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Eric E. Dyck

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# From Contract to Covenant: Situating the Lutheran Marriage Rite, 1978, in Terms of Praxis and Theology

Eric E. Dyck

*Pastor, St. John's Lutheran Church,  
Montreal, Quebec*

## I. Developing a *Lex Orandi* for Marriage

Marriage rites are intimately related to society, custom, and culture. It is questionable whether the marriage rite in the Middle Ages or its present descendent actually expresses a theology of marriage or whether the ritual merely relates itself to one particular theology. From the time following the toleration of Christianity, in the dialogue between praxis and theology in the West, the *lex orandi* decreasingly gave expression to the understanding of marriage as a "passage" from one state to another. Since the deeper structure of marriage roots itself in the experiencing at marriage of a rite of passage,<sup>1</sup> this experience may well be the root metaphor intrinsic to the liturgical act of marriage; in such a rite it is important that praxis and belief are intimately connected. To marry involves separation (betrothal/intention to marry), liminality/transition ("betwixt and between"), and incorporation (marriage). Cohabitation before marriage exemplifies a pragmatic adaptation to a stage of uncertain yet possible commitment (still a liminal stage). Changes to the *lex orandi* of marriage rites have not striven to maintain pre-Christian and early church expressions of a rite of passage.<sup>2</sup>

Particularly in the Middle Ages, in order to assure a theologically acceptable *lex credendi* in the rite, a statement of consent was imposed on the *lex orandi*. The stating of one's intention to marry (separation) was a mere preliminary to consent (transition) and receiving the nuptial blessing which incorporated the new family unit into society. The *lex orandi* in the Middle Ages compacted the experience of passage and sought

to apply a theologically appropriate *lex credendi*: contractual consent.<sup>3</sup>

It needs to be noted, then, at the outset, that although this article argues that the 1978 *lex orandi* of the Lutheran marriage rite situates the celebration within a theology of covenant (and that carries with it at least one important implication), the *lex orandi* still does not intrinsically reflect primary theology<sup>4</sup> which would place the creation of a new covenant within the context of a rite of passage; the *lex orandi* of marriage does not give full expression to the three stages experienced by the couple which form the primary theology.<sup>5</sup> Rather, the rite is related, through its *lex orandi*, to a secondary level of theology, namely that of covenant. The *lex orandi* voices a *lex credendi* of covenant but it fails to break continuity with the western medieval program of “[drawing] betrothal into marriage, so that all the Church has to offer is a liturgy for the third (and final) stage, incorporation.”<sup>6</sup>

This article examines the *lex credendi* expressed by the *lex orandi* adopted by Lutheranism: if two Christians marry with the prayers of the church’s rite, then the couple also commits an act of belief. As Bishop W. Lazareth (Evangelical Lutheran Church in America) maintains, there is always theological force in our practice as well as practical implications in our theology. Although continuous with earlier Lutheran understandings regarding the state of marriage, the theological force of the current rite differs from Lutheran rites which maintained contractual consent as the act preliminary to the reading of scripture and prayer.<sup>7</sup> The theology of covenant in the 1978 rite regards the couple’s relationship as a metaphor bearing the covenant between God and humans. Such “theological force” invites convergence between Lutherans and Roman Catholics on the sacramentality of marriage. The Roman tradition no longer regards the sacramentality of marriage to rely only on contractual consent and consummation and the Lutheran tradition no longer regards consent together with scripture and prayer as sufficient for passage to the married state.<sup>8</sup> Lutheran pastors value pre-marital counselling, the Service of the Word at marriage, and incorporation of this new social unit into the community of the parish. The *lex orandi* holds “practical implications”; marrying does not just signify intention and consent but engages in establishing a covenant wherein the couple

symbolises God's covenant and bear's God's presence toward each other and toward the world.<sup>9</sup>

## II. The Lutheran Context for Marriage

Western medieval development was characterised by the nuptial blessing, the first and earliest part of the marriage liturgy, giving way to the consent spoken by the partners. The contractual view of marriage and the emphasis by scholastic theologians on consent demanded a praxis where the consent would be public. Medieval theologians regarded the consent in the marriage liturgy as giving expression to a vital *lex credendi: consensus facit nuptias* (consent makes marriage). Socially, consent in public also guaranteed the contractual concerns, namely dowry paid and woman given.<sup>10</sup> Consent and blessing as public rituals in the church gave the church an increasing civil responsibility. The medieval rite fulfilled contractual needs and highlighted the theological requirement of consent.

Lutheran marriage rites in the sixteenth century were influenced by the practices of local areas,<sup>11</sup> particularly local Roman Catholic dioceses. These tended to determine the *lex orandi* of the rites. The reformation churches, under the influence of Luther, continued basic medieval practices: the publication of Banns, the betrothal (at the church door), and the blessing before the altar.<sup>12</sup> Before long, in some places, the betrothal moved inside the church and served to be the public announcement of the banns in the presence of the congregation. Luther's "Order of Marriage for Common Pastors (1529)" can be identified with other non-eucharistic marriage rites which preceded it (i.e., the Magdeburg Agenda of 1485 or the Meissen rite of 1512). Luther's rite, in the words of Kenneth Stevenson, "is simple and pithy, with a strong dose of the Bible";<sup>13</sup> characteristic of Luther's liturgical reforms, word and prayer are intimately connected. Luther's reform of the *lex orandi* of marriage is "the first main attempt in the West to rethink marriage liturgy... Luther's rite is a rationalization of Western medieval thought and practice, along his own lines."<sup>14</sup>

Luther's reluctance to provide a rite implicates the determinative principles for the subsequent Lutheran *lex credendi* to which marriage is related:

Since marriage and the married estate are worldly matters, it behooves us pastors or ministers of the church not to attempt to order or govern anything connected with it, but to permit every city and land to continue its own use and custom in this connection... But when we are requested to bless them before the church or in the church, to pray over them, or also to marry them, we are in duty bound to do this.

Since... it has been customary to surround the consecration of monks and nuns with such great ceremonial display... how much more should we honour this divine estate and gloriously bless and embellish it and pray for it...

We must also do this so as to teach the young people to take this estate seriously, to honour it as a divine creation and command.

For whoever desires prayer and blessing from the pastor or bishop indicates thereby... into what peril and need he [sic] enters and how greatly he stands in need of the blessing of God and common prayer for the estate which he enters.<sup>15</sup>

On the basis of Luther's indication that marriage and the married estate are worldly matters, Lutheran theology has understood marriage to be a part of the order of creation (as established by the Doctrine of the Two Kingdoms) rather than the church's participation in legal affairs of state (i.e., the formulation of empirical ordinances). The *Apology of the Augsburg Confession* [*Apology*] deems marriage to be created by God (Genesis 1:28) and a "truly divine ordinance". The *Apology* also gives "natural appetite" and "burning" as reasons for permitting marriage, but explicitly upon the grounds of 1 Corinthians 7:9: "Because of the temptation of immorality, each man should have his own wife."<sup>16</sup>

Helmut Thielicke centres this approach on God's law and God's commandments and not just on Christian institution: "... even those who know nothing about this divine institution or deny it can satisfy the order... So God is the Author of orders which are in force and can be observed even without knowledge of the Author." The ethical implications contained in Luther's introductory remarks echo in Thielicke's summary of the stage of marriage:

... this estate is not made holy only through faith; it is hallowed as such, just as it is in its worldliness, through its quality of being divinely instituted, and this is true whether or not there is a faith



that acknowledges this fact. What faith brings into this relationship is solely the fact that the Christian reverences the estate of marriage for this quality it possesses as a hallowed ordinance, that he [sic] accepts it from the hand of its Author and begins, continues, and ends it in His name.<sup>17</sup>

Marriage, as neither a peculiarly Christian or even biblical institution, exists as part of the universal order of creation: in the Lutheran view, there is no such thing as "Christian marriage"; there is marriage between Christians.<sup>18</sup> Based upon his interpretation of marriage in the New Testament and its place within the order of creation, Thieliicke, writing prior to Vatican II, regards marriage as expressing a similitude between the two kingdoms similar to Jesus' parables. "For those who stand in faith within the order of redemption [marriage] *has* this symbolic character, whereas for others it can be merely a contract, a biological phenomenon, or at most a human bond."<sup>19</sup>

The Lutheran Liturgical Conference in Germany distinguishes between the covenant which encompasses "the bodily, spiritual, and social dimension of human existence and finds full expression in the couple participating together in the tasks, successes and failures, joys and sorrows of their lives" and the public aspect of marriage expressed by the empirical ordinances of the state "which characterise such a community of consent as institution".<sup>20</sup> From its biblical understanding of marriage as a component part of the creation, Lutheran ethics views marriage as framed by God's law and God's commandments (i.e., the indestructibility of the natural inclination between man and woman). Luther's insistence that the church divest itself of the worldly aspects of marriage roots itself in the doctrine of the corrupted creation and the inclination to flee from God's Word by substituting empirical ordinances for God's law or by equating law and empirical ordinances. At issue is that the ordinances of the world (a corrupted creation) would be establishing the doctrine of the church. This is anathema for Luther: the natural orders are thoroughly infected by sin.<sup>21</sup> At the same time, Luther found ample indication of marriage and secular authority as divine orders.<sup>22</sup> In pursuing *sola scriptura*, Luther needed to grapple with the transforming implications of the institution of marriage; as institution, it effects change at both social and legal levels as well as being contained within God's law for creation (i.e., procreation).<sup>23</sup>

Finally, Dietrich Bonhoeffer asserts the covenant fidelity which the couple establishes and which acts as the primary metaphor for the marriage service:

Marriages are not concluded either by the Church or by the state, and it is not solely from these institutions that they derive their title. Marriage is concluded rather by the two partners. The fact that a marriage is performed publicly in the presence of the state and in the presence of the Church signifies no more than the civil and ecclesiastical public recognition of marriage and its inherent rites. That is the Lutheran doctrine.<sup>24</sup>

### III. The *Lex Credendi* Expressed by 1978 Rite<sup>25</sup>

Philip H. Pfatteicher, who chaired the sub-committee developing the marriage rite for the Inter-Lutheran Commission on Worship, identifies covenantal fidelity, "made specific in the love of God for Israel and Christ for the church", as the primary metaphor of the rite. A second set of images embody a banquet: "combining a marriage feast and the eschatological messianic banquet, and coming to a focus in the eucharistic banquet."<sup>26</sup> Both these metaphors are presented in the "Prayer of the Day" (no. 162). Jesus' presence at the wedding in Cana symbolises God's covenant presence with God's people; as God was present to that wedding, may God's presence inspire the present celebration. As "our creator and redeemer", God is asked to look with favour upon the bride and groom that they might rejoice in God's gift (of presence). This marriage covenant is then grafted into the Reign of God where at the fulfilment of creation this couple "celebrate with Christ the marriage feast which has no end".

The "Address" follows the Liturgy of the Word and is patterned on Luther's three-part arrangement of scripture readings at the time of the nuptial blessing.<sup>27</sup> This portion closely follows Lutheran tradition: God's natural order of creation institutes marriage; the creation however is corrupted by sin; but as God's institution, the Christian can receive marriage as God's gift and thereby be transformed and supported by the promises of God. The theological words which have been attached to the three points of the "Address" are "commandment, cross, and consolation".<sup>28</sup>

The "commandment" affirms the goodness of sexuality and its role in attracting individuals into human community; marriage is God's form for the most basic level of this community

(cf. Trillhaas, n. 23).<sup>29</sup> It is God's fidelity to creation and the covenanting between the couple (i.e., sexually) which establishes the community that lives in the joy of God's Reign and as a sign of the intimacy forthcoming between God and God's people. Through covenant fidelity to one another, the couple model the "joy that begins now and is brought to perfection in the life to come". In their relatedness to one another, as a community in miniature, the couple express God's relatedness to the creation: their love for one another reflects God's love for creation; the saving effect of their love for each other witnesses to the ultimate saving power of God. Just as a sacrament acts symbolically and points from itself to another reality, the couple, "as primarily a community of persons relating to one another in love and Christian faith", bear metaphorical reference to God's relation with humans.<sup>30</sup>

Although previous rites spoke, in the second statement, of the "cross" which marriages must bear, the current rite regards the hardship and suffering not as God's doing but as the consequence of human action: "sin, our age-old rebellion". This thought reflects Luther's conviction that a creation which has been corrupted by sin struggles with pride, vanity, and presumption against God's natural order, i.e., God's intention for creation.<sup>31</sup> The statement acknowledges the human capacity for perverting God's gift.

God's covenant, which serves as the model for the marriage covenant, does not reflect the stronger partner dominating or subordinating the weaker one. God's relationship with married couples does not impose "crosses" upon them. God's covenant gifts the human community with a sign of joy (the couple) now and is faithful to that gift until it is brought to perfection in the life to come. By recognizing the reality that less is made of a human covenant than God intends, the "Address" roots itself in the concrete experience of the assembly: divorced, separated, and troubled marriages are also witnesses to the marriage being celebrated.

The third statement draws on the "consolation" which the fidelity of God's covenant promises. Marriage is not only a part of God's natural order, but God continues "to bless it with his abundant and ever-present support". Such fidelity enables joy to be restored. The commentary on the 1983 German marriage



rite regards this third point as the most crucial in terms of the church's role at marriages. The biblical image of marriage as a covenant (God and Israel, Christ and Church) gives marriage its dignity and commitment: it is the faithfulness and grace of God which empowers a couple to love, be patient, and forgive.<sup>32</sup>

The "Intentions" affirm that marriage is a covenant of fidelity. The form, "if it is", allows for the free exchange of the vows which follow. The "Vows" are a further expression of covenant fidelity: unreserved sharing, fidelity, and until death parts the couple. The action of the rings emphasizes the intention towards the vows of the giver, "I give you this ring as...", rather than its leaning upon the understanding of the recipient (i.e., "Take this ring as..."). The text indicates the two covenantal elements: love and faithfulness. Intending these accentuates God's dynamic desire for a human community that yearns for joy now and in the life to come, rather than one who passively "takes" and understands.

Text for "giving the bride away" (previously an optional rubric) has been dropped. Even in terms of the entrance procession, the "Notes on the Liturgy" only allow for "the parents of each partner to meet the couple as the procession ends and mutually exchange the Peace."<sup>33</sup> The rite regards the man and the woman as equal. The models for covenant—God and Israel or Christ and the Church—emphasise fidelity and love and not the domination or prominence of one covenant partner over the other.

Bonhoeffer (cf. *supra*) regarded the covenant action between the partners as effecting the marriage. Supporting this covenant as the central metaphor of the rite, the recognition of the marriage is formulated as an "Announcement" rather than a *pronouncement*. The presider publicly recognizes what the couple have begun: they "have bound themselves to one another as husband and wife." The assembly gives thanks to the triune God; with their thanks they recognize that God's order has founded a new community. A birth has taken place in their presence. The presider adds a warning (Matthew 19:6) which gives sanctity to the life of the foundling community. The "Announcement", in its entirety, publicizes the fulfilment of God's intention for the creation.

When "marriage as primarily a community of persons relating to one another in love and Christian faith" was accepted

by the Roman Church at Vatican II it opened up a new appreciation in the Roman Church for marriage as a sacrament. It allowed for a liberation from "form and matter" considerations, which were so vital to the manual theologians.<sup>34</sup> Sacraments became encounters with the saving work of Christ and as such are an experience of the two kingdoms, the border for which (according to Luther) runs through the heart of the Christian. A sacrament challenges the partaker with God's Reign. Contemporary Roman Catholic understanding of the sacramentality of marriage roots itself in the sacramental encounter with Christ: "Today our theology locates the distinctiveness of Christian marriage in the injection of the transforming significance of Jesus' death and resurrection into the relation between the spouses. Married love and life is transformed as a human experience because of its perceived role as a revelation of God's loving presence to humans."<sup>35</sup>

The *lex orandi* seeks to describe marriage in terms broader than role prescriptions, obligations, judicial enactment, or the subordination of the female partner. The reworking of the Lutheran ethic extolling natural orders results in formulations striving towards attitudes of "intimate partnership". Judicial points are not raised. The "Address" and the nature of the "Announcement", each emphasising marriage as the formation of a new community based upon promises which are effective, implies a certain sacramentality: "The sacrament of Christian marriage is the couple in their continuing gift of self to one another."<sup>36</sup> These broader terms reflect the action of "concluding" highlighted by Bonhoeffer's formulation of the Lutheran doctrine on marriage (cf. *supra*).

The "Address", in its acknowledgement of "sin, our age-old rebellion", allows for relationships where "salvation" and a "genuine conversion of heart and mind" are *not* experienced.<sup>37</sup> Alienation occurs, "the gladness of marriage can be overcast", and joy is not restored. The German commentary on the marriage rite names the "shifting" which can occur and attempts a Gospel response:

But in this world of sin, affection can be inverted into rejection, love into hate, and the blessing of marriage into cruelty. Where this has happened in a marriage, the will of God is no longer expressed. According to Lutheran understanding, in such cases divorce must be made possible, "for the sake of hard heartedness." Divorce is a

sin before God, but the sermon concerning the forgiveness of sins is also valid for divorcees.<sup>38</sup>

The "Blessing" is from the Sarum rite, taken into the North American Lutheran rite via the 1549 *Book of Common Prayer*. This text underpins the *lex credendi* for Lutheran marriage as a natural order created by God with its Genesis 2 references (Adam and Eve and "the Lord God"). However, the new rite gives emphasis to growth in the couple's relationship throughout their lifetime. The "Blessing" thereby supports its primary metaphor; it calls on God's sustenance for the newly made covenant.

The three set prayers (nos. 276–278) summarize the basic theological idioms which have dominated the rite. The first prayer grafts the couple into God's establishment of and intention for marriage. The second petition prays for the couple's life together and asks that they will be a model for the community in proclaiming the Reign of God. The couple is placed in a sacramental role, together with the entire community, being challenged to bless God with "the gift" in which they rejoice today. As a sacrament reflects the mystery of Christ's dying and rising, so the couple also reflect this paschal mystery. The two persons die to self and rise to a new life with each other and as a community blessed by God. In covenanting with each other, they participate in Christ's mission: to give fully of self in order to establish new life under the reign of God.

Although marriage is certainly not considered a sacrament by the Lutheran church, the implication of the first prayer and the petition for the couple's life together made in the second prayer allow for a sacramental understanding of the covenant which has just been made. Writing in the influential series *Alternative Futures for Worship: Christian Marriage*, William Roberts' expression of Christian marriage as a sacrament, in accordance with Roman theology, is pertinent to the theology of the Lutheran rite: "Within this global sacramentality of Christian life, married couples and their families are meant to play a distinctive sacramental role....The sacrament of Christian marriage is the couple in their continuing gift of self to one another."<sup>39</sup> The dying to self and rising to each other which two Christians model in marriage establishes them in a global and worldly sacramental role. This role is subsequent to the legal aspect of marriage.<sup>40</sup> Reformation theology operated with

a strong civil sense to marriage and regarded marriage in the context of an ecclesiastical institution. Luther's struggle with the transforming power of marriage converges with the current emphasis in liturgical theology that sacraments actualise the paschal mystery. The participants change in a sacrament because they participate in the transforming act of Christ: death and resurrection. Dying to self in the covenant of marriage and rising to new life in community with another bears sacramental witness to Christ.<sup>41</sup> The "Proper Preface" further endorses this theology of the rite.<sup>42</sup> It acknowledges marriage as an order of creation which proclaims God's steadfast love even to those who do not know the Christian faith. Once again, while supporting traditional Lutheran teaching, contemporary understandings of the sacramentality of marriage are reflected: "With their marriage, [two Christians] create a special shared faith and discipleship which bears sacramental witness in a new way.... Within the Christian community, by the permanent and exclusive gift of self to one another that is symbolized in their marital intercourse, they reveal the nature of God's saving activity."<sup>43</sup>

This type of self-giving love which "bears sacramental witness in a new way" is emphasised in the "Post-communion Prayer" which reasserts the paschal mystery.<sup>44</sup> Using scriptural allusions to Revelation 19:7 and Ephesians 5:25, the prayer affirms that the self-giving love of the couple exists for the benefit of the world, for mission, for actualizing the Reign of God begun by Christ; Christ's free giving poses the model after which the marital love will strive. The couple must be a witness and testimony to the sacrifice of Christ, calling the world to imitate the love which has found them.<sup>45</sup> By revealing Christ's self-giving love to the world they are presenting Christ and act as sacrament in the world.

#### IV. Conclusion

Although it closely follows the traditional Lutheran theological contexts for marriage, the *lex credendi* of the present rite reveals a nuanced shift towards contemporary understandings of the sacramentality of marriage. In light of Dietrich Bonhoeffer's remark regarding the Lutheran Doctrine of marriage this is hardly surprising. Bonhoeffer centres his exposition on



the couple's enacting a covenant. Contemporary sacramental teaching on marriage considers the couple to reflect Christ, the original sacrament: the couple witnesses to the paschal mystery. The covenant of this couple can readily be identified as parallel to God's covenant with the church through Christ.

It is an interesting quirk that the Lutheran rite, which originated amidst such vehement denunciations of churchly prerogatives in marriage, not to mention sacramentality, has embodied the richest element of Christ present in the church: covenant. Regarding marriage as a worldly estate, relegated to the natural orders, it is somewhat freed from the considerations of "form and matter" implied by a strong institutional affiliation. Hence, it can more readily be invested with the strength of mission which all expressions of the Reign of God need to contain. As an elemental part of God's Reign it surely is sacramental.

## Notes

- <sup>1</sup> Arnold van Gennep identifies three stages to rites of passage: separation, liminality, and incorporation and he calls marriage the most important of the transitions from one social category to another. [A. van Gennep, *The Rites of Passage*, trans. M. Vizedom and G. Caffee (Chicago: University of Chicago Press, 1960) 21, 116–145.] Based on van Gennep, Victor Turner continues the discussion [Victor Turner, *The Ritual Process* (Ithaca, New York: Cornell University Press, 1969) 94–97]. Kenneth Stevenson argues that these stages form the deep substructure of marriage rites and changes to the marriage liturgy have only involved alterations to the surface structures. On a pastoral and educational level the church responds to the three stages, but these responses have left the liturgical structure unaltered. [Kenneth Stevenson, "Van Gennep and Marriage—Strange Bedfellows?—A Fresh Look at the Rites of Marriage", *Ephemerides Liturgicae* 100 (1986) 138–151.]
- <sup>2</sup> E.g., Pre-Christian Jewish marriage rites honoured the experience of a passage. Marriage practice provided for celebration of the betrothal (separation) followed by a time of engagement (liminal stage). The marriage marked the incorporation stage; this took the form of a blessing (initially in the groom's home, later outside under a canopy representing the groom's new home). K. Stevenson suggests that "early Christians knew a sequence of betrothal and marriage, together with negotiation and contract" and he observes that, after toleration (fourth century), the three stages persist until the medieval period. [Kenneth Stevenson, *To Join Together. The Rite of Marriage* (New York: Pueblo, 1987) 18 and 24.]

- <sup>3</sup> The social and ecclesial forces shaping medieval developments are outlined by Bernard Cooke, "Historical Reflections on the Meaning of Marriage as Christian Sacrament", *Alternative Futures for Worship*, Vol. 5: *Christian Marriage*, ed. Bernard Cooke (Collegeville: Liturgical Press, 1987) 33–46. Of interest here are pp. 37–40.
- <sup>4</sup> Cf. Aidan Kavanagh, *On Liturgical Theology* (New York: Pueblo, 1984) 73–95. Fr. Kavanagh presents two models: *theologia prima* and *theologia secunda* and argues with Schmemmann that a liturgical act "is a theological act of the most all-encompassing, integral, and foundational kind" (89). Note also pp. 79–84.
- <sup>5</sup> For a model rite which takes van Gennepe's three stages as its structure, cf. K. Fischer and T. Hart, "Liturgy for Celebrating Christian Marriage", *Alternative Futures for Worship*, Vol. 5, *Christian Marriage*, ed. Bernard Cooke (Collegeville: The Liturgical Press, 1987) 73–83.
- <sup>6</sup> Kenneth Stevenson, *To Join Together*, 8.
- <sup>7</sup> In Luther's rite of 1529, the contractual part of the rite takes place at the church door; only after the consent, rings, and the declaration of marriage by the priest does the procession go into the church for scripture reading and prayer. These latter become a commentary on what *has already* taken place. [Cf. Martin Luther, "Order of Marriage for Common Pastors (1529)", *Luther's Works (LW)*, American Edition, Vol. 53: *Liturgy & Hymns*, trans. P.Z. Strodach, ed. Ulrich Leupold (Philadelphia: Fortress Press, 1965ff) 111–115.] For a study of Luther's rite, B.D. Spinks, "Luther's Other Major Liturgical Reforms: 3. The Traubüchlein", *Liturgical Review*, 10 (1980) 33–38.
- <sup>8</sup> In the rite immediately preceding the 1978 *Lutheran Book of Worship (LBW)*, the minister based his pronouncement of the marriage on the couple's consent: "Forasmuch as N. and N. have consented together in holy wedlock..." [The Commission on the Liturgy and Hymnal, *Service Book and Hymnal* (Minneapolis & Philadelphia: Augsburg and Board of Publication, Lutheran Church in America, 1958) 272]. To pronounce the marriage based upon consent accords with the decrees of the Council of Trent, yet Lutheran tradition refused marriage any sacramental status. The Lutheran posture on marriage can be summarised: "However marriage is to be described, it is 'a worldly estate', not a sacrament, but it must be celebrated in church... it is 'a divine creation and command',... 'the blessing of God and common prayer'." [Luther's comments compiled by Kenneth Stevenson, *Nuptial Blessing* (London: Alcuin Club/S.P.C.K., 1982) 126.] In the sixteenth century debates: "the sacramentality of marriage is fought over, although both sides agree that marriage is important and that it must take place in church if it is to be recognised as authentically Christian. This underlying attitude is not antiseccular; it is a way for separated churches to clarify their minds and assert their positions over their own." [Kenneth Stevenson, *To Join Together*, 104.]
- <sup>9</sup> "Marriage" in *Lutheran Book of Worship: Ministers Desk Edition* (Minneapolis: Augsburg Publishing House and Philadelphia: Board

- of Publication, Lutheran Church in America, 1978), prayer no. 277, p. 330.
- 10 This aspect was brought into marriage by the Teutonic migrations. They viewed marriage in terms of contract in contrast to imperial Rome which followed a tradition of consent. The Teutons regarded women as chattel while Roman law viewed women as independent legal entities.
- 11 Luther himself begins the introduction to "Order of Marriage for Common Pastors" with the proverb "Many lands, many customs" [*LW*, Vol. 53, 111].
- 12 Lutherischen Liturgischen Konferenz, *Trauung. Das kirchliche Handeln bei einer Eheschliessung* (Hannover: Lutherisches Verlagshaus, 1983) 23.
- 13 Kenneth Stevenson, *Nuptial Blessing*, 126.
- 14 *Ibid.*, 128.
- 15 *LW*, Vol. 53, 111–113.
- 16 *Apology of the Augsburg Confession [Apology]* in *The Book of Concord. The Confessions of the Evangelical Lutheran Church*, trans. and ed. T. Tappert (Philadelphia: Fortress, 1959) 240–242. Corinthians is cited as quoted in the *Apology*.
- 17 Helmut Thielicke, *Theological Ethics*, Vol. III: *The Ethics of Sex*, trans. John Doberstein (Grand Rapids, Michigan: Eerdmans, 1979) 138–139.
- 18 Ernst Kinder makes a helpful distinction on this point: "[*Die Ehe ist/Anordnung Gottes zur Erfüllung des Menschseins... als Bewahrungsordnung Gottes gegen die menschliche Sünde... Die Ehe ist nicht zunächst eine Sollordnung, sondern eine Seinsordnung für den Menschen.*]" [*Die Ehe*" in *Die Mischehe, Handbuch für evangelische Seelsorge* (Göttingen: Wolfgang Sucker, Joachim Lell u. Kurt Nitschke, 1959) 9–35.]
- 19 Helmut Thielicke, *Theological Ethics*, 126.
- 20 Lutherischen Liturgischen Konferenz, *Trauung*, 21–22. Translation my own.
- 21 George Forell, *Faith Active in Love. An Investigation of the Principles Underlying Luther's Social Ethics* (Minneapolis: Augsburg, 1954). The notes are translations by the author from the *Weimar Ausgabe* of Luther's complete and unabridged works. Cf. notes nos. 74–79, p. 140.
- 22 George Forell, *Faith Active in Love*, cf. notes nos. 42–43, pp. 128–129. Cf. also Helmut Thielicke, *Theological Ethics*, 137–138.
- 23 Wolfgang Trillhaas summarizes this institutional distinction which has been determinative for the praxis of marriage within the Lutheran church: [*Die*] *Grundordnung [der Ehe] gilt unerachtet ihrer erheblichen Wandlungsfähigkeit in Hinsicht auf die Sozialgeschichte und Rechtsgeschichte und unerachtet der Kompliziertheit dieser Verbindung... Die Ehe ist eine wandlungsreiche Institution, aber sie ist in allem Wandel immer Institution, und zwar in dem doppelten Sinne: sie ist "Stiftung Gottes," von Gott dem Schöpfer, "eingesetzt" als die von ihm gewollte Weise der Verbindung von Mann und Frau, als "Stand" der Ehegatten, und sie ist auch in dem Sinne Stiftung, daß sie eine göttliche Gründung*

- der konkreten Ehe in jedem einzelnen Fall bedeutet.* [Wolfgang Trillhaas, *Ethik*, 3rd ed. (Berlin: 1970) 316.]
- 24 Dietrich Bonhoeffer, *Ethics*, ed. Eberhard Bethge, trans. Neville Horton Smith (New York: Macmillan, 1965) 175.
- 25 "Marriage" in *Lutheran Book of Worship: Ministers Desk Edition*, 328–330. "Propers for Marriage", *Ibid.*, 189–190.
- 26 Philip H. Pfatteicher, *Commentary on the Lutheran Book of Worship. Lutheran Liturgy in Its Ecumenical Context* (Minneapolis: Augsburg Fortress, 1990) 456.
- 27 The entry into the church for the proceedings before the altar marked, for Luther, the beginning of the religious service. [Cf. *LW*, Vol. 53, 114.]
- 28 Philip Pfatteicher, *Commentary*, 464.
- 29 Cf. William Roberts, "Theology of Christian Marriage", *Alternative Futures for Worship*, Vol. V, *Christian Marriage*, ed. Bernard Cooke (Collegeville: The Liturgical Press, 1987) 50.
- 30 Bernard Cooke, "Historical Reflections", 45.
- 31 George Forell, *Faith Active in Love*, notes nos. 77–78, p. 140.
- 32 Lutherischen Liturgischen Konferenz, *Trauwung*, 22.
- 33 *Lutheran Book of Worship: Ministers Desk Edition*, 36.
- 34 These considerations are the primary focus of Thielicke's discussion of the Roman sacramental view of marriage based upon "form and matter" reasoning (i.e., instrumental rather than symbolic) which was the norm in Luther's day. [Helmut Thielicke, *Ethics*, 125–130 and Martin Luther, "The Pagan Servitude of the Church, 1520" (§5: Marriage) trans. Bertram Lee Woolf in *Martin Luther*, ed. J. Dillenberger (Garden City, New York: Anchor Books, 1961) 326–340.]
- 35 Bernard Cooke, "Historical Reflections", 45.
- 36 William Roberts, "Theology of Christian Marriage", 61.
- 37 Cf. *Ibid.*, 62: "To experience the salvation of Christ is to live, as Christ, in faith, trust, and a love that gives life to others. To live this way is the opposite of sin, which is alienation from God and from one another. It is by making possible for us a new relationship to God and to our fellow humans that Christ has saved us. Actual salvation, however, requires on the part of each person a genuine conversion of heart and mind."
- 38 Lutherischen Liturgischen Konferenz, *Trauwung*, 22. Translation my own.
- 39 William Roberts, "Theology of Christian Marriage", 61.
- 40 Cf. Helmut Thielicke, *Ethics*, 135.
- 41 It needs to be noted that a different understanding of sacrament prevailed in the Roman church of Luther's time, i.e., "form and matter". He also assumed that marriages were exclusively solemnized by the church (such times have changed!). Thielicke considers Luther's three arguments in *Ethics*, 131–135.
- 42 Philip Pfatteicher, who wrote the Preface, asserts that a similar idea is expressed in the Roman Eucharistic Prayer III for marriage. [Philip Pfatteicher, *Commentary*, 468–469.]



<sup>43</sup> William Roberts, "Theology of Christian Marriage", 61.

<sup>44</sup> The prayer bears some resemblance to the second of the alternative prayers after communion (VIII.123) in the Roman Ritual [International Commission on English in the Liturgy, *The Rites*, Vol. I (New York: Pueblo, 1990) 756.] <sup>45</sup> The "Post-communion Prayer" is a close representation of the vision which William Roberts presents for a couple: "Christian marriage is a way of life in which a couple lives out their relationship inspired by the sacrificial, that is, self-giving, love of the Christ who entered into new life by the complete gift of himself in death." He lists a number of dyings to self in order to live in love and peace. "Through such dyings and risings they grow increasingly into the risen Christ who continues to proclaim through them as sacrament." [William Roberts, "Theology of Christian Marriage", 63.]