

CONSIDERATIONS ON DIVORCE A *VINCULO MATRIMONII*

In connexion with Holy Scripture

A BARRISTER

LONDON: C. J. STEWART, 1857

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This file contains (A) the reviewer's "Extracts Illustrative of the Author's Position," and (B) the actual text of the 1857 book.

SOME EXTRACTS ILLUSTRATIVE OF THE AUTHOR'S POSITION

by Dr. Leslie McFall (Cambridge, England)

21 July, 2008

The author is unknown, describing himself as "A Barrister." This is a small book of 62 pages, but the author puts forward a good case that Jesus made no allowance for the dissolution of any marriage on any grounds, including the so-called exceptive clauses in Matthew 5:32 and 19:9.

He is a rare scholar in that he is the earliest one known to me to take into account the Erasmian addition of $\epsilon\iota$ at Matthew 19:9, which led the Reformation Church leaders astray over the issue of Jesus' teaching on the indissolubility of marriage. Having led the leaders astray, they in turn led all who followed them astray by incorporating Erasmus's humanist doctrine into their Confessions of Faith, where it has remained like a law of the Medes and Persians, doing untold damage to thousands of Christian marriages since 1516.

One of the author's perceptive observations is that: "A rule, which does not admit an exception, is very different from one which does. A law which binds all persons, under all circumstances, is not the same as one which binds only particular classes, or which exempts, under certain circumstances, from its operation" (p. 5). This is significant for accounting for the absence of Matthew's so-called exceptive clause in Mark and Luke.

On pp. 6-7 he noted, ". . . were St. Matthew's gospel not in existence, no man would ever have dreamed, that a divorce by reason of adultery was an exempted case. If, then, St. Matthew introduces such an exception, he makes the rule essentially different from the rule which the others [Mk & Lk] give, he allows what they prohibit: and the question, whether he does so or not, is one of awful moment; . . . The result, therefore, of this difference, if such a difference there be, is, that

what, according to two Evangelists, is forbidden, and a sin of the highest enormity, is, according to a third, permitted, and therefore no sin at all; and thus the teaching of the New Testament is at variance with itself, and the sacred writers contradict each other, and that, too, upon one of the most important questions which can affect the moral and social welfare of mankind."

On page 8 and following he deals with two resolutions. Either Matthew must be read in the light of Mark & Luke, or Mk & Lk must be read in the light of Matthew. He believed that it was a long time before the Church brought all four Gospels together, and consequently Mk & Lk would not have any exceptions to the indissolubility of marriage. ". . .[What] was the condition, in the mean time, of those who had only St. Mark's and St. Luke's to direct them? They must have been misled, and compelled to submit to a hardship, from which the more fortunate possessors of St. Matthew's gospel were altogether free. They were taught to regard that as sin, which in truth was no sin at all" (p.12). " The case, therefore, comes to this: either our blessed Lord gave a rule, prohibiting all divorce *a vinculo matrimonii*, even in cases of adultery, or He did not. If He did, St. Mark and St. Luke have reported that rule correctly; if He did not, their several reports of it are incorrect: and to endeavour to make them correct, by saying, that they must have intended to report it as if it excepted cases of adultery, as if it was really a different rule, and this simply because another report, of which they probably never heard, is understood to contain such an exception, is to do what would not be permitted in dealing with any other authors" (pp. 13-14).

From page 16 onwards he argues: " We are consequently driven to the second; and thus are led to conclude, that the supposed exception of cases of adultery from the prohibition of divorce, which has been inferred from St. Matthew's gospel, is really no exception at all; that the words need not be, and ought not to be, so understood; and that there is no inconsistency between St. Matthew and the other two Evangelists, in recording our Lord's prohibition."

Mt 5:31 is understood as: "Now the first of these expressions, παρεκτὸς λόγου πορνείας, which is translated in the authorised version, "saving for the cause of fornication," may be more correctly rendered "apart from the question of fornication, without reference to the subject of fornication, or, independently of a case of fornication" (p.17). He has correctly understood the Greek expression here as Acts 26:29 makes clear. On the words of the so-called exceptive he says: "inasmuch as they obviously refer to a portion of the Mosaic law, with which our Saviour was not then dealing: they refer to the case of adultery; for πορνεία, or fornication, committed by a married woman, is undoubtedly that crime. Now for that the law had specially provided, by making it a capital offence, and positively requiring that both the offending parties should be put to death" (p.18). " As the case of adultery was thus quite independent of what our Lord was then

considering, He was likely, if He noticed it at all, to do so only parenthetically or incidentally, so as to prevent His meaning from being misunderstood; and hence, in regarding the words παρεκτός λόγου πορνείας as a mere parenthesis, we are but taking them as the sense and scope of the whole passage require that they should be taken. The sentence, therefore, may thus be paraphrased: "Whosoever shall put away his wife (I am not now speaking of fornication; for a question of that sort is quite distinct from what I am considering, that case being provided for by a separate law), causeth her to commit adultery. . . . By that law, the woman guilty of adultery would be put to death; and therefore there *could be* no danger of her committing adultery afterwards, or of her being improperly married to another man" (p.20).

Another telling point is this: "To say that He meant, by using the words παρεκτός λόγου πορνείας (however rendered), that, when a woman had committed adultery, her husband might simply put her away, and she might afterwards be married to another man, is really to suggest a connivance on the part of the Lawgiver Himself at the transgression of His own law; . . ." (p.21).

". . . we can scarcely help coming to the conclusion, that they [exceptive words] are nothing more than an incidental notice of the case, in which a man was required to put away his wife for the purposes of public justice; they are intended simply to show, that with that case our Lord was not dealing, and are as if He had said, "Whosoever shall put away his wife (saving for the cause of fornication, for which the law orders him to put her away in a particular manner, and for a special purpose, which is, of course, independent of what I am saying), causeth her to commit adultery, . . ." (p.23).

Here the author misses the main point of Mt 5:32, which is that Jesus draws attention to an *exception to responsibility* for a wife's extra-marital affairs while still married to her husband, and extra-marital affairs she may have *after* he has divorced for, for the assumption is that she will have to remarry to exist. So there is a very severe warning to all husbands that they cannot divorce their wives on any grounds, and if they do, they will be held responsible for their wives having relations with another man. The husband has the responsibility for his wife's sexual history. She can only have sex with one living man. By divorcing her, the husband is encouraging her to have sex with another living male, which is adultery. Therefore he is aiding and abetting his wife to commit adultery.

He translates Mt 5:32, as: "Whosoever shall put away his wife (saving for the cause of fornication, for which the law orders him to put her away in a particular manner, and for a special purpose, which is, of course, independent of what I am saying), causeth her to commit adultery, . . ." (p.23).

On page 24 he deals with the exceptive clause (εἰ μὴ ἐπὶ πορνείᾳ) in Mt 19:9. He goes along at first with the common translation: "Granting that she may be put away for this cause, the marriage itself must subsist notwithstanding, if man cannot put asunder what God hath joined together. A separation may be allowable, but a divorce impossible; the exception being, as the words stand, to the "putting away," not to the subsequent part of the sentence, "and shall marry another" (p.27). He then argues: "The only mode, therefore, of explaining the narrative consistently is, to say that this second part is governed by the first, not that the second introduces an exception, which would materially alter the meaning or effect of the first" (p.27).

" Still, it will be said, He did introduce an exception; for the words εἰ μὴ ἐπὶ πορνείᾳ, "except it be for fornication," plainly amount to this. The answer is, that they do not—not to an exception to the rule, which declared marriage indissoluble by human authority, which forbade man and wife to separate, so as to be able to marry again in each other's lifetime. They are merely a passing reference to the case, in which the law required that the wife should be put away, in order to be punished capitally; . . ." (p.28). "[The] Pharisees, in their eagerness to "entangle Him in His talk," might have objected, that He was seeking to set aside that law, and to prevent a man from marrying again, although his wife had been put to death for adultery. He therefore anticipated any such objection, by showing, that what He said did not apply to such a case; that He did not mean to interfere with that law" (p.28).

This is a desperate attempt to explain the exception. Better to see it as a prohibition on obtaining a divorce specifically for fornication. In other words, Jesus knows the main grounds for divorce and he specifically rules it out.

The following is true: "It is as if He had said, "I have told you that marriage is indissoluble by the original law of your Creator. I have insisted upon the observance of that law, and forbidden any human authority to violate it. You have objected to Me the permission which Moses gave you, as inconsistent with that law; but I annul that very permission, for it was nothing more than a mere permission, granted by indulgence to your hardness of heart; and I tell you, that henceforth no man is to put away his wife and to marry another in her lifetime, in any case" (p.29). But it does not answer the purpose of the exceptive clause.

Page 31 goes into some detail that εἰ μὴ does not necessarily mean "except;" which is another hard case. In common parlance this is what it does mean. Even so, he argues: ". . . if the translation stands thus, "whosoever shall put away his wife, though not for fornication, and shall marry another, committeth adultery," the sense will amount to no more than this, that the putting away of the wife who *has not* committed adultery, and marrying again, *is adultery*, not that the

putting away of one who *has* committed adultery, and marrying again, *is not adultery.*"

Page 32 gets to the heart of the textual problem. "But the whole passage will be rendered much clearer, if, instead of εἰ μὴ ἐπὶ πορνείᾳ, which we find in the common editions of the New Testament, we adopt that which appears to be the true reading, μὴ ἐπὶ πορνείᾳ,—a reading which has the sanction of the best biblical critics and commentators, Protestant as well as Catholic." "What, then, is their meaning? Evidently just the same as that of the words παρεκτὸς λόγου πορνείας, in the Sermon on the Mount, which we have seen introduced there precisely in the same manner; . . ." (p.33). And again: "The literal translation, then, of μὴ ἐπὶ πορνείᾳ, being, of course, "*not for fornication*" and the words being read as a parenthesis, the sense will be, "I am not speaking of fornication,—I am not referring to that case;" and the verse may be thus paraphrased: "Whosoever shall put away his wife (not for fornication, I am not speaking of that,—that is a different case, separately and specially provided for by the law), and shall marry another, committeth adultery" (p.34).

The author is closer to my position here. Mt 19:9 is dealing with a different issue to that in 5:32. Here, the Lord is condemning the use of fornication to obtain a divorce. All sins must be forgiven between humans. Jesus says, "he may not [divorce] for fornication." My position and translation is less parenthetical, and more direct and specific.

Page 46 and following deal with Paul's views on divorce and remarriage.

"Surely, an absolute dissolution of the marriage union is as inconsistent with the spirit of Scripture, as it appears to be with the letter: it directly hinders the fulfilment of those duties from which no Christian can ever be exempt" (p. 53).

An final excellent point is his deduction: "But let me further remark, that if Scripture is to be tortured into giving authority for divorce *a vinculo matrimonii* in the case of adultery, if the man who has put away his wife for that cause may marry again in her lifetime, there is nothing in the New Testament which shows, that the wife who is so put away may not marry as well. If he may marry another in her lifetime without being guilty of adultery, it is because the first marriage is dissolved; and if dissolved at all, it is dissolved equally for both the parties. She may therefore marry again in his lifetime, as well as he in her's; and then there is nothing whatever to prevent her, so far as the New Testament has declared, from marrying the very man with whom she has committed the offence, if he happens to be single. And as there is nothing also which requires, in order to her husband's putting her away for this cause, that he should himself be innocent of the same crime, even with another man's wife, if the husband of the woman with whom he has committed adultery happens to be the man with whom his own wife has been guilty, then, if the two husbands both

put away their respective wives, there is nothing which forbids a regular exchange of husbands and wives, where adultery has mutually taken place; and if this may thus happen between two married couples, it may equally happen between a hundred, or a thousand, or any number; and the same persons who have made such exchanges once, may make others afterwards, when they have committed adultery again. . . . He foresaw, too, the flood of iniquity which would be let loose, if the marriage tie was rendered separable even in a case of adultery; and therefore He absolutely forbade it;" (pp. 53-54).

"It is evident, therefore, from all that has been said, that the prohibition of divorce is universal; that it extends wherever Christianity is professed; and thus, although our Lord, in one part of His conversation with the Pharisees, may have put aside the consideration of adultery in connection with divorce, in consequence of its being specially provided for by the Jewish law, it would be ridiculous to suppose, that, as the Jewish law is abolished, it is now an open question, and that any legislature may authorise the dissolution of marriage when adultery has been committed. The very reason on which our Lord founded His prohibition excludes the possibility of this, as it showed that marriage was made indissoluble by the Creator Himself; and the solemn words which He added, "What therefore God hath joined together, let not man put asunder," are just as absolute for one nation as they are for another—for Gentiles as well as Jews" (pp. 57-8).

END OF EXTRACTS FROM THE AUTHOR

THE TEXT OF THE AUTHOR'S BOOK

The following text was downloaded from the internet. The reviewer has added some footnotes to indicate where he differs from the unknown author's position on the Exceptive Clauses in Matthew's Gospel.

CONSIDERATIONS ON DIVORCE.

HAVING recently had my attention called to the subject of Divorce, I was anxious to ascertain, whether a divorce, dissolving the marriage tie, and allowing the parties to marry again, or, as it is commonly called, a "*divorce a vinculo matrimonii*," by reason of the adultery either of the husband or of the wife, the parties being Christians, is, or is not, prohibited by the Scriptures of the New Testament; and being now convinced that it is, I propose to state the reasons which have led me to this conclusion. The question is at any time interesting and important, but is particularly so at the present, when the legislature is called upon

to interfere, and to render such divorces generally legal and attainable. With the arguments which may be urged, either for or against such a measure, on grounds of public policy or expediency, I have nothing to do; it is not my intention to consider them. My business is simply with the rule of Scripture; which, if it condemns such divorces, not only, is the strongest, but ought to be at once a conclusive argument against them, if the

[p.2] profession of Christianity is any thing more than a name.

Now the passages of the New Testament which bear most directly upon this subject, and suffice to settle it, are those which occur in the three gospels of St. Matthew, St. Mark, and St. Luke: that is to say, in the 5th and the 19th chapters of St. Matthew's gospel; in the 10th chapter of St. Mark's; and in the 10th chapter of St. Luke's: and in order that the reference to them may be more easy, and the construction of them more intelligible, I here place them both the original Greek and the authorised version side by side, in a tabular form. Those passages which may be found in the writings of St. Paul I reserve for subsequent consideration, as explanatory and corroborative of those in the gospels.

<p><u>Matt. 5:31</u> ¶ Ἐρρέθη δέ· ὃς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ, δότω αὐτῇ ἀποστάσιον.</p> <p><u>Matt. 5:32</u> ἐγὼ δὲ λέγω ὑμῖν ὅτι πᾶς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ παρεκτὸς λόγου πορνείας ποιεῖ αὐτὴν μοιχευθῆναι, καὶ ὃς ἔαν ἀπολελυμένην γαμήσῃ, μοιχᾶται.</p> <hr/> <p><u>Matt.</u> Καβ ¶ προσῆλθον αὐτῷ Φαρισαῖοι πειράζοντες αὐτὸν καὶ λέγοντες· εἰ ἔξεστιν ἀνθρώπῳ ἀπολύσαι τὴν</p>	<p><u>Mark</u> 1Κα¶ προσελθόντες Φαρισαῖοι ἐπηρώτων αὐτὸν εἰ ἔξεστιν ἀνδρὶ γυναῖκα ἀπολύσαι, πειράζοντες αὐτόν.</p> <p><u>Mark 10:3</u> ὁ δὲ ἀποκριθεὶς εἶπεν αὐτοῖς· τί ὑμῖν ἐνετείλατο Μωϋσῆς;</p> <p><u>Mark 10:4</u> οἱ δὲ εἶπαν· ἐπέτρεψεν Μωϋσῆς βιβλίον ἀποστασίου γράψαι καὶ ἀπολύσαι.</p> <p><u>Mark 10:5</u> ὁ δὲ Ἰησοῦς εἶπεν αὐτοῖς· πρὸς τὴν σκληροκαρδίαν</p>	<p><u>Luke 16:18</u> ¶ Πᾶς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ καὶ γαμῶν ἑτέραν μοιχεύει, καὶ ὁ ἀπολελυμένην ἀπὸ ἀνδρὸς γαμῶν μοιχεύει.</p>
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¹ The last five words are omitted in NA27

<p>γυναίκα αὐτοῦ κατὰ πᾶσαν αἰτίαν;</p> <p><u>Matt. 19:4</u> ὁ δὲ ἀποκριθεὶς εἶπεν οὐκ ἀνέγνωτε ὅτι ὁ κτίσας ἀπ' ἀρχῆς ἄρσεν καὶ θήλυ ἐποίησεν αὐτούς;</p> <p><u>Matt. 19:5</u> καὶ εἶπεν ἕνεκα τούτου καταλείπει ἄνθρωπος τὸν πατέρα καὶ τὴν μητέρα καὶ κολληθήσεται τῇ γυναικὶ αὐτοῦ, καὶ ἔσονται οἱ δύο εἰς σάρκα μίαν.</p> <p><u>Matt. 19:6</u> ὥστε οὐκέτι εἰσὶν δύο ἀλλὰ σὰρξ μία. ὁ οὖν ὁ θεὸς συνέζευξεν ἄνθρωπος μὴ χωριζέτω.</p> <p><u>Matt. 19:7</u> λέγουσιν αὐτῷ· τί οὖν Μωϋσῆς ἐνετείλατο δοῦναι βιβλίον ἀποστασίου καὶ ἀπολύσαι [αὐτήν];</p> <p><u>Matt. 19:8</u> λέγει αὐτοῖς ὅτι Μωϋσῆς πρὸς τὴν σκληροκαρδίαν ὑμῶν ἐπέτρεψεν ὑμῖν ἀπολύσαι τὰς γυναῖκας ὑμῶν, ἀπ' ἀρχῆς δὲ οὐ γέγονεν οὕτως.</p> <p><u>Matt. 19:9</u> λέγω δὲ ὑμῖν ὅτι ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ μὴ ἐπὶ πορνείᾳ καὶ</p>	<p>ὑμῶν ἔγραψεν ὑμῖν τὴν ἐντολήν ταύτην.</p> <p><u>Mark 10:6</u> ἀπὸ δὲ ἀρχῆς κτίσεως ἄρσεν καὶ θήλυ ἐποίησεν αὐτούς;</p> <p><u>Mark 10:7</u> ἕνεκεν τούτου καταλείπει ἄνθρωπος τὸν πατέρα αὐτοῦ καὶ τὴν μητέρα [καὶ προσκολληθήσεται πρὸς τὴν γυναῖκα αὐτοῦ],</p> <p><u>Mark 10:8</u> καὶ ἔσονται οἱ δύο εἰς σάρκα μίαν· ὥστε οὐκέτι εἰσὶν δύο ἀλλὰ μία σὰρξ.</p> <p><u>Mark 10:9</u> ὁ οὖν ὁ θεὸς συνέζευξεν ἄνθρωπος μὴ χωριζέτω.</p> <p><u>Mark 10:10</u> ¶ Καὶ εἰς τὴν οἰκίαν πάλιν οἱ μαθηταὶ περὶ τούτου ἐπηρώτων αὐτόν.</p> <p><u>Mark 10:11</u> καὶ λέγει αὐτοῖς· ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ καὶ γαμήσῃ ἄλλην μοιχᾶται ἐπ' αὐτήν·</p> <p><u>Mark 10:12</u> καὶ ἐὰν αὐτὴ ἀπολύσασα τὸν ἄνδρα αὐτῆς γαμήσῃ ἄλλον μοιχᾶται</p>	
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<p>γαμήση ἄλλην μοιχᾶται. καὶ ὁ ἀπολελυμένην γαμήσας μοιχᾶται.¹</p> <p><u>Matt. 19:10</u> ¶</p> <p>Λέγουσιν αὐτῷ οἱ μαθηταὶ [αὐτοῦ]· εἰ οὕτως ἐστὶν ἡ αἰτία τοῦ ἀνθρώπου μετὰ τῆς γυναικός, οὐ συμφέρει γαμῆσαι.</p> <p><u>Matt. 19:11</u> ὁ δὲ εἶπεν αὐτοῖς· οὐ πάντες χωροῦσιν τὸν λόγον [τοῦτον] ἀλλ' οἷς δέδοται.</p> <p><u>Matt. 19:12</u> εἰσὶν γὰρ εὐνοῦχοι οἵτινες ἐκ κοιλίας μητρὸς ἐγεννήθησαν οὕτως, καὶ εἰσὶν εὐνοῦχοι οἵτινες εὐνουχίσθησαν ὑπὸ τῶν ἀνθρώπων, καὶ εἰσὶν εὐνοῦχοι οἵτινες εὐνούχισαν ἑαυτοὺς διὰ τὴν βασιλείαν τῶν οὐρανῶν. ὁ δυναμένοσ χωρεῖν χωρεῖτω.</p>	<p>μοιχᾶται.</p>	
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{The English translation has been omitted.—LMF}

[p.5] Now the thing which seems most important, in comparing these passages, is the difference in the language of our Lord, as it is recorded by St. Matthew, and as it is found in the other two Evangelists: the former containing what is alleged to be a qualification of the rule laid down, or an exception to it; the latter containing no exception, but laying down the rule without any qualification. But it is impossible not to feel, that if this is more than a mere difference of expression, if it really involves such a difference as the one suggested, it is a difference of no trifling description. A rule, which does not admit an exception, is very different from one which does. A law which binds all persons,

under all circumstances, is not the same as one which binds only particular classes, or which exempts, under certain circumstances, from its operation. The difference in such cases is one, not of form, but of substance; it makes the rule or the law applicable, or inapplicable, according to particular circumstances, and variable in its effects; and upon this applicability or inapplicability depends the responsi-

[p. 6] bility or immunity, moral as well as legal, of those who are within the sphere of its authority; the difference being of course more marked, as well as more important, if the consequences of any violation of the rule or law are made severely penal.

Were a statute passed in terms similar to those employed by St. Mark and St. Luke, no court could venture to construe it otherwise, than as an absolute and universal prohibition; and were St. Matthew's gospel not in existence, no man would ever have dreamed, that a divorce by reason of adultery was an exempted case. If, then, St. Matthew introduces such an exception, he makes the rule essentially different from the rule which the others give, he allows what they prohibit: and the question, whether he does so or not, is one of awful moment; for whatever the rule really is, he who violates it is declared, by all the three Evangelists, to be guilty of nothing less than adultery; he commits a deadly sin, a crime of the greatest magnitude, one which perils his eternal salvation. The result, therefore, of this difference, if such a difference there be, is, that what, according to two Evangelists, is forbidden, and a sin of the highest

[p. 7] enormity, is, according to a third, permitted, and therefore no sin at all; and thus the teaching of the New Testament is at variance with itself, and the sacred writers contradict each other, and that, too, upon one of the most important questions which can affect the moral and social welfare of mankind. But no man, who believes the Scriptures to be the Word of God, can for a moment admit a proposition so monstrous; he assuredly must maintain, that these sacred oracles are consistent, and that what is prohibited by one is not permitted by another; and if certain premises lead inevitably to an opposite conclusion, then those premises must themselves be false. How, then, is the present difficulty to be met? How are we to construe these different texts of Scripture, so as to save them from the objection of being contradictory or inconsistent? That the language of the Evangelists varies, is indisputable; and that this variation is such, as to lead many persons to assert, that St. Matthew's [Gospel] authorises divorce *a vinculo matrimonii* in cases of adultery, although they admit that neither St. Mark's nor St. Luke's [Gospels] allows any exception, is notorious. The question therefore is, whether this can be satisfactorily explained; whether those, who claim the authority of St. Matthew's Gospel for these divorces, are entitled to do so; or whether the fair interpretation of Scripture, of the one gospel as of the others, does not require us to hold, that they are absolutely unlawful?

Now taking Scripture as the only test, being that

[p.8] alone by which Protestants profess to abide, I see but two modes of reconciling the Evangelists: either to blend, as it were, the three gospels together, and then, if St. Matthew's really contains the exception which it is said to do, to carry the same exception by implication into St. Mark's and St. Luke's, so as to include it as part of their meaning, although inconsistent with their expressions; —

or to maintain, that St. Matthew's gospel really contains no such exception, that the words, which have been supposed to warrant it, need not be, and ought not to be, so understood, and that there is no inconsistency at all between this and the other two gospels.

Of these two modes of meeting the difficulty, the former is that which has generally been adopted; as is said by Selden, in his *Uxor Hebraica*, chap. xxii.: "Cum hac distinctione (the exception in the case of adultery), ea quae simpliciter de uxore non dimittenda habentur apud Marcum, Lucam, et Paulum sumenda, quod et interpretibus optimis plane consonum." And the same is asserted by Bishop Cozens, in his argument in the Duke of Norfolk's case (*State Trials*, vol. xiii. p. 1332); an argument which is cited in the First Report of the Commissioners on the Law of Divorce, with an encomium which seems to me singularly undeserved. The view, however, thus taken, is undoubtedly popular, whatever may be thought of Bishop Cozens, and though Selden ventured rather too far when he said, that it was "*optimis interpretibus consonum*."

[p.9] The view, however, is inadmissible, be its supporters who they may; and this for a very plain reason.—Each of these narratives was written, not only by different authors, and in different countries, but at different times, and for the immediate use of different churches and converts. Each was altogether independent of the others; and there is no evidence to show, that any one of the three Evangelists, whose gospels we are considering, had, when he wrote his own, seen either of the others. St. Mark's gospel has indeed been called, I believe by St. Augustine, an epitome of St. Matthew's; but it is very doubtful whether more was meant by this, than that it related many of the same events in a more condensed or compendious form, not that it was really an abridgment. The probability seems to be, that neither St. Mark nor St. Luke had seen or known any thing of St. Matthew's; and there certainly is no reason to suppose, that any one of the three imagined, that the particular converts, for whom he wrote, would ever have access to any other authentic history of our Saviour's life and death. It was not till long after the age of these writers, that the Scriptures of the New Testament were collected together, and placed side by side in a single volume; and the difficulties which then existed, in multiplying copies of any work, and transmitting them to distant countries, would naturally prevent any author from making the true sense, or meaning, of his own composition dependent upon the chance of some other being cir-

[p.10] culated, and placed in the hands of his readers; and certainly, if the work contained no reference to any other, and gave its readers no hint that they were to look elsewhere for any further information, it never could be presumed to have been intentionally thus left imperfect. In each of these three gospels, there are abundant proofs, that the writer regarded it as complete in itself, and that it was not in any respect a supplement to any other; and if the facts are so, it is evident that we are not entitled to say, that any two, or even one of them, must have meant something very different from what they have written, when their words are perfectly clear and exclude any such meaning, simply because the third has said something to that effect, or which may perhaps be so understood. We can have no right, if St. Mark and St. Luke really differ from St. Matthew, to contend, that they must have contemplated the introduction of something inconsistent with their own narratives, because St. Matthew has introduced it, when they never refer to St. Matthew, and probably knew nothing of what he had written. If the narratives are inconsistent, and we are bound to choose between conflicting testimony, the more natural course would be, to make the one witness yield to the two, (all the three being equally trustworthy,) than to make the two yield to the one; and unquestionably, if the one is at all obscure, if his meaning is not quite so clear as that of the others, if, by any interpretation not absolutely absurd, we can construe his doubtful ex-

[p.11] pressions, so as not to be repugnant to their plain ones, we are bound, upon every principle of fairness and of common sense, to adopt that course, and not the converse of it. It is far more probable, even humanly speaking, that we should have mistaken the sense of St. Matthew's gospel, in two passages not in themselves free from difficulty, than that both St. Mark and St. Luke should have mistaken our Lord's meaning, and supposed that He intended to forbid all divorces *a vinculo matrimonii*, when He only meant to forbid those which were not on account of adultery. If any body could construe their words, so as to show an ambiguity in them, or raise any doubt as to their obvious meaning, the case would be different, there would then be some reason for taking another course; but if this cannot be, it is flying in the face of all the rules of criticism, to deal with these writers as the advocates of divorce claim to do.

But further; if St. Matthew's gospel contains an exception in favour of divorce, where adultery has been committed, then I should be glad to know, why it is that neither St. Mark's nor St. Luke's contains the same? Each, as I have said, was written independently of the others, and each was evidently intended to give the rule propounded by our Lord; each, too, was dictated by Divine inspiration, so that it should be an infallible guide to those for whose use it was designed. Why, then, have these two suppressed so material a proviso?—What object

[p.12] can they have had in doing so? Whether either of them had seen St. Matthew's gospel or not, (and if he had; his omission of such an

exception contained in it is still more remarkable), there could be no difficulty in stating the rule as fully, and so preventing any misunderstanding on the subject; and yet this is not done. And if St. Matthew's gospel was not at hand to supply the omission, as it clearly was not expected to be, and was not for many years afterwards, what was the condition, in the mean time, of those who had only St. Mark's and St. Luke's to direct them? They must have been misled, and compelled to submit to a hardship, from which the more fortunate possessors of St. Matthew's gospel were altogether free. They were taught to regard that as sin, which in truth was no sin at all. Those who are for blending the three gospels together, and putting a forced and unnatural interpretation upon two of them, because they think that the other requires a different interpretation, forget the difficulties in which this involves them, its inconsistency with the history of the gospels themselves, and with the circumstances under which they were written, as well as the position in which it leaves those, who never had the means of comparing one sacred writer with another, as we have at the present day. If it be suggested, that the oral teaching of the first preachers of Christianity supplied what was wanting, and prevented the early converts from making such mistakes, the answer seems

[p.13] to be any thing but satisfactory. The rule recorded by the two Evangelists, as given by our Lord, is still imperfectly and incorrectly stated, and I am utterly at a loss to understand why it should have been so stated, when it might just as easily have been given fully and correctly; why St. Mark and St. Luke, any more than St. Matthew, should have trusted to the oral teaching, either of themselves or others, not merely to amplify, to paraphrase, or to illustrate their writings, but to give those writings a very different meaning, to show our Lord's rule to be, not what their writings stated that it was, but something quite distinct, not an absolute and universal prohibition, but a prohibition inapplicable to perhaps the majority of cases, in which divorce would be wanted at all. "Littera scripta manet;" and many of those who would have the opportunity of reading the book, would have none of hearing the expositor, who was to tell them, that it was not intended to convey the meaning which they would see that it did; and it appears to be giving a much wider effect to the oral teaching of the first ages, than any Protestant would be willing to allow, thus to call in its aid, to account for the anomaly which I have noticed.

The case, therefore, comes to this: either our blessed Lord gave a rule, prohibiting all divorce *a vinculo matrimonii*, even in cases of adultery, or He did not. If He did, St. Mark and St. Luke have reported that rule correctly; if He did not, their se

[p.14] veral reports of it are incorrect:—and to endeavour to make them correct, by saying, that they must have intended to report it as if it excepted cases of adultery, as if it was really a different rule,—and this simply because another report, of which they probably never heard, is understood to contain such an exception,—is to do what

would not be permitted in dealing with any other authors. Suppose two historians of the reign of Henry VI. reported a royal proclamation, prohibiting the subjects of the realm, under very heavy penalties, from going abroad without a license from the crown; but one of these historians reported it, as if it wholly exempted all persons from its operation who were possessed of a yearly income of 50*l.*, while the other set it forth, as if it contained no such exemption, but applied equally to all persons,—what conclusion should we draw? Clearly, that one of them had reported it wrongly. We should not say, that the latter historian meant it to be read otherwise than as he has given it,—that in his version the exemption is to be implied, although nothing of the sort appears, and the language obviously excludes it; and this, because the other historian contains, or rather is supposed to contain it. We should then elect between the two; we should adopt the one which seemed correct, and reject the other. If the exemption which the one report contained was expressed in such a manner, as to leave some doubt about its meaning, while the other which omitted it was plain and unambiguous,

[p.15] this would naturally lead us to abide by the former, rather than the latter; and if, in addition to this, we found another contemporary historian setting forth the same ordinance, also without the exemption, we should probably not hesitate to say, that it was as these two gave it. Why, then, are we to act so very differently with the sacred historians? We may be quite sure, that there can be no real discrepancy between them, when they are fairly interpreted. One may record one event, another may record another; one may mention certain incidents, which another may omit; but in the doctrine which they relate as delivered by our Lord, in the morals inculcated, we need not fear that there will be any variance, when the just rules of criticism are applied to their narratives. But we are *not* fairly interpreting them, we are *not* applying a just rule, when we try to reconcile the sacred writers by forcing two of them to say what they have not said, merely because the sense which we put upon another, in a passage of some ambiguity, is inconsistent with their language:—this is nothing but a Procrustean system, a clumsy, as well as an improper and arbitrary, attempt; one, moreover, of most dangerous and alarming tendency, as it shakes the certainty of Scripture itself.

From these reasons I conclude, that the first of the two methods which I have mentioned, of meeting the difficulty, arising from a comparison of the narratives of the three Evangelists, is untenable; that the mode of reconciling them, generally adopted, is er-

[p.16] roneous and absurd, and therefore that it must be discarded. We are consequently driven to the second; and thus are led to conclude, that the supposed exception of cases of adultery from the prohibition of divorce, which has been inferred from St. Matthew's gospel, is really no exception at all; that the words need not be, and ought not to be, so

understood; and that there is no inconsistency between St. Matthew and the other two Evangelists, in recording our Lord's prohibition.

Let us see, then, whether this is so;—and accordingly, I now proceed to the consideration of the two passages in St. Matthew's gospel, upon which the question really turns. Now it is evident, on looking at them, that if the words *παρεκτὸς λόγου πορνείας* {"apart from the matter of fornication"} which occur in the 32d verse of the 5th chapter, and which are translated, "saving for the cause of fornication;" and the words *εἰ μὴ ἐπὶ πορνεία* which occur in the 9th verse of the 19th chapter, and which are translated, "except it be for fornication,"—were omitted, there would be no difference in the sense, and little even in the language, of St. Matthew and the other Evangelists. The question, therefore, resolves itself into this: what is the meaning of these two expressions? and in order to determine it, we must consider them, not only in their strict and literal acceptance, but also in their connection with the context; having also a due regard to the circumstances which probably led to their introduction, and to the persons to whom they were addressed.

[p.17] Now the first of these expressions, *παρεκτὸς λόγου πορνείας*, which is translated in the authorised version, "saving for the cause of fornication," may be more correctly rendered "apart from the question of fornication, without reference to the subject of fornication, or, independently of a case of fornication." The word *παρεκτὸς* is interpreted in Liddell and Scott's Lexicon as "out of, without, besides;" in Hederic's Lexicon, and Stephens's Thesaurus, as "foris, forinsecus, extrinsecus, extra, praeter, praeterquam;" in the Lexicon Constantini, as "foris, forinsecus, praeter;" the same as *παρῆξ*, which Scapula renders "extra, foris," and which is explained by Hesychius as equivalent to "*χωρὶς*, seorsim, sine,"—a word which Liddell and Scott render as "besides, except, exclusive of." Constantinus adds, under the word *παρεκτὸς*, *παρεκτὸς λόγου πορνείας*, *praeter vel extra causam adulterii.*" Schleusner gives only "praeter, extra," as his explanation of *παρεκτὸς*. The word occurs more than once afterwards in the New Testament, as in St. Paul's address to King Agrippa (Acts xxvi. 29), *παρεκτὸς τῶν δεσμῶν τούτων*, meaning, "apart from, or exclusively of, these bonds,—without reference to these bonds;"—and again, in the 28th verse of the 11th chapter of the 2d Epistle to the Corinthians, *χωρὶς τῶν παρεκτὸς*, which the authorised version translates, "besides those things which are without," but which rather seem to mean, from the words which follow, "besides, or independently of, the things which are extraordinary, or apart from my daily or constant

[p.18] care;" but Dr. Burton renders them, in his note to the passage, "beside the things which I have omitted." As to the word *λόγος*, it is scarcely necessary for me to assert, that it means "a subject, a proposition, a question, a matter which is discussed or spoken of," as any reader of Greek must be aware of this, and any lexicon will furnish authorities to prove it.

It is evident, therefore, that my translation is neither forced nor unnatural; but one which is not only perfectly legitimate, but more strictly accurate than the one in the authorised version.

Let us look now to the position which these words hold in the sentence, and we shall find that they are evidently a mere parenthesis at least, there is nothing to prevent their being so regarded; and it seems most natural that they should be, inasmuch as they obviously refer to a portion of the Mosaic law, with which our Saviour was not then dealing: they refer to the case of adultery; for πορνεία, or fornication, committed by a married woman, is undoubtedly that crime. Now for that the law had specially provided, by making it a capital offence, and positively requiring that both the offending parties should be put to death. The law is thus laid down in the 20th chapter of Leviticus, verse 10: "The man that committeth adultery with another man's wife, even he that committeth adultery with his neighbour's wife, *the adulterer and the adulteress shall surely be put to death.*" And

[p.19] it is repeated as strongly in the 22d chapter of Deuteronomy, verse 22: "If a man be found lying with a woman married to an husband, then they shall both of them die, both the man that lay with the woman, and the woman: so shalt thou put away evil from Israel." Of this law, therefore, there could be no doubt it was positive and peremptory; and there is no reason to suppose that it was not then generally enforced; for, notwithstanding the notion which some writers have entertained, that the Jews had not the power of inflicting capital punishment in our Saviour's time, I think it perfectly clear that they had, both from various passages in the New Testament itself, and from other evidence². The narrative, contained in the 8th chapter of St. John's Gospel, of the woman taken in adultery, implies that the law not only was in force, but might, and probably would, have been carried into execution. With this law, then, it was no part of our Saviour's purpose to interfere; it did not come in question at all. He was dealing only with the ἀποστάσιον, or writing of divorcement, which had been permitted by another part of the law; or rather, with the abuses which had been founded upon it. The ἀποστάσιον, or writing of divorcement, was not properly applicable to the case of adultery, but intended, as its original institution shows, to meet cases of a

[p.20] different character; and it was in these that the mischief had arisen, which called for immediate correction. As the case of adultery was thus quite independent of what our Lord was then considering, He was likely, if He noticed it at all, to do so only parenthetically or incidentally, so as to prevent His meaning from being misunderstood; and hence, in regarding the words παρεκτός λόγου πορνείας as a mere parenthesis, we are but taking them as the sense and scope of the whole passage require that they should be taken. The sentence,

² *Those who doubt the point, may see the arguments on the other side, if arguments they can be called, satisfactorily answered in Mr. Biscoe's work on the Acts of the Apostles, vol. i.

therefore, may thus be paraphrased: "Whosoever shall put away his wife (I am not now speaking of fornication; for a question of that sort is quite distinct from what I am considering, that case being provided for by a separate law), causeth her to commit adultery." Thus understood, the words cannot possibly be held to furnish any argument whatever for making the case of adultery an exception to what our Lord was declaring; for whether the words were in the sentence, or whether they were not, as the law then stood there would be no difference. By that law, the woman guilty of adultery would be put to death; and therefore there *could be* no danger of her committing adultery afterwards, or of her being improperly married to another man. There was, therefore, no need to make *an exception* of such a case, which would not come within the rule, even though not excepted; it would not occur at all if the law was obeyed; and it can scarcely be contended, that

[p.21] our Lord would provide for a case, which implied a breach of the law, and which would only exist by its violation. To say that He meant, by using the words παρεκτός λόγου πορνείας (however rendered), that, when a woman had committed adultery, her husband might simply put her away, and she might afterwards be married to another man, is really to suggest a connivance on the part of the Lawgiver Himself at the transgression of His own law; for if the husband might put her away, otherwise than by means of her execution, and she might then become another man's wife, what would be the force of the law which said that "the adulterer and the adulteress should surely be put to death," and that "so should evil be put away from Israel"? Such a recognition of the infringement of this positive injunction would have been, virtually, a repeal of the injunction itself; and, strange as it would have been at any time, so long as the Jewish polity subsisted, it would have been peculiarly strange at such a moment, when our Lord had just before declared to His hearers, that He was "not come to destroy the law, but to fulfil it;" and that "whosoever should break one of those least commandments, and should teach men so, he should be called the least in the kingdom of heaven" (St. Matt. v. 17, 19). But this would not have been the only inconsistency; for as the man, as well as the woman, who had committed adultery, was to be put to death, and nothing was here said about him, he would still have re-

[p.22] mained liable to the capital punishment which the law required, while the woman might have lived, and become another man's wife! Looking, therefore, at the words themselves, considering their strict meaning, regarding their position in the passage in which they are introduced, the state of the law, and other circumstances, it seems to me impossible, with any shadow of reason, to give to the expression, παρεκτός λόγου πορνείας, any greater effect, or any wider application, than what I have suggested. To carry them further than this to make them an exception to any general prohibition of divorce is little, if any thing, short of an absurdity; particularly when it is remembered, that

our Lord, in this whole passage in the Sermon on the Mount, was evidently not dealing with the subject of divorce generally, but simply with the case of the woman put away by the writing of divorcement.³ The condition of the husband who has put her away, by that or any other means, is not expressly mentioned, and is matter of inference only; and it may not unfairly be contended, that if the words which conclude the passage (Greek) "whosoever shall marry her that is divorced committeth adultery") are carefully considered, they may of themselves exclude the marriage of any divorced woman; but as these, or words exactly tantamount, occur afterwards, the effect of them may be better considered in examining the other passages.

[p.23] But before I dismiss this passage of St. Matthew's Gospel, I must recur for a moment to the common translation of the words παρεκτός λόγου πορνείας, "*saving for the cause of fornication.*" If that translation is retained, still it is clear, that the words can only be an exception to those which have immediately preceded them, "Whosoever shall put away his wife;" they cannot possibly extend to what follows, or to any thing else in the sentence; and if we bear in mind what has been said, with reference to the law on the subject of adultery, we can scarcely help coming to the conclusion, that they are nothing more than an incidental notice of the case, in which a man was required to put away his wife for the purposes of public justice; they are intended simply to show, that with that case our Lord was not dealing, and are as if He had said, "Whosoever shall put away his wife (saving for the cause of fornication, for which the law orders him to put her away in a particular manner, and for a special purpose, which is, of course, independent of what I am saying), causeth her to commit adultery," &c.; and thus, even with this translation, the sense is perfectly consistent with an absolute prohibition of the dissolution of marriage, otherwise than by the death of one of the parties. This passage, therefore, at all events, cannot be cited as an authority at variance, in any degree, with the language of St. Mark and St. Luke; and even if the woman is put away for fornication, it contains

[p.24] nothing to show, that the subsequent marrying of her will not be adultery. The putting her away on that account may not "cause her to commit adultery" that being the very crime of which she has already been guilty; but the man who marries her may still commit the crime himself at least; for any thing that appears in this passage.

I turn now to the other expression, which has created the difficulty in this case, the words εἰ μὴ ἐπὶ πορνείᾳ, which occur in the 19th chapter of St. Matthew; and, in order fully to understand their meaning, it will be necessary to consider the whole of the passage

³ LMF. It is more than this. It is the responsibility for his wife's sexual history. She can only have sex with one living man. By divorcing her, the husband is encouraging her to have sex with another living male, which is adultery. Therefore he is aiding and abetting his wife to commit adultery.

where they occur, which the reader will find at length, if he will turn back to pages 35. Now, the first part of this narrative is very important; for, the Pharisees having propounded the question to our Lord, "Whether it is lawful for a man to put away his wife for every cause" κατὰ πᾶσαν αἰτίαν, the answer which He gives is one which leads directly to the inference, that it is not lawful to do so *for any cause*; for He refers His inquirers immediately to the original institution of marriage, as a sufficient answer; and quoting the words then used by the Creator Himself, or dictated by His inspiration, expressive of the most entire and permanent union required between a man and his wife words which, He says, make them "no longer twain, but one flesh," He adds His own absolute, peremptory, and unqualified decree, "What therefore God hath joined together,

[p.25] let not man put asunder." In this sentence, He makes no exception; He allows neither adultery, nor any other cause, as a justification of a breach of His prohibition. He positively forbids every human being to dissolve a union, which, as He shows, the Almighty designed to be indissoluble. His answer is final and conclusive; and it is evident that the Pharisees might so have taken it, and have left Him at once without further inquiry. Had they done so had they then rested satisfied, and retired without cavilling there would have been no opportunity for any doubt; for the further conversation, which has raised the doubt, would not have occurred; and no legislature, and no tribunal, would then have dared to vouch our Lord's authority, for a divorce *a vinculo matrimonii*; and the law being thus laid down, broadly, absolutely, and without exception, in a manner which required nothing further to be supplied, and by Him who well knew what its effects would be, it certainly would be surprising, if we found this great Lawgiver, very shortly afterwards, relaxing or qualifying His decree, and sanctioning a departure from it, not merely in a few, but in a vast multiplicity of instances: it would be strange that He should thus admit, that when He had altogether prohibited the dissolution of the marriage union by any human authority, He had omitted to make one very obvious exception, and that He still did not mean to include cases in which adultery had been committed. And yet this is the

[p.26] very thing, which those who seek to deduce, from the second portion of this narrative, permission to divorce parties *a vinculo* in such cases, must be driven to contend that He did; for if such divorces are then allowable, it follows that "what God hath joined together" may, "by man," very frequently be "put asunder." The prohibition, therefore, though given as a final answer to the Pharisees, was thus, in fact, open to a considerable exception, and might have misled the inquirers.

But let us see whether the succeeding part of the narrative compels us to draw this conclusion. The Pharisees, it appears, on receiving our Lord's answer, start an objection to it, as inconsistent with the permission which Moses gave, for putting away a wife by the bill or writing of divorcement. To this our Lord replies, "True, Moses gave

you this permission, which the hardness of your hearts rendered expedient, considering the circumstances which then required it; but this was not consistent with the original institution of marriage, to which I have already referred you—'from the beginning it was not so.' You must now be taught a different lesson: 'and I say unto you, that whosoever shall put away his wife, except it be for fornication (such is the common translation), and shall marry another, committeth adultery; and whoso doth marry her which is put away doth commit adultery.'" Now, viewing these words in connection with what He had before told them, I see nothing in them which im-

[p.27] plies that, even if the woman is put away for fornication, the marriage union is thereby dissolved. Granting that she may be put away for this cause, the marriage itself must subsist notwithstanding, if man cannot put asunder what God hath joined together. A separation may be allowable, but a divorce impossible; the exception being, as the words stand, to the "putting away," not to the subsequent part of the sentence, "and shall marry another." It is to be remembered, moreover, that our Lord is here meeting an objection to His rule, not professing to qualify or alter the rule itself. If the rule required qualification or alteration, He had evidently laid it down too largely; and it is absurd to suppose that He had done this. The only mode, therefore, of explaining the narrative consistently is, to say that this second part is governed by the first, not that the second introduces an exception, which would materially alter the meaning or effect of the first. The second would not have existed at all, if the Pharisees had not objected what seemed to them to interfere with the declaration contained in the first; and the only question was, how to reconcile the two things,—the Mosaic permission, and the prohibition just delivered. This our Lord did not do; He made the Mosaic permission give way, and, in fact, annulled it entirely. This is the drift of His answer; this the purpose which it was intended to serve. Still, it will be said, He did introduce an exception; for the words εἰ μὴ ἐπὶ πορνείᾳ, "except it be for

[p.28] fornication," plainly amount to this. The answer is, that they do not—not to an exception to the rule, which declared marriage indissoluble by human authority, which forbade man and wife to separate, so as to be able to marry again in each other's lifetime. They are merely a passing reference to the case, in which the law required that the wife should be put away, in order to be punished capitally; and had our Lord omitted to notice it, had He merely said, "Whosoever shall put away his wife and shall marry another, committeth adultery," the Pharisees, in their eagerness to "entangle Him in His talk," might have objected, that He was seeking to set aside that law, and to prevent a man from marrying again, although his wife had been put to death for adultery. He therefore anticipated any such objection, by showing, that what He said did not apply to such a case; that He did not mean to interfere with that law. Now I have already said so much on that subject, in its connection with the passage in the

Sermon on the Mount, that it is unnecessary for me to dwell upon it again here; but the observations which I made there are equally applicable to the passage before me, as it is evident, that on this occasion, as well as in His Sermon on the Mount, it was no part of our Lord's purpose to annul or alter the law, which provided specially for the case of adultery. That law, as I before remarked, was positive and peremptory; designed as a severe check upon a gross and scan-

[p.29] dalous vice, and probably quite as necessary to be maintained then, for the correction of that "wicked and adulterous generation" (St. Matt. xvi. 4), as it was at the time when it was first promulgated. Our Lord, therefore, left it untouched; and hence, when He said, "Whosoever shall put away his wife, εἰ μὴ ἐπὶ πορνείᾳ, except it be for fornication" (taking that for the present to be the true reading, and this the correct translation), He made His whole declaration consistent, not only with itself, but with the obligations of the Mosaic law. It is as if He had said, "I have told you that marriage is indissoluble by the original law of your Creator. I have insisted upon the observance of that law, and forbidden any human authority to violate it. You have objected to Me the permission which Moses gave you, as inconsistent with that law; but I annul that very permission, for it was nothing more than a mere permission, granted by indulgence to your hardness of heart; and I tell you, that henceforth no man is to put away his wife and to marry another in her lifetime, in any case. The law of Moses, however, orders, that a man shall in fact put away his wife, if she has been guilty of adultery, for it obliges him to bring her to justice, and therefore he may indeed 'put her away for that cause;' but then the same law also orders, that she shall be put to death, and of course on her death the man may marry again; that case, therefore, does not interfere with the rule which I am giving you, which is, that marriage is indis-

[p.30] soluble, except by death." Now this interpretation really gets rid of all difficulty. It cannot be regarded as forced or unnatural. It accounts for our Lord's insertion of the words εἰ μὴ ἐπὶ πορνείᾳ "except it be for fornication" (even if the common reading and the English version are adhered to), and for His insertion of them, moreover, in that very part of the sentence in which we find them. It leaves what He had previously declared as to the indissolubility of marriage untouched; for the commission of a capital crime by the woman, whether adultery, or murder, or what else, involved a dissolution of the marriage tie which was not within the prohibition; and it meets the very point which our Lord appears to have intended, that of preserving unimpaired the penal sanctions of the Mosaic law, while He annulled the injurious permission, which had been perverted to the worst purposes. Taking, therefore, the ordinary translation of εἰ μὴ ἐπὶ πορνείᾳ, "except it be for fornication," as the true one, I find it far from warranting any inference, that adultery was to be an exception to our Lord's rule. A mere reference to what had gone before, to the circumstances under which, and to the persons to whom,

our Lord was speaking, is sufficient to show, that the words mean no such thing; and to attempt to make them, not only control the narrative of St. Matthew, but contradict the plain language of St. Mark and St. Luke, is preposterous. What followed in the conference reported will show

[p.31] this more fully. But before we go on with the rest of the passage, I must remark, that the common translation, "except it be for fornication," is by no means free from objection;—εἰ μὴ ἐπὶ πορνείᾳ, may just as well, if not better, be translated, "if not for fornication," or "though not for fornication;" for εἰ μὴ does not necessarily mean "except;" as is remarked by Stephens, in his Thesaurus: "εἰ μὴ admoneo praeterea lectores, ne in his particulis decipiantur, sicut deceptos plerosque animadverti, putantes ubique εἰ μὴ esse nisi;" and "if not" or "though not for fornication" (for these expressions may be equivalent in English), will only have the force of putting the case of adultery, by way of exemplification or illustration, not by way of exception. Grotius, in his annotation on this passage, says, that the Syrian version so rendered it: "Atque ita legit Syrus, *cum non sit adultera; quod favet Origeni dicenti, πορνείας, (fornicationis) mentionem non fieri in vim strictae exceptionis, sed exempli gratia, nimirum ut graviore mores a levioribus discernantur;*" and if the translation stands thus, "whosoever shall put away his wife, though not for fornication, and shall marry another, committeth adultery," the sense will amount to no more than this, that the putting away of the wife who *has not* committed adultery, and marrying again, *is adultery*, not that the putting away of one who *has* committed adultery, and marrying again, *is not adultery*. And if the context justifies such a construc-

[p.32] tion, still more, if it requires it, in order to avoid inconsistency, either with what precedes, or with what follows, there is abundant reason for its adoption. But the whole passage will be rendered much clearer, if, instead of εἰ μὴ ἐπὶ πορνείᾳ, which we find in the common editions of the New Testament, we adopt that which appears to be the true reading, μὴ ἐπὶ πορνείᾳ,—a reading which has the sanction of the best biblical critics and commentators, Protestant as well as Catholic. It is the one which is given by Griesbach, and in the celebrated Complutensian edition. It is also adopted by Lucas Brugensis, one of the best and most learned writers upon the gospels; of whom Dr. Mill, in his Prolegomena to his edition of the New Testament, says (amongst many testimonials in his favour), "Exacta fere apud eum omnia; iudicium de lectionibus probum, ipsique fere veritati ad amissim congruum." The note of Lucas Brugensis, after mentioning that εἰ μὴ ἐπὶ πορνείᾳ occurs in some Greek copies, "in quibusdam Graecis libris," adds, "a plerisque vero omittitur εἰ conjunctio, nec aliud legitur quam μὴ ἐπὶ πορνείᾳ, *non ob fornicationem; quomodo et Augustinus olim Graecè legebat, annotans lib. i. de Adulterinis Conjugiis, cap. 11; nisi ob causam fornicationis, intelligensque toto illo opusculo illud nisi perinde ac si dictum esset non. Hoc modo et Syricum evangelium legit:*

Delo gauro, quae non adultera, id est, non adulterant" Grotius also gives *μὴ ἐπὶ πορνεία*, and adds, "Ita vetus editio Complutensis, atque ita

[p.33] legit Syrus, id est, '*cum non sit adultera?*'" and then he proceeds, as shown in the note which I have already cited from his Annotations, a note which I find quoted at length in Pole's *Synopsis*, amongst those on the 19th chapter of St. Matthew. Selden also prefers this reading, in his *Uxor Hebraica*; and Dr. Burton, the late Regius Professor of Divinity in the University of Oxford, in his edition of the Greek Testament, has this note on the verse: "εἰ μὴ,—the reading is probably *μὴ ἐπὶ πορνεία*." I am assured, moreover, by a very learned Protestant gentleman, who has laboured, probably more than any man living, in the study and collation of the various readings of the New Testament, "that εἰ is certainly not genuine, that it is only found in some most recent documents, and that *μὴ ἐπὶ πορνεία* is the reading of almost all the ancient manuscripts, and of several versions." I think myself, therefore, entitled to hold that *εἰ μὴ ἐπὶ πορνεία* is not the true reading, but that *μὴ ἐπὶ πορνεία* is; and there can be no reason, as the words stand in the sentence, why they should not be taken parenthetically, that being the most easy and obvious construction. What, then, is their meaning? Evidently just the same as that of the words *παρεκτὸς λόγου πορνείας*, in the Sermon on the Mount, which we have seen introduced there precisely in the same manner; and it is remarkable, in confirmation of this view, that these very words, *παρεκτὸς λόγου πορνείας*, are actually found in some very good manuscripts,⁴ and in

[p.34] several versions, instead of *εἰ μὴ* or *μὴ ἐπὶ πορνεία*; and it seems that St. Chrysostom had such a copy before him, when he composed his Homilies on St. Matthew's Gospel, as I observe that he uses, in his quotations from this chapter, *παρεκτὸς λόγου πορνείας*, as the words of the original Greek.⁵ The literal translation, then, of *μὴ ἐπὶ πορνεία*, being, of course, "*not for fornication*" and the words being read as a parenthesis, the sense will be, "I am not speaking of fornication,—I am not referring to that case;" and the verse may be thus paraphrased: "Whosoever shall put away his wife (not for fornication, I am not speaking of that,—that is a different case, separately and specially provided for by the law), and shall marry another, committeth adultery." What objection, I would ask, can be fairly made to this interpretation? It does no violence to the words; it requires no transposition of them; it is consistent with their literal meaning; it makes this passage of St. Matthew harmonious with the other; it

⁴ LMF. This is a wrong assumption. Mt 5:32 draws attention to an exception to responsibility for a wife's extra-mariatal affairs while still married to her husband, and extra-marital affairs she has *after* he has divorced for, for the assumption is that she will have to remarry to exist. So there is a very severe warning to all husbands that they cannot divorce their wives on any grounds, and if they do, they will be held responsible for their wives having relations with another man.

⁵ See the 62d of his Homilies on St. Matthew, ed. Benedict.

preserves a perfect consistency in our Lord's teaching; it introduces no real exception in the rule prohibiting divorce universally; and therefore requires no tampering, either with St. Mark's or with St. Luke's language, as if they meant what they never said. For my own part, I cannot but feel thankful, when I see so easy a mode of reconciling all the three Evangelists, where they have been supposed to be at variance. The best authorities compel us to abide

[p.35] by this reading: and this, when looked at with the plainest common sense, gives a literal meaning which removes all real difficulty. Of the position of the words, occurring as they do immediately after "whosoever shall put away his wife," and before "shall marry another," I have already spoken; and this reading, equally with any other, makes them applicable to the former branch of the sentence, and not to the latter, an application which would naturally occur to the minds of the Pharisees, to whom they were addressed. And even if translated "though not for fornication," as some propose, instead of "not for fornication," which is more exact, they will still have no wider meaning than what I have already suggested as that of the common reading εἰ μὴ ἐπὶ πορνείᾳ: they *cannot be*, in any view, a qualification or exception to our Lord's prohibition.

Now, if we had only St. Matthew's narrative before us, I should contend that this, and this alone, was the true interpretation of the passage; but if we turn to St. Mark's, and examine it a little more closely, it will probably be thought to settle the question. And in proposing this, I am not doing what I have complained of others for doing, making one gospel override another, and imposing upon words, that are plain in one, an unnatural meaning, and fixing that arbitrarily upon the doubtful words of another. I am taking a very different course: I am using words which are plain in one, to construe words which are doubtful in another.

[p.36] I am availing myself of certain particulars related by one, and not by the other, to illustrate what that other has related; while I explain each in his own natural sense, and do no violence to either. Now, St. Mark's narrative and St. Matthew's so far differ, that each relates some particulars, in this part of our Lord's history, which the other has omitted; and from St. Mark's we learn, what St. Matthew's has not expressly told us, that after our Lord had given the answer to the Pharisees which we have been considering, and in which He used the words μὴ ἐπὶ πορνείᾳ, "not for fornication," His disciples asked Him privately about the answer, or the subject of the answer, which He had so given; for it says, "And in the house His disciples asked Him again of the same matter." They were doubtless perplexed at what they had heard, so contrary to Jewish habits and prejudices, and wanted some further information; and it was but natural that they should seek to know, whether they had rightly understood His meaning—whether He really intended to prohibit divorce absolutely, and in all cases. This subsequent conversation, therefore, with the disciples, serves to give

us our Lord's own commentary on His own words; for He evidently intended it to be a full and explicit declaration of His meaning. Now it is very remarkable, that it is in this conversation that He omits altogether the words which have been supposed to introduce an exception. There is neither εἰ μὴ ἐπὶ πορνείᾳ, nor μὴ ἐπὶ πορνείᾳ, nor any thing

[p.37] equivalent here. His language is absolute and conclusive: "And He saith unto them (that is, to the disciples in the house, and quite distinct from what He had said to the Pharisees), Whosoever shall put away his wife, and marry another, committeth adultery against her." And in order to mark what He meant more strongly, He adds, "And if a woman shall put away her husband, and be married to another, she committeth adultery." Now, if these words stood alone—if St. Matthew's Gospel were not in existence there could be no question about their meaning; they are as plain as words can be. Shall they be deemed less clear, because we find them occurring as explanatory of others which our Lord had used before, and omitting the very expression which creates a difficulty, at least at the present day? I say, at least at the present day; for it is by no means evident that the words μὴ ἐπὶ πορνείᾳ created any difficulty in the minds of the disciples; their doubts, probably, were occasioned by hearing their Master propound a rule, which altogether prohibited divorce *a vinculo matrimonii*, otherwise than by the death of one of the parties; and it appears from St. Matthew's narrative, that they so understood the rule; for he records the subsequent suggestion of the disciples (which St. Mark has omitted), as founded upon, and arising out of, the answer given to the Pharisees: thus showing that he considered the answer given to them, and the one afterwards given to the

[p.38] disciples, as in effect the same. And it is observable, moreover, that St. Mark, in relating the conversation with the Pharisees, omits the particular sentence which St. Matthew records: "But I say unto you, That whosoever shall put away his wife, not for fornication, and shall marry another, committeth adultery; and whosoever shall marry her which is put away, doth commit adultery." St. Mark records only the other part of our Lord's answer to the Pharisees, His reference to the original institution of marriage, and His reply to the objection raised upon the permission given by Moses; thus leading us to infer, that he regarded this portion of our Lord's speech which he has given, as the same in substance and in meaning with the other.

But whatever may have caused a difficulty in the minds of the disciples, the manner in which it was treated proves, that the rule, either as originally given, or as ultimately understood, allowed no exception, and prohibited divorce; for the disciples objected that "if the case of the man be so with his wife, it is not good to marry:" if the marriage union is so indissoluble, it were better not to be bound by it at all. And what is our Lord's answer to this? Does He qualify His rule, or tell them that it was not so absolute and universal? Does He

suggest, that in one very large class of cases, in which, if in any, a divorce might be supposed allowable, it was to be so? Not at all. He does nothing of the sort; and yet this, if any, was surely the moment for communicating so

[p.39] very important a point, an exception so necessary to quiet the alarm, to resolve the doubts, and to correct the misapprehensions, of His disciples: then, if ever, He might have been expected to tell them the whole truth, which they were afterwards to teach to others. And yet He is silent in this respect; He simply tells them, that there were some persons, to whom, either from natural constitution, or from peculiar circumstances, a life of celibacy might be necessary; and that there were others, who, from religious considerations, might find it desirable; and that in such cases it was well to choose it, that those who were "able to receive" what the disciples had suggested, might "receive it" and act accordingly. But He made it plain, both by what He said and by what He did not say, that if persons chose to marry, if they found it necessary or desirable to do so, they must take marriage as their Creator designed it to be taken, and as He, their Lord, had just declared that it should be taken, as an union indissoluble by human authority. It seems to me impossible to avoid this conclusion, when the two narratives, of St. Matthew and St. Mark, are compared together, and the second conversation is regarded as a commentary upon the first, which it undoubtedly was.

I maintain, therefore, that the evidence against divorces *a vinculo* is sufficient, if we had only St. Matthew to guide us; but that when we add to his testimony that of St. Mark, it is conclusive. Let us now turn to St. Luke; and we shall find that he cor-

[p.40] roborates, in the strongest manner, the conclusion to be deduced from the other two Evangelists. Now St. Luke tells us nothing of the conversations recorded by St. Matthew and St. Mark; either of that which was held with the Pharisees, or of that which occurred afterwards with the disciples. He introduces the prohibition of divorce abruptly; nor is it by any means clear, that the occasion to which he refers, as the one upon which it was delivered, was the same as that to which St. Matthew and St. Mark refer, in the passages which we have just considered. It may have been a different occasion, and the prohibition now delivered may have been a repetition of the former, or addressed to a separate party of the Pharisees for it is in a discourse to the Pharisees that it seems to have been delivered. But of one thing there can be no doubt,—that what St. Luke reports is what he himself understood, and intended others to understand, to be the sum and substance of our Lord's teaching on this particular subject. He wrote, as we know, under Divine inspiration; and therefore, what he tells us was our Lord's teaching must have been just what he says it was. His gospel, as we are credibly informed, and as appears from intrinsic evidence, was designed for the use of Gentile converts; and probably without any knowledge, either on his part or on theirs, of any other

authentic history being then in existence. That St. Luke, under such circumstances, should have omitted all notice of any exception to the general pro-

[p.41] hibition which he records, if our Saviour had made any, is to my mind utterly incredible. Had there been an exception, he must have known it, whether recorded or not by any other writer: that it would materially have altered the prohibition itself, and made it very different from what he stated, must have been equally evident to his mind: that a breach of the prohibition would be nothing less than adultery, the prohibition itself declares and yet the form, in which he puts it, is as broad and sweeping in its effect as language can make it: "Whosoever putteth away his wife and marrieth another, committeth adultery; and whosoever marrieth her that is put away from her husband, committeth adultery." The original is even stronger than the translation: *πάς ὁ ἀπολύων τὴν γυναῖκα αὐτοῦ, καὶ γαμῶν ἑτέραν—every man who puts away his wife and marries another; πάς ὁ ἀπολελυμένην ἀπὸ ἀνδρὸς γαμῶν—every man who marries a woman put away from her husband.* Now certainly, unless Evangelists are to be charged with adopting the alleged practice of Diplomats, that of using language to conceal their meaning, I know not how we justify taking this, otherwise than as the most absolute denunciation of divorce. St. Luke evidently deemed it, as it was, unnecessary to record the conversations, referring to the original institution of marriage and explaining the matter afterwards; it was sufficient to give the rule itself, in such a form as could leave no possible doubt, and cause no possible mistake;—and this is precisely

[p.42] what he has done. And the fact of his writing, not for Jewish, but for Gentile converts, may have led him, if he was actually referring to the same declaration to the Pharisees as the one related by St. Matthew and St. Mark, to have purposely omitted the words *μὴ ἐπὶ πορνείᾳ*, which St. Matthew gives, as words likely to be not understood, or misunderstood, by his readers; and, viewed in this light, the omission is conclusive evidence, that those words were never intended to make any exception to the rule. This observation will apply equally to St. Mark, who wrote also for Gentile converts, and for that very reason would be likely to omit from his narrative any thing which might be unintelligible to such persons; and hence we may not unfairly infer, that on this account he did not set out the particular answer given to the Pharisees, in which the words *μὴ ἐπὶ πορνείᾳ* occurred; they were unnecessary to his purpose, as he related the rest of the conversation, and gave our Lord's subsequent declaration to the disciples, which was as absolutely exclusive of all divorce as that which St. Luke has recorded. St. Matthew, I need not remind any body, wrote primarily for Jewish converts. There is one thing more which deserves notice, which, as it occurs equally in all the three Evangelists, I have reserved for consideration here; as I intimated, when I alluded to it, in my observations on St. Matthew's Gospel. I refer to the omission of the article in the original Greek, where the mar-

[p.43] riage of the divorced woman is forbidden. In the chapters of St. Matthew [5:32], it is ὃς ἐὰν ἀπολελυμένην γαμήσῃ, μοιχᾶται, and ὁ ἀπολελυμένην γαμήσας⁶; in St. Mark [10:12], it is ἐὰν αὐτὴ ἀπολύσασα τὸν ἄνδρα αὐτῆς; and in St. Luke [16:18], πᾶς ὁ ἀπολελυμένην ἀπὸ ἀνδρὸς γαμῶν. The meaning, therefore, in each passage, is, as every Greek scholar must admit, not the woman put away, but "a woman put away;" that is, any woman put away; and therefore every woman, and whether put away for adultery, or for any other cause; and St. Luke's expression literally is, "a woman put away from a husband;" thus marking the meaning more strongly. Were this omission of the article confined to a single passage, I should not be disposed to attach much importance to it, nor do I now rest the question on a matter so minute; but when we find it in each passage of the three Evangelists, it certainly seems to deserve attention. And it is impossible to say that it does not add force to the argument; for if no man can marry a woman put away from a husband, or any woman put away from any husband, without being guilty of adultery, this must necessarily be, because she is still the wife of the husband who has put her away; in other words, because the marriage union is not dissolved, though she and her husband have been separated. And if the marriage subsists as to the wife, it subsists equally as to the husband; for if it is dissolved at all, it is dissolved equally for both; and if not dissolved for both, neither party can marry again.

[p.44] Are we, then, I would ask—and the question cannot be too often repeated—are we to set aside all this combined evidence against the absolute and universal prohibition of divorce *a vinculo matrimonii*? Can it be, that upon the strength of two such parenthetical expressions, as παρεκτὸς λόγου πορνείας and μὴ ἐπὶ πορνείᾳ, occurring in one of the gospels, and that gospel written for Jews, who would probably at once see their application, as the persons to whom the words were originally addressed assuredly understood them, the plain, the necessary meaning of the two others is to be forced and contradicted? And are these two expressions, not only to have a meaning given to them which they by no means require, and then to be used to distort, or rather to contradict, that of two other gospels, but even to have their own meaning, whatever it be, tortured, so as to make them applicable, in the passages where they occur, to other parts of the sentence to which they most certainly do not belong? If liberties like these are to be taken with Scripture, I know not what limits can be set to any license which "an evil and adulterous generation" may require. We shall have no right to find fault with Luther, for endeavouring to get rid of the Epistle of St. James, because he deemed it inconsistent with his doctrine of faith; or to laugh at the Sovereign, who, on being admonished that he ought to forgive one of his friends who had

⁶ This phrase has been omitted in the minority, local Egyptian Text (i.e. NA27th ed.).

injured him, refused, on the ground, that although we are commanded to forgive our

[p.45] enemies, we are nowhere told to forgive our friends. In fact, we may in this way make Scripture say any thing to serve our purpose; and it will be well if we do not find ourselves at last in the condition of those "unlearned and unstable" libertines, of whom St. Peter tells us, "who wrest the Scriptures to their own destruction" (2 St. Pet. iii. 16). But does the argument end with the gospels? Far from it; although I do not hesitate to say, that it might very safely be left there. "We find, however, in the Epistles of St. Paul, certain passages which bear so strongly on this subject, and seem so clearly prohibitory of divorce, that it is, of course, very necessary to examine them. The first of these passages is the commencement of the 7th chapter of the Epistle to the Romans, and it runs thus: "Know ye not, brethren (for I speak to them that know the law), how that the law hath dominion over a man as long as he liveth? For the woman, which hath an husband, is bound by the law to her husband, so long as he liveth: but if the husband be dead, she is loosed from the law of the husband. So then, if, while her husband liveth, she be married to another man, she shall be called an adulteress: but if her husband be dead, she is free from that law, so that she is no adulteress, though she be married to another man" (verses 13). Now, on this passage it is perhaps unnecessary to dwell, further than to remark, that as the whole

[p.46] force of the illustration consists in the indissolubility of the marriage union, except by death, St. Paul must have held that no human authority could effect a divorce *a vinculo*. Had such a divorce been allowable for adultery, there is too much reason to fear, that the frequency of the crime would at least have suggested to the mind of the Apostle some qualification of what he said, and have led him to use language somewhat different. I am willing, however, to admit, that the passage, being merely an illustration of an argument, may be understood simply as a reference to the general law of marriage, without any intention, on the part of the writer, to notice a deviation from that law in any particular case. Still, the meaning evidently, so far as it extends, marks the death of the husband as the only event which can release the wife from her matrimonial engagement, and brands her with the character of an adulteress, if she enters into such an engagement with any other man in her husband's lifetime; and it is not undeserving of notice, that if the words of the original text, *ἐὰν γένηται ἀνδρὶ ἑτέρῳ*, and *γενομένην ἀνδρὶ ἑτέρῳ*, are rightly translated "if she be married," and "though she be married, to another man," they seem to point to the case of a formal separation, of the renunciation by the husband of his marital rights, and not to that of a wanton desertion of the husband by the wife; for it is not very easy to understand, how, in any civilised society, and still less in any Christian

[p.47] community, a woman could be married to a second husband in the lifetime of the first, unless the first had already formally repudiated

her by some public act, so as to give some colour, at least, to the transaction, by which she professedly became the wife of another. Of her desertion of her first husband, and living with another man, there could be no doubt, either under the Jewish law or under the Christian, that it was open adultery: By such a formal separation, therefore, as St. Paul thus suggests, even if on account of infidelity to the marriage vow, the marriage tie would not be dissolved.

But I pass on to St. Paul's first Epistle to the Corinthians, where (chap. vii. verses 10, 11) he says: "And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: but and if she depart, let her remain unmarried, or be reconciled to her husband, and let not the husband put away his wife;" and in a subsequent verse (the 39th) of the same chapter, he says: "The wife is bound by the law so long as her husband liveth; but if her husband be dead, she is at liberty to be married to whom she will." Now in these directions, given by Divine inspiration, it is extraordinary that the case of adultery should not be mentioned, if it was regarded by St. Paul as an exception. There could be no reason for its being omitted; and it was natural that it

[p.48] should be introduced here, if any where, when the Apostle was giving practical directions, to married as well as to single persons; and this, in all probability, with the view of counteracting some of the errors upon the subject of marriage, into which certain Jewish and Gnostic teachers had attempted to lead the Corinthian converts. If, under any circumstances, divorce had been allowable, St. Paul would have been anxious rather to state these than to suppress them, that he might not seem guilty of any undue severity; and yet he maintained complete silence on that subject. But why was this? Let those who can, explain his reason. To say that the case of adultery is an implied exception, that St. Paul meant to be so understood, is of course no answer, it is a mere begging of the question, an assumption of the very point at issue. If the question depends upon the occurrence of the words παρεκτός λόγου πορνείας; and μὴ ἐπὶ πορνείᾳ in St. Matthew's Gospel, what particle of evidence is there to show, that the Corinthian converts had ever seen, or were supposed likely to see, that gospel, or that they knew any thing of the existence of such words there? or if they had seen it, that they interpreted those words as excepting the case of adultery? And if they had not seen St. Matthew's Gospel, but had seen St. Mark's, or St. Luke's, (supposing each or either to have been written at that time), or if they had seen no gospel at all, what inference could they draw, but that divorce was in all cases prohibited?

[p.49] Certainly, if St. Paul intended to lead them to that conclusion, he could scarcely have used more appropriate language. If he did not intend this, his language was singularly improper, he was, in fact, misleading his readers; and as there is nothing, in the rest of his writings, to indicate any belief on his part, that marriage could be dissolved otherwise than by death, what right has any one to suggest, that his preaching was different, or that, in his verbal instructions, he

excepted the case of adultery, which, in his written, he omitted or excluded? But it is most important to observe the manner, in which St. Paul delivers this particular injunction to the Corinthians. He had given his instructions just before, in his own person, to the unmarried, and to widows; and as advice, rather than command. But now, turning to the married, he adopts a different tone: he uses the language of positive command, not of mere advice; and he speaks, not in his own person, but as the immediate agent and mouthpiece of the Lord Himself. "But (for the word δὲ is more properly so translated here than 'and') to the married, I command (παραγγελλω) not I, but the Lord, that the wife shall not be severed, or separated, from her husband (ἀπὸ ἀνδρὸς μὴ ξωρισθῆναι), and that the husband shall not put away or divorce his wife:" that is the translation of the original, καὶ ἄνδρα γυναῖκα μὴ ἀφιέναι; the words "but and if she depart, let her remain unmarried,

[p.50] or be reconciled to her husband," being a parenthesis; and those which forbid the husband to divorce his wife being dependent upon "I command, not I, but the Lord," at the commencement. Again, then, I ask; where is the exception of cases of adultery? Clearly not here, clearly no where in any of St. Paul's epistles; and if not, why not? The prohibition of divorce is as absolute as words can make it; and it is the more remarkable in this place, as St. Paul recognises a separation as possible or excusable in some instances, but still requires, by the same authority of 'the Lord,' that the wife, though separated, shall remain unmarried. The whole passage, being our Lord's immediate command, is, in fact, a repetition of that which He had given while on earth, or, as it were, a commentary upon what He had then taught on this subject: it is in perfect unison with the passages in the Gospels, that is, if those passages are construed as I have contended that they must be construed; but not at all in unison with St. Matthew, if the expressions, παρεκτὸς λόγου πορνείας and μὴ ἐπὶ πορνείᾳ are to be treated as if they authorised a divorce *a vinculo matrimonii*, allowing the parties to marry again. The testimony of St. Paul is thus added to that of St. Mark and St. Luke, to show what our Lord's command really was, and how it was understood by His followers; and yet we are to suppose, that each of these three inspired witnesses has in fact misstated the command, has represented it as absolute and universal,

[p.51] when it was really qualified and special, and has omitted a most important exception, which directly interferes with its operation!—and when we refuse to adopt so absurd a conclusion, we are then forsooth to be told, (as we have been,) that we are merely "quibbling," and that the plain sense of Scripture is against us! But I should be glad to know who are really quibblers, those who construe two very doubtful expressions fairly, and without any attempt to strain their meaning beyond what they obviously require, and who thus make the one Gospel in harmony with the two others, and with the teaching of St. Paul; or those who force upon these two expressions a meaning which they do not necessarily require, and which is inconsistent with the

circumstances of the case, as well as with their own position in the sentences where they occur, and then make use of them, (in order to avoid a discrepancy between the sacred writers,) to override the plainest possible declarations of two Evangelists, and of the great Apostle of the Gentiles, each of them writing independently of the others, and probably without having ever seen or heard of the expressions which are used to correct him? Surely, if on either side there is "quibbling," we can have no difficulty in seeing where it is; and as little can we hesitate to say, that those, who thus charge us with this offence, can themselves scarcely escape the imputation, of tampering with the words of Holy Scripture, and taking liberties with them, which they

[p.52] would not venture to take with the laws any human legislature. The other passages of St. Paul's writings, in which he refers to the marriage state, and to the duties of husbands and wives, are in entire accordance with those which we have examined. There is nothing, in any of them, which even hints at the possibility of a divorce *a vinculo matrimonii* amongst Christians. In the celebrated passage of the Epistle to the Ephesians (chap, v.), he makes the marriage state a signification (to use the language of the English marriage service) "of the mystical union that is betwixt Christ and His Church "and as we know that this union is perpetual, and can have no divorce, the natural inference is, that the marriage of Christians is alike indissoluble; for otherwise it would but imperfectly signify that which the Apostle describes. I find myself thus drawn to the inevitable conclusion, that all divorces *a vinculo matrimonii* are absolutely prohibited by Scripture; and that conclusion is strengthened, by the recollection of what the same Scripture elsewhere requires, of all who profess the religion which it teaches; for if we are commanded to forgive a brother who trespasses against us, "not until seven times, but until seventy times seven," can it be supposed that a wife, she who is far more than brother or kindred, though she may have committed even the grossest and the greatest trespass, is to be at once placed beyond

[p.53] the possibility of reconciliation, however repentant, however reformed? Are the children, whom nature must still teach her to love, and who still must feel for her as a parent, to lose her absolutely and for ever, while the commands of Scripture are alike imperative upon each, and seem to own no exception to the obligations of parental and filial affection and duty? Surely, an absolute dissolution of the marriage union is as inconsistent with the spirit of Scripture, as it appears to be with the letter: it directly hinders the fulfilment of those duties from which no Christian can ever be exempt. But let me further remark, that if Scripture is to be tortured into giving authority for divorce *a vinculo matrimonii* in the case of adultery, if the man who has put away his wife for that cause may marry again in her lifetime, there is nothing in the New Testament which shows, that the wife who is so put away may not marry as well. If he may marry another in her lifetime without being guilty of adultery, it is because the first

marriage is dissolved; and if dissolved at all, it is dissolved equally for both the parties. She may therefore marry again in his lifetime, as well as he in her's; and then there is nothing whatever to prevent her, so far as the New Testament has declared, from marrying the very man with whom she has committed the offence, if he happens to be single. And as there is nothing also which requires, in order to her husband's putting her away for this cause, that he should himself

[p.54] be innocent of the same crime, even with another man's wife, if the husband of the woman with whom he has committed adultery happens to be the man with whom his own wife has been guilty, then, if the two husbands both put away their respective wives, there is nothing which forbids a regular exchange of husbands and wives, where adultery has mutually taken place; and if this may thus happen between two married couples, it may equally happen between a hundred, or a thousand, or any number; and the same persons who have made such exchanges once, may make others afterwards, when they have committed adultery again. A pleasing picture, this, of a Christian community! a beautiful illustration of the purity of Christian morals! It will be said, that the law of the state will doubtless prevent such enormities; but that is a separate question; the state may or may not interfere; but our concern is with Scripture; and there are many persons who will think, and not a few who will not scruple to assert, that what Scripture has not prohibited is in itself lawful; and that if the intermarriage of two persons, each of whom has committed adultery with the other during a previous marriage, and been divorced for that cause, is not itself adultery, then the state has no right to prevent it, and that it is an invasion of Christian liberty to do so; and there are many plausible reasons which may be urged in favour of such a marriage. We see, then, to what matters may come, if divorces

[p.55] *a vinculo matrimonii*, in cases of adultery, are allowed. I am speaking only of the Scripture rule; and if our Lord has really permitted them, and neither He nor His Apostles have fenced them with any condition of the husband's previous innocence, or with any prohibition of the subsequent marriage of either husband or wife with other persons, (as it is clear that they have not,) then I must say, that the Gospel, far from being that law of purity which it has been deemed to be, permits, tacitly, a laxity of morals which is shocking, and which the heathen and the infidel may deride. But can this be? No, most assuredly. Our blessed Lord knew, far better than any of His creatures, what would follow from His injunctions. He foresaw, too, the flood of iniquity which would be let loose, if the marriage tie was rendered separable even in a case of adultery; and therefore He absolutely forbade it; and if He used at any time a single expression which may be twisted to another sense, if He had uttered words far less capable of explanation than *παρεκτός λόγου πορνείας* in one place, and *μη ἐπὶ πορνείᾳ*, in another, the very fact of any ambiguity existing at all, the bare possibility of giving to His words a meaning, which, in its effects, might introduce immorality, or a disregard of the marriage vow,

would at once compel us to say, that the ambiguity amounts to nothing; that His words, if construed at all, must be construed conformably with all His doctrine; and that any construction

[p.56] which conflicts with it bears, upon the face of it, its own refutation. "Yea, let God be true, but every man a liar; as it is written, That thou mightest be justified in thy saying's, and mightest overcome when thou art judged" (Rom. iii. 4). Taking it, however, that our Lord has absolutely prohibited divorce *a vinculo matrimoini* in all cases, we perceive at once the reason, why Scripture contains no further directions on the subject: there could be then no necessity for rules to prevent such abuses, as those which I have suggested as possible if Scripture allowed divorce in cases of adultery. When all divorces were prohibited, and all marriages of husband or of wife, whilst both survive, with other parties, were declared to be adultery, it would have been absurd to give any additional rules, or to suggest the possibility of such marriages under any circumstances. The very silence, therefore, of Scripture, is, in this instance, almost as expressive as its language, and what it does not say is a practical exposition of what it does. And thus we see a perfect harmony throughout the New Testament, no part allowing what any other forbids, but each holding the same language; the teaching of our Lord entirely consistent, not only with itself, but with that which His followers have delivered; and all in unison with the fiat of the Creator, when marriage was first instituted, and husband and wife were declared to be "one flesh." We see also a reason, why each of the Evangelists

[p.57] wrote as he did why St. Matthew may have been led to give the words παρεκτός λόγου πορνείας and μη ἐπὶ πορνεία, and why St. Mark and St. Luke omitted them; and explaining those words in a literal, obvious, and easy sense, we relieve ourselves from all real difficulty. We see, further, a vindication of the teaching of the Christian Church, which, whenever it has spoken on this subject, has condemned divorces *a vinculo matrimonii*, and rested its condemnation of them on the authority of Scripture. Lastly, we see, that, as the marriage state is made indissoluble by the positive command of our Lord, the most complete check is put upon that licentiousness, which is ever found to prevail, when the union of man and wife is allowed to be dissolved; and no person can hesitate to admit, that, unless public morals are guarded by those restraints which Christianity imposes, there can be no security to the welfare, or to the happiness, of society. It is evident, therefore, from all that has been said, that the prohibition of divorce is universal; that it extends wherever Christianity is professed; and thus, although our Lord, in one part of His conversation with the Pharisees, may have put aside the consideration of adultery in connection with divorce, in consequence of its being

specially provided for by the Jewish law,⁷ it would be ridiculous to suppose, that, as the Jewish law is abolished, it is now an open question, and that any legislature may authorise the dissolution of marriage when adultery

[p.58] has been committed. The very reason on which our Lord founded His prohibition excludes the possibility of this, as it showed that marriage was made indissoluble by the Creator Himself; and the solemn words which He added, "What therefore God hath joined together, let not man put asunder," are just as absolute for one nation as they are for another—for Gentiles as well as Jews. This is clear, even from St. Matthew's Gospel; while the Gospels of St. Mark and St. Luke, written originally for Gentile converts, and the Epistles of St. Paul, addressed also principally to those who were not bound by the Mosaic law, and each of these writers declaring, in the very words of our Lord Himself, the indissolubility of marriage under any circumstances, and without any exception of adultery, render it impossible for any human authority to escape from the prohibition, or to pretend that it is not universally binding.

I have now performed the task, which I proposed to myself in the outset, that of stating the reasons which have led me to the conclusion, that divorce *a vinculo matrimonii* is prohibited amongst Christians by the Scriptures of the New Testament. I have endeavoured to show, that the usual mode of reconciling the three Evangelists is inadmissible; that it assumes the teaching of one to be absolutely inconsistent with that of the others, and makes these others mean what they have not said, and say what they did not mean. I have proved, that it is not necessary to

[p.59] adopt a course so irrational; that the words of St. Matthew, which have been supposed to except the case of adultery from the prohibition of divorce, do no such thing; that their very object was to show that such cases were not excepted. I have given the true construction and meaning of those expressions; and adopting, first, the ordinary reading of the original Greek, and the authorised English version, I have explained them consistently with the general prohibition; and then, adducing the more correct reading, and a more exact and literal translation, I have fixed the true sense of each passage. I have examined each Gospel in turn, and shown that it corresponds with the others; and I have adduced the testimony of St. Paul, and deductions drawn from the general tenor of Scripture, as conclusive evidence against divorce. Whether my arguments are satisfactory to other persons, or whether they are not, one thing at least must be admitted, that those who claim the authority of Scripture for the dissolution of Christian marriage, in any case, have very great

⁷ LMF. I do not see this in Matthew 5 (see my previous note); and in Matthew 19, Jesus expressly rules out divorce for fornication, if by fornication is meant a sexual sin which is not adultery.

difficulties to contend with; and that it is not at all clear that Scripture does not prohibit it. I defy any advocate of divorce to say, that he has Scripture plainly on his side, looking at it simply by itself, and without reference, either to the authority of the Church, or to the judgment of the many great theological writers, who have already decided against him. But if this is so, and even if the probability were far less than it is, that by per-

[p.60] mitting divorces *a vinculo matrimonii* we might be violating the law of the Gospel, if there is a mere chance that we may be doing ourselves, or enabling others to do, what is positively forbidden by God, how can we justify ourselves in His sight, for risking presumptuously the consequences of disobedience? I would put it to the conscience of any legislator, whether he would be prepared to sanction a law, which even might be contrary to the command of his Saviour, if he were told that he would shortly afterwards be summoned to his final account, when that very Gospel which he has slighted will be the rule by which he must be judged? And if, under such circumstances, he would shrink from so fearful a responsibility. I would ask him, whether he will be wiser or safer in incurring it, because a few years may yet be spared him? Whatever responsibility may attach to the support or rejection of other acts of the legislature, there can be no doubt, that one which is to legalise divorce bears directly upon a subject, with which the Christian Scriptures professedly deal; and if those Scriptures may fairly be, as they very generally have been, interpreted to forbid any such measure, piety and prudence alike seem to require, that it should be immediately rejected.

It may be said, that the legislature has already committed itself to the contrary course, by passing, at various times, private bills for the divorce of parties. Be it so; this can be no reason for any fur-

[p.61] ther step in the same direction, if that direction is, or may be, wrong; still less for making that general, which has hitherto been confined to particular cases. It may be regretted that the legislature ever acted in such a manner; but this may have been without due consideration of the question, and before that full discussion of it, which was necessary to clear up the difficulties in which it was involved. A public and general law, to make that legal in all cases, which ought never to have been made legal in any, is strangely recommended by the argument, that the thing has often been done for particular parties; and as no individual can justify a breach of moral duty, by the frequency of the occasions on which he has previously committed it, so neither can any community; and it must be remembered, that each private act, which has thus been passed, has been an acknowledgment on the part of the legislature, that the ancient and established law of England, both in Church and State, has made the marriage union indissoluble. But with considerations of this nature I have nothing to do; and although I am far from underrating the value of those many secular and social reasons, which may be urged against

any alteration of the law on the subject of Divorce, and which I think conclusive in themselves, I purposely forbear to urge them, my object being simply to show, that Scripture forbids the dissolution of Christian mar-

[p.62] riage; and if it does, as I am convinced it does, all other considerations are immaterial, and all other arguments superfluous.

THE END.