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A table of contents for *The Expositor* can be found here:

[https://biblicalstudies.org.uk/articles\\_expositor-series-1.php](https://biblicalstudies.org.uk/articles_expositor-series-1.php)

my points.”<sup>1</sup> Dr. Gordon must not be understood to mean that Dr. Skinner has dealt with these matters.

It may be added that in spite of this very direct challenge no reviewer of the book—and the authors of signed notices include Professors Addis, Eerdmans, König and Toy—has hitherto met these charges. The emphasising of a well-known proverb by Drs. Skinner and Gordon has come very opportunely for my purpose. Truth *is* sometimes stranger than fiction.

HAROLD M. WIENER.

### *THE EARLIEST CHRISTIAN TEACHING ON DIVORCE.*

OWING to circumstances very far removed from the scientific study of historical theology the question of the earliest Christian teaching on divorce is at present a more than usually living question among those who are interested in the ethical teaching of the Christian church. There is therefore a special reason for an attempt to gather up the evidence of the New Testament, and of such literature of the earliest period as is important for influencing our judgment on the true interpretation of the Gospels.

The earliest teaching concerning divorce in the New Testament is to be found in 1 Corinthians vii. The chapter is too well known for it to be necessary to quote it at length. St. Paul is discussing the case of “mixed marriages,” and lays down the rule that the Christian is not bound to leave a heathen husband or wife unless at the desire of the latter. “If the unbeliever separate, let him separate; the brother or sister (i.e. male or female Christian) is not enslaved in such a case.” St. Paul does not say anything definite as to the question of re-marriage in this case, but it is extremely improbable that he would have countenanced

<sup>1</sup> *Op. cit.*, preface.

it, as at the beginning of his statement he says that if a wife be separated from her husband she is to remain unmarried, or to be reconciled to her husband. As he uses the same word here for separation as he does when speaking of the mixed marriages, and as this is the only case of separation to which he refers, it is almost certain that this was the case which was before his mind when he prohibited the re-marriage of those who had been separated from their husbands.

For part of his advice St. Paul claims the authority of the Lord, and it is extremely important to notice that this part is precisely that which refers to the general rule of the permanence of the marriage state, and the prohibition of re-marriage in case of separation. "Now to those who are married I enjoin—not I but the Lord—that a wife do not separate from her husband, and if she be separated let her remain unmarried or be reconciled to her husband, and that a husband do not put away his wife." It is surely more reasonable to look for the origin of this command of the Lord in some incident preserved in the Gospels than to suppose that St. Paul is referring to some special vision or revelation made to himself. Such a passage is to be found in each of the Synoptic Gospels, and twice in Matthew, and without trying to identify any one of these places with the injunction referred to by St. Paul we are safe in assuming that they and he refer to the same tradition. The passages in question are Mark 2-12; Matthew xix. 3-9; Matthew v. 31-32, and Luke xvi. 18.

The consideration of these passages brings us into the middle of the Synoptic question, and a glance at them shows that we are here in the presence of one of those valuable sections in which we have the evidence of Q as well as that of Mark. It is fortunately unnecessary at the present time to argue that if we wish to know the

## 418 EARLIEST CHRISTIAN TEACHING ON DIVORCE

original teaching of Christ we must get behind the Gospels to their source, for this truth is now generally recognised; the first thing, therefore, to do is to inquire into the original form of Q and of Mark.

The Marcan version is found in Mark x. 2-12 and in Matthew xix. 3-9.

### MARK X. 2-12.

And the Pharisees came to him, and asked him, Is it lawful for a man to put away his wife? tempting him. And he answered and said unto them, What did Moses command you? And they said, Moses suffered to write a bill of divorcement, and to put her away. And Jesus answered and said unto them, For the hardness of your heart he wrote you this precept. But from the beginning of the creation<sup>1</sup> "He made them male and female. For this cause shall a man leave his father and mother, and cleave to his wife; And they twain shall be one flesh: so then they are no more twain, but one flesh." What therefore God hath joined together, let not man put asunder. And in the house his disciples asked him again of the same matter. And he saith unto them, Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall leave her husband, and be married to another, she committeth adultery.

### MATTHEW XIX. 3-9.

The Pharisees also came unto him, tempting him, and saying unto him, Is it lawful for a man to put away his wife for every cause? And he answered and said unto them, Have ye not read, that the Creator at the beginning made them male and female, and said, For this cause shall a man leave father and mother, and shall cleave to his wife: and they twain shall be one flesh? Wherefore they are no more twain, but one flesh. What therefore God hath joined together, let not man put asunder. They say unto him, Why did Moses then command to give a writing of divorcement, and to put her away? He saith unto them, Moses because of the hardness of your hearts suffered you to put away your wives: but from the beginning<sup>1</sup> it was not so. And I say unto you, Whosoever shall put away his wife without the reason of fornication, and shall marry another, committeth adultery.

<sup>1</sup> Or perhaps this should be translated, "But according to Genesis." The word *κρίσεως* is doubtful, and *ἀπ' ἀρχῆς* means "in the passage known as 'the beginning.'" See Wellhausen *ad loc.*

The text of this passage in Matthew, though doubtful in some details, is free from any variant which affects the interpretation, but in Mark there are in verses 12 and 11 two points which may be of greater importance. These concern (a) the order of the verses, (b) the phrase used to describe the divorce of the husband by the wife.

As to the order of the verses it is noticeable that Syr. S and cod. Ev. 1 transpose them so as to put the case of the woman who leaves her husband first. Of course the evidence is not great, but as the tendency would certainly be exactly contrary to this, it must be allowed that transcriptional probability favours this reading, and it is very remarkable that St. Paul in 1 Corinthians vii. 10, when claiming the authority of the Lord for the permanence of the marriage tie, similarly places the case of the wife before that of the husband; it is an attractive guess that St. Paul took this order because it was traditionally that which the Lord had used, and that Syr. S and cod. Ev. 1 preserve the same fact.

The question of the phrase used for the divorce of the husband by the wife is rather a curious example of the way in which textual criticism answers historical difficulties. The objection has often been made that the divorce of a husband was impossible in Jewish law, and it has been argued that this is a later interpolation in Mark. But the textual evidence throws a new light on the facts. In D. latt. syrr. the word used is not "dismiss," but "leave" (*ἐξελθεῖν ἀπὸ*), and the whole question of Herodias was quite precisely that of a wife who had "left" her husband. There is, therefore, much to be said for the view that Mark wrote "dismiss" when he referred to the husband and "leave" when he referred to the wife, and that the Alexandrian scribes who made the *NB* recension made the word used of the wife correspond to that used of the husband, while Syr. S, which has "leave" in both cases, reversed

the process and made the word used of the wife apply also to the husband.

In Mark, then, we have an account of a conversation between Jesus and the Pharisees on the question of divorce in which he laid down the rule that divorce was not permissible either for husband or wife, and it is possible that the case of the wife originally was placed first. The fact that the case of the wife is mentioned at all (and still more, of course, if it be placed first) suggests the historical background which probably ought to be supplied to this incident and the nature of the trap which the Pharisees were preparing. The case of Herodias, who, as has been already pointed out, had actually left her husband, was still present to the minds of the Jews, and it was a dangerous thing for any one too openly to express his opinion of wives who left their husbands, in view of the way in which Herodias had acted, and of the other matrimonial complications for which the house of Herod was notorious. Interference in this matter seems to have cost John the Baptist his life, and the Pharisees no doubt hoped to entangle Jesus in the same difficulties by eliciting from Him an uncompromising statement on the question of marriage and divorce. It is scarcely necessary to point out that if this incident was implicitly concerned with Herodias, it is easy to understand why, if that be the true text, the case of the wife is put first.

But are we right in supposing that Mark represents the original Marcan narrative, or is it possible that Matthew has on this a point preserved the more original form? In the absence of any controlling version in Luke a decisive answer is impossible, but it would be contrary to all we know of the methods of the redactors of the Synoptic Gospels to suppose that Matthew is really preferable. The only points on which a serious argument has been set

up in favour of Matthew are the opening question in which, according to Matthew, the Pharisees asked whether it was allowable for a husband to put away his wife *κατὰ πᾶσαν αἰτίαν*, and the excepting clause which recognises infidelity as a reason for putting away a wife.

It has been suggested that *κατὰ πᾶσαν αἰτίαν* refers to a dispute among the followers of Hillel and those of Shammai as to what was a legal reason for divorce, but it is quite unnecessary to suppose that this must have been the original setting of the incident. It is quite as likely, even supposing that a reference is intended to Hillel and Shammai, that this was the guess of the redactor, or, as I am inclined to think, it is possible that it has no reference at all to Jewish customs, but refers to some early Christian discussion which had gone on much the same lines.

Far more important is of course the exception in the Matthaean version made in favour of the divorce of an unfaithful wife; and the question has always been raised whether this may not have been the original saying of Jesus. It will, however, be easier to answer this question after having considered the narrative in Q. This is found in Matthew v. 31 f. and Luke xvi. 18.

MATTHEW v. 31-32.

It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery.

LUKE xvi. 18.

Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away from her husband committeth adultery.

It is generally admitted that these passages undoubtedly come from Q, and one sees at once that the phenomena are precisely the same as in the Marcan document—a

conditional prohibition of divorce in Matthew and an unconditional prohibition in the parallel narrative. It is unnecessary for the present purpose to inquire whether Q or Mark is the more original, whether they are independent, which is the earlier form, or any of the other questions which at present are so much to the fore in the discussion of the Synoptic question; the only point is which is the more original form of both Mark and Q,—the conditional or the unconditional? To this the answer cannot be doubtful. If the original form was conditional, it is extremely improbable that Mark (i.e. our Mark) and Luke should both independently remove the conditional clause; but if the original were unconditional, it is not improbable that the redactor, who for his own reasons inserted a condition in one source, should be consistent and insert it in the other as well. Mark, therefore, claims the unconditional form for the Marcan document, and Luke claims it for Q, so that the conditional clause in the Matthaean version is marked down as the work of the Matthaean redactor and does not belong to the original text of either source. It is of course true that this result is only probable and not certain. The possibility is open that Mark and Luke independently omitted a conditional clause, which was originally both in the Marcan document and in Q; but this possibility is opposed by every sort of critical probability.

The result, therefore, of applying the methods of Synoptic Criticism to the sayings about divorce is that Jesus appears to have unconditionally prohibited it; and this agrees with the independent evidence of St. Paul. In fact there are few things in the Gospels which are so strongly attested, according to the standard of modern criticism, as the condemnation of divorce by Jesus. Nevertheless the redactor of our first Gospel thought it desirable to insert the con-



ditional clause allowing divorce of the wife for infidelity ; and the question which we have to ask is whether we can throw any light on the reasons which may have influenced him in this direction. For this purpose it is plain that the evidence of Tertullian and later writers is too far removed from the Gospels, and also is too much affected by their text to give much help. Fortunately, however, we possess in the Shepherd of Hermas a clear statement on the question of divorce, which is at least not openly based on the authority of the Gospels, and although no doubt somewhat later than the redactor of Matthew it is sufficiently close to him in date to throw considerable light on the motives which may have influenced him in inserting the conditional clause.

The evidence of Hermas is found in the fourth mandate in which he narrates the following conversation between himself and the Angel of penitence : " I said to him, Sir, suffer me to ask thee a few things. Say on, quoth he. Sir, quoth I, if one have a wife that is faithful in the Lord, and he find her in some adultery, doth then the husband sin if he live with her ? During ignorance, quoth he, he sinneth not ; but if the man come to know of her sin, and the wife repent not but continue in her fornication,<sup>1</sup> and the husband live with her, he becometh guilty of her sin and a partner in her adultery. What, then, quoth I, should the husband do if the wife continue in this passion ? Let him put her away, quoth he, and let the husband remain single ; but if, when he hath put away his wife he marry another, then he likewise committeth adultery. But if, sir, quoth I, after the wife hath been put away, she repent and desire to return to her own husband, shall she not be received ?

<sup>1</sup> The interchange here of *μοιχευετα* and *πορνευετα* is worthy of note in view of the rather artificial difficulties which have been made as to the meaning of the latter in the Gospels.

Yea, verily, quoth he, if the husband receive her not he sinneth, and bringeth great sin upon himself. He that hath sinned and repenteth must be received; yet not often, for to the servants of God there is but one repentance. For the sake of her repentance, therefore, the husband ought not to marry. Thus the case standeth with both wife and husband. And not only, quoth he, is it adultery if a man defile his flesh, but whoso doeth things after the similitude of the heathen likewise committeth adultery. So, then, if a man continue in such deeds and repent not, refrain from him and company not with him; otherwise thou also art a partaker of his sin. For this cause are ye bidden to remain single, whether husband or wife, for in such matters there may be repentance.”

It is plain that this passage deals with the problem implied by the conditional clause in Matthew—the unfaithful wife of a Christian—and like Matthew, or rather in agreement with the implication of Matthew, Hermas enjoins separation. The gain to the interpretation is that Hermas explains the principle and defines accurately the duty of a husband towards his separated wife. Unfortunately it is not possible to say with certainty whether Hermas ought to be regarded as comment on, and interpretation of Matthew, or as the beginning of a Christian Praxis, which was ultimately codified in the final text of Matthew, and given authority by being placed in one of the Sayings of the Lord. In favour of the former view is the fact that Matthew as a whole is certainly earlier than Hermas, though there is no evidence that Hermas was acquainted with it.<sup>1</sup> In favour of the latter is the fact that Hermas

<sup>1</sup> I attach comparatively little importance to this: Hermas does not quote, for he is relying on the authority of the Spirit, whose direct revelations he records, and also because for the most part he is dealing with new problems, which could not be settled by an appeal to the *Λόγια*, whether *λόγια* be taken to mean the Old Testament or the Oracles of the Messiah.

gives his teaching as a fresh revelation, hitherto unknown. It must also be remembered that though we may feel tolerably certain that Matthew as a whole belongs to the first rather than to the second century, we do not know anything definitive about the last redactors, either as to their number or their date, and the fact that there is no trace of a text of Matthew omitting the clause is insufficient to prove that such a text never existed. But in the absence of evidence it is necessary to leave this point open and to consider later on what the importance may be of the doubt concerning it.

How, then, can we summarise the evidence of Hermas as to the causes which led to the introduction in the Roman church of the second century of more definite rules concerning the separation of husbands and wives? The primary cause was the clashing of two rules of life, and the necessity of finding some way of reconciling them. On the one hand it had been enjoined upon Christians not to divorce their wives, and on the other hand they had been forbidden to live with immoral persons. St. Paul, for instance, had written on one occasion that his converts were "to have no company with fornicators," and he explains in 1 Corinthians v. 11 that what he means is that they should not keep company: "if any man that is named a brother be a fornicator . . . with such a one no, not to eat." Thus it was as much against the teaching of Christianity to live with an immoral person as it was for a husband to put away his wife. If, then, a wife or a husband became immoral the two rules were in open conflict, and the practical question had to be faced. The answer of Hermas was that the law concerning morality must take the precedence, but that the person offended against must remain single in order to be able to receive back the guilty party in case of repentance. According to a true definition

this is of course no divorce at all, for it is of the essence of divorce that it takes with it freedom to remarry : indeed this seems always to have been understood even among the Jews. The practice advocated by Hermas is what we should call "desertion" or "the refusal of conjugal rights" rather than divorce.

What is the bearing of this on the question of the causes which led to the conditional clause in Matthew and the true interpretation of it ? It depends partly, but not to so great an extent as might have been supposed, on the view taken of the relation between Hermas and Matthew. If it be supposed that the conditional clause in Matthew is a comparatively late interpolation, that it represents the result of ecclesiastical practice, and sums up a rule which was probably introduced, and certainly expounded, by Hermas, it is clear that we must interpret the conditional clause in Matthew to mean the same thing as Hermas' advice. That is to say it enjoins on the husband of an unfaithful wife the duty of separating from her, but does not set him free to marry again.

If, on the other hand, Hermas is expounding Matthew we have still two good reasons for thinking that we must interpret Matthew in the same way : first because Hermas is, on this theory, much the oldest interpretation which we possess of Matthew, secondly it is usually safer to interpret an ancient document, the meaning of which is obscure, by the analogy of another which is clear, than by *a priori* considerations taken from our own point of view, or even by a strictly grammatical and logically correct exegesis. The Gospels were not written by scribes who were logically correct and consistent in expression, and therefore an entirely correct and consistent logic often ends in exegetical confusion, which would have been saved by paying more attention to contemporary documents.

If we accept this, we are forced to the conclusion that the only intention of the conditional clause in Matthew was to relieve Christians from the necessity of living with unfaithful wives, and it was not meant to give them the freedom of re-marriage. The possibility, of course, is not absolutely excluded that Hermas was limiting a too wide interpretation of Matthew, but this possibility is rendered very improbable by the general trend of his statements. The main question, it will be remembered, was not whether a man might marry again, but whether it was sinful to live with an unfaithful wife. If Hermas had been primarily concerned with the question of re-marriage this would have been put in the foreground, but as it is no unprejudiced reader can study Hermas without receiving the impression that the new element in his treatment was the teaching that it is the duty of the husband to leave an unfaithful and impenitent wife. If (which personally I doubt) the Church of Rome was acquainted with the conditional clause in Matthew, it is probable that it was not regarded as a command so much as a permission, and Hermas was engaged in the task of maintaining that it was a definite command intended to reconcile the prohibition of divorce with the prohibition of intercourse with immoral persons.

To sum up, the result of investigating the early Christian teaching as to divorce is to show that the original teaching of Christ and of St. Paul was an unconditional prohibition of divorce or separation. The conditional clause in Matthew does not represent a genuine saying of Christ, it was introduced in consequence of the practical difficulty which arose when it was perceived that the prohibition of divorce sometimes conflicted with the duty of Christians of avoiding the company of immoral persons, and it was not intended to convey any permission to remarry.