

BOOK REVIEWS

The Teaching of the New Testament on Divorce. By the Venerable R. H. CHARLES. WILLIAMS and NORGATE: London, 1921. pp. xiv + 127.

A scholarly treatment of this subject has long been a desideratum. Unfortunately, the book before us is not conclusive, though it contains much that is worthy of the high reputation of its author. We learn that the questions on divorce, asked of Jesus by the Pharisees, and his replies (Matt. 19 9 Lk. 16 18) refer only to divorces on slight grounds, and do not relate to adultery. Matthew 19 10-12 has nothing to do with divorce, but comes from a context on self-denial for the Gospel's sake (doubtless the author has in mind such passages as 1 Cor. 7 32-34 and Lk. 14 26). Mark 10 2-12 has been reedited for Gentile Christians; one change is the reference to divorce by the wife—something impossible in Jewish law. 1 Cor. 7 10, 11b gives a saying of Jesus similar to those in the Synoptics. 1 Cor. 7 11a is an interpolation; this removed, marriage after divorce on the ground of unfaithfulness is nowhere forbidden in the New Testament. These points are established, or at least made probable. The discussions of the verbs meaning *divorce* and *desert* and of *πορνεία* are of value. One wishes that in discussing the latter the author had considered the interpretation, as any sort of improper behavior, given by Selden (*Uxor Ebraica, seu de Nuptiis et Divortiiis . . . Veterum Ebraeorum*, chaps. 19, 22), and other seventeenth-century writers.

There are, however, certain matters vital to the author's contention that the New Testament approves divorce for adultery, with subsequent remarriage, which are hardly acceptable. Contrary to general opinion, Archdeacon Charles holds

that Matthew's report of the saying of Christ which makes an exception of *πορνεία* is nearer the original than that of Mark, who makes no exception. One of his grounds for this opinion is that "the law which required the death of the adulterous woman and her paramour was still valid" (p. 19). But if Jesus accepted the punishment of death for adultery, there is no question of divorce for adultery, and we must not represent him as substituting divorce for death in Matt. 5 32 and 19 3-9. The author draws his conclusion that Jesus approved stoning as the penalty for adultery from the story of the woman taken in adultery (John 8). From this he infers that our Lord made no objection to divorce for adultery, or to subsequent remarriage. It is difficult to see how an execution, which left the guiltless survivor unmarried and free to marry again, can be equated with a divorce leaving both guilty and innocent free to remarry. The author supports his case by writing: "Jewish law, civil and religious, made divorce compulsory in the case of adultery, as we have already observed" (p. 9). But the fact "already observed" was that "this law (death for adultery) was in force during our Lord's ministry and for one or more years after its close . . . After 30 A. D. the husband was compelled by Jewish law to divorce his adulterous wife" (p. 5). This destroys the basis in John of the argument that Matthew represents the saying of Jesus. We are left as before face to face with the discrepancy between Mark, with Luke, on one hand, and Matthew on the other. The facts presented by the author make almost irresistible the conclusion that the interpolation was made in Matthew by one familiar with the Jewish law of divorce for adultery, or possibly with a similar Christian custom (see Allen's *Matthew* in the *International Critical Commentary*, p. 52).

Archdeacon Charles holds that 1 Cor. 6 13-17, in which believers are forbidden to defile themselves with harlots, teaches that unchastity dissolves marriage. The Apostle is not writing directly on marriage, but declaring that harlotry is opposed to union with Christ. Yet Romans 7 1-3, which draws an analogy between marriage and the law, and between bodily death and death to the law through the body of Christ, is explained as having nothing to do with divorce, but is called "an illustration

and nothing more" (p. 42). The two passages seem to be on the same footing; if the author need not consider Romans, he cannot use Corinthians to support his argument.

The point is made that Mark in his account (10 2-12) of the conversation of Jesus and the Pharisees omits from the quotation from Genesis the words "and cleave to his wife", found in Matthew; this clause is called "most pertinent to the argument of Christ" (p. 89). But since Mark does not omit the words "the twain shall become one flesh" he may be held to give the spirit of the familiar passage, and no significance can be attached to his omission. The author remarks on "Mark's wrong attribution of the verbs 'commanded' (*ἐνετείλατο*) and 'suffered' (*ἐπέτρεψεν*) to Christ and the Pharisees respectively", and on "the attribution by Mark to Christ of words which rightly belonged to the Pharisees." The verses are: They say unto him, Why then did Moses *command* to give a bill of divorcement? . . . He saith unto them, Moses . . . *suffered* you (Matt. 19 7-8). He . . . said unto them, What did Moses *command* you? And they said, Moses *suffered* to write a bill of divorcement (Mark 10 3-4). While the attribution of the words to the speakers is reversed, the first reference in each case uses *command* and the second *suffer*, as though by a formula: What is the law? The law allows . . .

We cannot found a working belief that Jesus countenanced divorce for adultery, and for that alone, on such interpretations as those of this volume.

But if the author is unsuccessful in establishing Jesus' approval of divorce, he suggests another sort of argument in his chapter entitled: Whom does God join together? Here he seems to follow at a distance the greatest of English writers on divorce—the poet Milton. Milton knew nothing of the modern scholarship which doubts the genuineness of Matthew's exception, and interpreted *πορνεία* as did Selden; consequently he countenanced divorce for other causes than adultery. His work is remarkable for his noble conception of the end of marriage (see "Milton on the Position of Woman", *Modern Language Review*, vol. 15, no. 1). Archdeacon Charles holds that every true union of man and woman is a marriage, without regard to

its celebration, and that the parties to a marriage are not joined together by God unless they are joined in heart, whatever may have been the rites of the Church. Moreover, divorce in reality takes place not in the act of the Church or State, but in the infidelity of the contracting parties. Such reasoning leads to the conclusion that the words of Jesus apply only to unions contracted in the right spirit, without even such exceptions as the adultery in the heart of Matt. 5 28. This consideration of the minds of the parties rather than of the outward form of the marriage obviously leaves the way open to free divorce, yet without violating the precepts of Jesus as the Archdeacon interprets them.

It seems that the attitude for one who both rests on the words of Jesus and also desires to restrict divorce is to accept marriage as a duly solemnized union, without looking into the hearts of the parties. And if the author is wrong as to the validity of Matthew's exception, the Churchman who denies all right of divorce is the consistent man. The alternative is to abandon literal interpretation of the words of Jesus for an attempt to regulate divorce in accord with the Christian ethics of the present.

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