letter 766, WA 21:650–651.)

As we have seen, the reformer thought, “adultery is the greatest thievery and robbery on earth” (*Comm. 1 Cor 7,3*, LW 28:13), so two of his guests, namely D. Martinus Wolf Schrenken and Joachim von Barbi raised a very apropos question for him, asking if it is worth punishing adultery and robbery in the same manner. In this piece of his *Table Talks*, Luther was following the way, paved by his letter previously, saying, without serious penalty, their wickedness and bad example pollute the whole country, rejoicing in the will of the Satan, who hates the marriage (*Lectures Genesis 24:49–52*, LW 4:295). At the same time, Luther recommended the possibility of the private or public reconciliation, that he found a preventive action just before the enforcement of the penalty. He was arguing: “In February 1546, during supper, D. Martinus Wolf Schrenken and Joachim von Barbi among other things raised the question: what can be the cause that authorities punish stealing more severely than adultery? Everyone who breaks commandments 1–5 surely commits deadly sin, but only the non-observance of the 6th commandment is not a deadly sin. Since, if we hang a thief up for stealing 5 or 6 deniers, why should not we punish adultery in a similar way?! Since adultery does not differ from a huge theft. If adulterers pay with their lives, and they suffer decapitation, we

will have little work to enquire for the right punishment. However, at this point one question is arising: if the wicked spouse, as an adulterer wishes to show repentance, but the faithful yokefellow does not want to accept that, does the unfaithful spouse remain in his/her sin, or is it possible for him/her to contract a new marriage? I am convinced if we grant that we open the door for others to follow the bad example and to commit much more wickedness. So I wish, in the case of adultery only that the sentence of decapitation should be put into practice. However, Julius Caesar, who was surely an adulterer, still decreed, adulterers should pay with their heads for this crime. Doctor (Luther) said: «It was a widespread story (here: fact) in W. (Wittenberg), that a pious Christian woman with clean state, husband, and four children was found in adultery. So! Her husband was so harsh with her, he insisted on the (punishment of) public flogging. It was like this! After the enforcement of the law, me, Doctor Pommer and Philippus Melanchthon were talking with the woman, asking her to return to her husband, who was ready to take her back. Nevertheless, the woman did not want this as the public enforcement of the penalty affected her so deeply that she left her husband and four children behind and hid herself. I reckon, they should have tried to reconcile before the enforcement of the penalty. Here we truly see, how substantial the power of the Satan is on the earth! Perhaps, the Pope passes this problem easily, saying: whoever breaks the bond of the marriage, remain without marriage, but it is not allowed for the faithful yokefellow to construct a new marriage” (*Tischreden* 6934, WA 6:278–279).

But it was not the end of the story for Luther, because the collection of Johannes Aurifaber consists of two more table talks from the reformer in which he reviewed marital matters that resulted in adultery. In the first one Luther praised the faithful husband who did not put his wife through to a severe public penalty; rather, he built her a private prison chamber to pay for her sin there. According to Luther “In the city of Speyer there was a prebend, who eloped with the wife of a country nobleman. The woman was raising several children with her husband, but the canon was keeping her almost for a year at his house. Finally, the noble husband was enquiring day after day until he found out, his wife was in the city of Speyer at the house of the prebend. So thus the nobleman appealed at the city council, and asked the magistrates to open the gates of city for him in order to take

his wife back from the canon which was passing in the following way. It was Christmas Eve, therefore every prebend had to present himself in the church service. The nobleman went to the canon's house and knocked in haste. Now, the servants opened the door immediately, because they took it for granted that the canon arrived from the church. When the husband entered the cubicle upstairs, he found his wife lying in a confinement (cot). He asked her: «So, I find You here, Slut?! Is this Your faith and troth that You vowed to me?! Wake up, You come with me!» The woman got scared, and answered: «Dear my Lord, I am lying in (a cot), I am unable to get up. Please, spare my life, and I promise, I sin never more!» The nobleman said: «Now, you come with me!» Then he was pulling the woman out of the bed, and swung her onto his horse, which was being alarmed at the front door by his servants. He took his wife home. At his house, a separate room, a cubicle, and a rear were built by the nobleman, and there he walled up his wife. Of course, he gave her enough to eat and drink so long as the wife was living, but he took her in never more. He was visiting the cell day after day, consoling his wife: “Have forbearance, because You would have deserved more severe punishment than that.” This was a shrewd and wise man, who did not want to – as a favour to his children – put his wife through to a public penalty. But she lived not entire two years in her prison chamber, she died of her sorrow” (*Tischreden* 6935, WA 6:279–280). Later, the reformer went further introducing another case however, when the husband did not want to show mercy for his unfaithful wife and her lover, he killed them together. Nevertheless, it is worthy to mention that Luther refrained himself from comment on the dénouement of the story; he just reported it (see: *Tischreden* 6938, WA 6:281–282).

5. The role of forgiveness: Luther on John 8:1–11

To begin with, the reformer's commentary on the story of Jesus and the adulterous woman is a masterpiece from the viewpoint of the clear distinction between the scopes of the civil (“kingdom of the word”) and of the spiritual government (kingdom of Christ). Briefly, between the Law and the Gospel. As it is known, Christ's intention was not to be a partaker of a legal procedure; rather, he kept himself to his mission to teach: “everything is to be forgiven completely”. So the whole story made clear for Luther that the Law, represented by the civil government “is invested with the power

and the duty to punish gross vices and sins, and to forgive them, [...] there is only wrath and punishment, for he who sins is to be stoned and killed”, meanwhile “in Christ’s realm no punishment is to be found, but only mercy and forgiveness” (*Serm. John 8:1–11*, LW 23:310). However, Luther was able to describe the different orientation of the two governments, still their operation raised several questions for him to answer. Firstly, the authority of the civil government seems higher than of the spiritual kingdom because it owes the power and the sword, while magistrates judge and punish the outward sins and misdeeds (Cf. *Serm. Mt 18:7*, LW 67:364). Only the true God can judge every sin, even the hidden ones. Due to the original sin “there is no person on earth [even at heart] who does not sin and is not deserving of death, no one excepted, whether he be noble or learned, burgher or peasant, young or old – all are subject to sin and to the wrath of God” (*Serm. Jn 8:1–11*, LW 23:313). But in the spiritual regiment, there is no place for sword and force, because the God invites every sinner to be a partaker of the heavenly glory using His mercy and forgiveness as a remedy for original sin.

A substantial question was for Luther, what is the case with sinners’ forgiveness, if the secular regiment has already sentenced them to death. The reformer made clear that the two kingdoms’ authority seems to run counter to each other; still, the execution of punishment has no concern as regards salvation; there is no higher court to condemn it. So persons, who recognize their sins, and repent their fault with pure faith and heart are no longer sinners, but washed and true believers, belonging to the kingdom of Christ. From this perspective, Luther pointed out, the kingdom of Heaven consists of sinners, who converted and consecrated their lives to Christ: “in this kingdom no one is without forgiveness of sins. Therefore you [said Jesus to the woman], too, must have forgiveness. My kingdom must not be in disorder. All who enter it and dwell in it must be sinners. But as sinners they cannot live without the forgiveness of sins” (*Ibid*, 318, Cf. *Annotations Mt 18:7*, LW 67:325). As a result, according to the reformer, it is not by earthly merits, but due to God’s forgiveness that sinners enter to the kingdom of Christ, and they do not remain sinners (*Serm. Jn 6:36–37*, LW 23:58, *Lectures Romans 7:6–7*, LW 25:326–327). So, Luther concludes: converted “sinners of adultery also are members of Christ’s kingdom” (*Serm. Jn 8:1–11*, LW 23:314).

Nevertheless, it is important here to cite what Luther taught about the role of forgiveness in married life, saying “the best way to prevent divorce and other discord to learn patience” and to recognize the relevance of the doctrine of forgiveness of sins, which is “the most important of all, both for us personally and for our relations with others. As Christ continually bears with us in his kingdom and forgives us all sorts of faults, so we should bear and forgive one another in every situation and every way” (*Comm. Mt 5:33–37*, LW 21:98).

Reading Luther’s thoughts on marriage, adultery, and forgiveness, it catches the eyes that the reformer’s intention was to put responsibility on the married partners, saying: the most prudent act is to prevent every fornication, living with the aid of private prayers, patience, and mutual love (*Lectures Genesis 24:1–4*, LW 4:243). Nevertheless, if adultery happens, the couple should make every effort to practice reconciliation as a sign of the forgiveness (Cf *Table Talk* 4499, LW 54:349, *Serm. Jn 7:18*, LW 23:235). This is why Luther was praising Judah’s manner, who forgave all the offences of Tamar against his family: “friendship was restored on both sides. Tamar, too, was restored to her former position of honour in the house of Judah” (*Lectures Genesis 38:26*, LW 7:45).

6. Calvin on marriage and the proper punishment of adultery

To begin with, on the basis of the analysis of Calvin’s written heritage, it is apparent that the Genevan reformer paid strong theological and ethical attention to the evaluation of the general topic of sexuality. Doing so, he was struggling for a more sacred marital and family life of the local townsfolk. In this “holy project” their main tool was the Consistory. This body was created for the task to oversee and to improve life of the people in religious-spiritual matters (see: Naphy 2002: 94–111; Naphy, 2003; Kingdon, 1990: 158–172; Kingdon, 1995; Kingdon 1996: 21–34; Kingdon & Witte (eds.), 2005; Witte, 2013: 245–280; Manetsch, 2005: 1–21; Manetsch, 2006: 274–314; Manetsch, 2010: 283–307; Manetsch, 2017: 103–117; Lambert, 1998; Watt, 1993: 429–439; Watt, 1996: 63–86; Watt, 2002: 439–456), so its members did not owe the right to make adjudications. However, Calvin had widespread correspondence across Europe (mostly on theological and political issues), as Luther had previously; the Genevan reformer had a

different position. As a highly-esteemed moderator of the Consistory, he received very practical everyday experiences as regards the morality of Genevan families (Magyar, 2016: 375–386; Magyar, 2019: 209–220). This is why he was discussing the theological questions of marriage only in his *Institutes* (Calvin [*Inst.*]: 1960: 1482–1484), while he bedecked his biblical commentaries and sermons with ethical reflections and argumentations (Cf. Biéler, 2005, x). Marriage and sexuality were essentially an ethical issue for Calvin (Cf. Thompson, 1991: 9–46; Thompson, 1994: 3–27; Thompson, 2016: 123–146; Elwood, 2005: 67–93; Sewell, 2012: 175–178; Weidenaar 2011). In his sermon on Ephesians 5:28, for example, he confessed: “We see what is happening. For let a man look into all households, one after another, and where will he find such amity as may resemble Jesus Christ and his church? Instead, husband and wife are always quarrelling and disagreeing” (Calvin, 1987: 595).

To be sure, Calvin emphasized over and over again that marriage is not a sacrament, and the gift of the chastity is not for everyone, so the family life is needed, but his main intention was to throw into relief the *bonum prolis* and the *bonum fidei* characters of marriage. However, as Luther, Calvin argued that the association of married couples was ordered and blessed by the true God (Witte, 2009: 475); he certainly did not regard sexuality as purely means of procreation. His comments on Genesis 2:23–24 make explicitly clear that he was considering *bonum prolis* and the *bonum fidei* together, pointing out the natural desire of sex (constant wish for an offspring), to live, and to bear the cross together with mutual fidelity. At the same time, theologically, marriage was not only a special contract in the eyes of Calvin (Cf. Witte, 1997), but a base thing for the right order of the whole society (Cf. Calvin 2009b: 653).

So every way of sexuality, lacking the extreme and immoderate temper, is an important tool for the maintenance of marriage. God commands his people to lead an honest and chaste life in justice, sobriety, modesty, purity. “He wants holy marriage to be preserved”, so “when man throws himself into fornication, [...] he breaks the body of our Lord Jesus Christ into as many pieces as he can”. For that very reason, in his biblical commentaries the Genevan reformer stated: sexual sins-crimes should have their severe punishment. He was very concrete in his commentary on Hebrews 13:4, arguing, “that if fornication will not be unpunished, God will take

vengeance on it” (*Comm. Hebrew 13:4*, CTS 22/1:341), but he did not discuss in detail what was in his mind concerning the concrete punishment. The exposition of the history of “Jesus and the adulterous woman” (Jn 8:1–11; Cf. CO, 47:190–191. Translation: CTS, 17/2:318–324) however gave him a possibility to emphasize: everybody errs “who infers from this (story) that adultery ought not to be punished with death, must, for the same reason, admits that inheritances (Lk 12:13) ought not to be divided, because Christ refused to arbitrate in that matter between the two brothers” (*Comm. Jn 8:11*, CTS, 17/2:323). It seems, at this point Calvin, as a good jurist, wanted to emphasize the importance of the Law, then the regenerating role of the forgiveness flowing from Gospel, saying: “if adultery be not punished... then the door will be thrown open for any kind of robbery, treachery, and for poisoning, murder, and robbery” (*Ibid.*). So it is worthy that while Christ “forgives the sins of men, he does not overturn the political order, or reverse the punishments appointed by the laws” (*Ibid.*). Turning to the story of Judah and Tamar (Gen 38:1–30), Calvin confirmed his statements against adultery very vehemently, arguing: the death penalty is a “proof that adultery has been greatly abhorred in all ages. The law of God commands adulterers to be stoned. Before punishment was sanctioned by a written law, the adulterous woman was, by the consent of all, committed to the flames” (*Comm. Genesis 38,24*, CTS 1/2:286). Later on, delivering a sermon on the seventh commandment (Deut 5:18), Calvin clarified there is no sexual sin without adequate judgement, since “God cannot tolerate sexual immorality! [...] Therefore, when twenty-two or twenty-three thousand men (Cf. Num 25:1–18) sinned and God destroyed such a number of his images, [...] that tells us how intensely the fire of his vengeance burned!” (Calvin 2011: 175). Finally, Calvin enthroned his view by his arguments on Deuteronomy 22:22–23, saying: “the marriage is a covenant consecrated by God”, so He announces, “capital punishment against adultery” (*Comm. Deut 22:22–23*, CTS 3/1:77); this is why “the punishment of death was always awarded to adultery” (*Ibid.* 3/1:78).

Nevertheless, like in the case of Luther, the practical realization of Calvin’s thoughts shows a very different pattern. Examination of the most noted Genevan legal procedures against adulterers, presented by Robert M. Kingdon respectively, reveals that death penalty was used in case of serious fornication only, when the main character of the vice was related

to toughness or perversity (Kingdon, 1995: 7–30, 116–142, Cf. Parsons, 2002: 123–142, Magyar, 2022a: 109–142, Magyar, 2022b). However, Calvin who as a jurist with great qualification knew well that every sin is quite opposite to the Creator’s will, still as a preacher with extraordinary calling was able to present his main pastoral advice, namely: God wants sinners to be partakers of His Mercy and Grace. It is offered not only for drunkards or slanderers, but for adulterers and fornicators as well. To be sure, through this theological and ethical approach on sanctification and regeneration, he commented, for example, on the story of “Jesus and the sinner woman” (Cf. *Comm. Lk 7:3, 6–50*, CTS 16/1:139), that of the Parable of the Weeds (Cf. *Comm. Mt 13:24–43*, CTS 16/2:118–125), and Apostle Paul’s words regarding license (*Comm. 1Cor 6:9–11*, CTS 20/1:208–212). Undoubtedly, Calvin published his most significant teaching on God’s Mercy and forgiveness when he was commenting on the story of Jesus’ passion, when one of the robbers, who were crucified with Him, upbraided Him, but the other made a profession of his faith. The Genevan reformer considerations were: “For who would ever have thought that a robber, [...] this wicked man a striking mirror of the unexpected and incredible Grace of God is held out to us, not only in his being suddenly changed into a new man, [...] but likewise in having obtained in a moment the forgiveness of all the sins” (*Comm. Lk 22:40*, CTS 17/1:308–310).

Summary

Regrettably, Luther and Calvin were living in a world “out of joint” where people turned Christian morals upside down (Karant, 2017). The examination of their written heritage shows they believed that the world was crying for the new breath of Christ’s Gospel (Althaus: 1972, Lohse: 1995), because many were fallen into the sins of license, fornication and adultery (Battles, 1965: 182–202). Based on his pastoral experience, Luther was resolute to rehabilitate family life (Herlihy, 1987: 3–17, Harrington, 1999). Using his main tools, namely biblical commentaries, sermons, and personal letters, Luther was taking pains to renew the evaluation of Christian marriage, arguing, it has been established by God, who wants to rejoice in not only certain persons, but the whole human society. Due to its religious determination, it is not surprising that Luther placed

responsibility for married partners to keep their faith during the times of the temptation. According to him, Satan hates everything which is sacred; therefore, marriage looks like a never-ending battle against the attacks of the lust. However, Luther brings to mind again the practical utility of personal prayers and self-denial by mutual love during the improper wishes of flesh; he knew well that adultery “cases arise every day because men are married every day” (Cf. *Table Talk* 3980, LW 54:305). This is why Luther received so many letters and invitation to clarify, for the sake of the preservation of public morality, what the adequate punishment would be. On the basis of the previous and the new English materials, it is obvious that Luther knew the merciful and the severe types of the penalties, sentenced only by the civil authority. Writing so, he made a distinction between the “clandestine” and the “public” characters of the sin. In the case of “clandestine” crime, there is no need for punishment because the main goal is to reach the act of the brotherly forgiveness and reconciliation. Similarly, if “public” crime happens, there is room for admonition of the partners urging them to stay together. Unfortunately, when more serious cases occur, and there is no experience of repentance, punishment, namely flogging or jailing on bread and water is required. On the basis of Leviticus 20:10, Luther was clarifying that the third type of the punishment of adultery should be the capital sentence, which hinders wrongdoers by showing a bad example for the public. It could be stabbing or beheading. Nevertheless, Luther knew the possibility of mercifulness in this case as well, since if the wicked woman becomes pregnant, said Luther, it would be a very harsh law to kill the mother and the fetus (*Lectures Genesis* 38:24, LW 7:43). The examination of his rich and colourful thoughts on fornication and adultery, it seems, *there were no historical events and theological debates during the service of Luther which affected him to change essentially his fundamental ideas. Due to the practical experiences of his pastoral care, Luther steadfastly remained true to the same conviction, namely, every fornication should be punished, but he cleared the way for the public act of forgiveness. He knew well that (church) discipline has been given not for destruction, but for edification.* Moreover, regarding the adequate punishment, Luther did not make distinction between the sexes: he *proposed the same kind of penalties for men and women.* In this respect he had no substantial theological opponent; so Luther was in accordance, for instance, not only with Calvin’s

ideas (Magyar, 2022b), but with the convictions of the early Hungarian Reformation as well (Magyar, 2023).

So many years and regions aside, Calvin was a determining person of the renewal of the marital and family life as well. He based this “holy project” on his practical everyday experiences as a high esteemed moderator of the Consistory. So Calvin was well aware of the anxious conditions of Genevan morality. This is why he directed a great number of sermons, commentaries, and theological treatises to point out: marriage is not only a special contract, but a base thing for the right order of the whole society. As a result, God wishes that marital bonds should not be deceived, because sexual sins break the body of our Lord Jesus Christ into pieces. However, Calvin published numerous arguments on the necessity of the severe punishment of adultery; still, the practical operation of the local city council, the so-called Petit Conseil shows, the death penalty was sentenced only in the case of toughness or perversity; this was because of the deep-seated sense of clemency of the local townsfolk and magistrates. Certainly, residents of Geneva were taking pains to put into practice what they learned in God’s “Reformed” school from Calvin about the importance of His Mercy.

Two reformers. Different times, locations, languages, and cultural backgrounds, but one corresponsive message: ethical and judicial discipline touched by Christ and the ancient church have been given for edification and not for destruction. Therefore, in everyday life the faithful yokefellow could practice pardon, prevent legal procedure, wish “Soli Deo Gloria” – but not at the expense of mercifulness!

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