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# A Response

DAVID ATKINSON

comments on the article by Gordon Wenham

I am grateful to the editor for the opportunity both to express my appreciation of Gordon Wenham's careful critique of *To Have and To Hold*, and to comment briefly in reply.

I have admired Gordon's scholarship for a long time, and benefited very much from his own work in this area (as I hope he feels I acknowledged adequately) in the Memorandum which he generously allowed me to see before he published a summary in *Third Way*. I am sorry if he feels that at one point I misrepresented his emphasis. I must acknowledge that in places my book was finished in too much haste and, as Gordon notes, some careless slips are obvious. (May I here give the Matrimonial Causes Act 1857 its proper name; the word 'Reform' somehow slipped out of Divorce Reform Act in the proof of p.159; and the text on pp.40-41 should of course be Eph. 5:32). But I do not think his assessment of my position is always accurate, and I still find myself in disagreement with him on his main point.

I have no brief to uphold a traditional evangelical or Protestant view for its own sake, and certainly do not want to fit an interpretation to my prejudice because the alternatives are unpalatable! I also think that my pastoral discussion with reference to counselling, careful preparation and adequate discrimination, together with tentative practical proposals for a special service, will make for more responsible pastoral discipline (in which remarriage in church will, I think, still be the exception rather than the rule) than Gordon Wenham's one-line summary of chapter 6 might indicate.

Gordon Wenham's essay makes three main points. First, that the Old Testament limited a divorcee's right of remarriage. There is no dispute about this, and I think that my handling of Deuteronomy 24 is at this point in line with Dr Wenham's. His second point is that Jesus condemned any remarriage after divorce as adultery, and allowed only separation, not divorce, on grounds of *porneia*. Thirdly, the early church taught that Jesus allowed separation but not divorce.

On this third point, I am willing to be persuaded on the patristic evidence. I have no particular competence in this area, and am dependent on the views of others. However, it does seem to me too simplistic to assume that the agreement of the Fathers against remarriage must necessarily be due to the teaching of the New Testament, and not to the ascetic ideals which prevailed in the patristic age.

It is Dr Wenham's second point which is crucial, and on this I make three comments:

1) I am not sure why Dr Wenham says that I assert an absolute identity of sexual morality between the Old Testament and the New. This is his phrase: I nowhere say this. I was discussing the Old Testament as 'background' to the synoptic divorce material, and it does seem to me that on this issue, as well as on others in the Sermon on the Mount, Jesus is drawing out and interpreting for his purpose the radical principles implicit in the Mosaic law, rather than

abrogating or annulling. In both New and Old Testaments, I maintained, we find both the will of God for marriage as an exclusive and permanent love relationship, as well as recognition of the reality of divorce in a sinful society. I believe the discussion between Jesus and the Pharisees allows this point. Gordon Wenham does not. I think he needs to show, not just state, why my model of the relationship between Mosaic law and Jesus' view holds at some places but not at others.

2) Gordon Wenham criticizes my assumption that 'divorce' in the synoptic material includes the right of remarriage. Indeed, were he to grant that assumption, I think Gordon and I would agree at almost every significant point. But I do think that it is a natural assumption, and that it is for him to show that Jesus is using *apoluo* to mean 'separate without right of remarriage' and not 'divorce'. As far as I am aware, such separation was unknown in Jesus' day, and if he was using the word in a new and restricted sense—particularly in a discussion about Deuteronomy 24 in which remarriage (albeit restricted) was assumed—prompted by the disagreement in its interpretation between Shammai and Hillel (both of whom also assumed remarriage), I think it unlikely that Jesus would have been so understood without further explanation.

3) It still seems to me the most natural interpretation of *porneia* is as an exception to the general rule about divorce and remarriage. It is not clear to me why, in part of Dr Wenham's essay, his argument makes the issue of remarriage the crucial one, while he wishes to restrict the reference of *porneia* as an exception to the rule about divorce only and not to the question of remarriage at all. I agree that Jesus does not want his disciples to divorce and remarry. But it seems to me that the *porneia* exception allows us to speak of 'lesser evil'. Dr Wenham also allows remarriage to some divorced people (but not in church) in accordance with our Lord's compassion for sinners and his reference to men's hardness of heart. So the practical issue turns on whether or not the church should ever give its blessing to a second marriage. I say 'yes, sometimes', because though never God's will, divorce is a reality in a sinful world, and the New Testament recognizes that reality in the exceptive clause. Dr Wenham says 'no', because he believes Jesus never wants divorced Christians to remarry (though if they do, they are still welcome to Communion).

Both of us, it seems, agree about God's ideal for marriage, and about the sinfulness of breaking the marriage covenant (and, incidentally, 'which my covenant they brake' is part of the story of God's covenant with his people). I do not seek to encourage divorce at all, as I hope my discussion of reconciliation made clear. The practical question that we answer differently is how the church is best able to give institutional expression both to the will of God for marriage, and to the fact that sin (even this sin) can be forgiven.

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