

ARTICLE IX.

OUR LORD'S TEACHING ON MARRIAGE AND
DIVORCE.

BY THE REVEREND RANDOLPH H. M'KIM, D.D., LL.D., D.C.L.,
WASHINGTON, D. C.

THE Essay of Professor Tyson on Our Lord's Teaching as to the Indissolubility of Marriage¹ will command the respectful and thoughtful attention of students of the New Testament both on account of the importance of the subject and the position of the author as a representative of the scholarship of the University of the South.

In venturing to set down my own impression of the validity of the argument here presented, I would first express gratification that Professor Tyson has frankly conceded the fact that the words found in St. Matt. v. 32 and xix. 9, "saving for the cause of fornication," are an integral part of the text. "There is no uncial, cursive, or Latin version which omits the exceptive words in v. 32 or in xix. 9." Thus "the fact remains that, by the indubitable witness of antiquity, the right of a man to divorce his wife for a single cause was definitely recorded by the compilers of the First Gospel." It is also to be noted that Professor Tyson holds that Christ (if correctly reported in St. Matt. xix. 9) allowed the right to remarry in the excepted case, and that, whether the words "and marrieth another" be omitted or not.

¹The Teaching of Our Lord as to the Indissolubility of Marriage. By Stuart L. Tyson, M.A. (Oxon.), Professor of New Testament Language and Interpretation in the University of the South. 12mo. Sewanee, Tenn.: The University Press. 50 cents.

With equal clearness our essayist maintains that *πορνεία*, in the two passages named, refers to post-marital sin.

I come now to the Professor's exegesis of these two St. Matthew passages. On page 53 he reaches the conclusion that the exception "throws the contexts [of St. Matt. v. 32 and xix. 9] into utter confusion," and is "in direct antagonism to three independent writers of the New Testament," viz. St. Mark, St. Luke, and St. Paul. In this he follows the lead of Dr. Allen in his "Commentary on St. Matthew." This is the main thesis of the Essay, and it is elaborated with no little skill (pp. 18-53). In these conclusions I find myself unable to follow Professor Tyson.

1. In the first place, I cannot accept his translation of St. Matt. v. 32. He urges that "the participle without the article used as it is here properly denotes *any woman divorced for any cause whatever.*"

Space does not permit the discussion of the point of Greek Grammar involved in the anarthrous use of the participle. I will only say, with Dean Mansel, "The logical sequence is lost if the second clause [of the verse v. 32] is made more extensive than the first." That great company of scholars comprising the Revision Committee so understood it. Their rendering is, "Every one that putteth away his wife saving for the cause of fornication, maketh her an adulteress; and whosoever shall marry her when she is put away committeth adultery." Meyer says, "that by *ἀπολελυμένην*, a woman who is dismissed *illegally*, consequently *not on account of adultery*, is intended . . . according to the first half of the verse."¹ Indeed, it may be confidently stated that the weight of scholarship in the latter half of the nineteenth century was overwhelmingly in the scale of this interpretation; so that one is bound to say, though with

¹ Com. *in loco*, p. 133.

regret, that Professor Tyson's statement on page 47, that "there is a patent contradiction between the two halves of this verse, which only a desperate and unnatural harmonizing can eliminate," is quite without foundation.

Ellicott and Lightfoot and Westcott and Wordsworth and Trench and Mansel were not men to resort to "desperate harmonizing." The same can be said of Tholuck and Meyer. Their honesty was as unquestionable as their Greek scholarship was exact. It is by the laws of the Greek language that this translation is to be judged; and one cannot but ask, Where are the Greek scholars to-day whose opinion on such a question is weightier than theirs?

2. Again, one must take exception to the dogmatic assertion of our author that our Lord's statement in St. Mark x. 2 ff. "obviously admits of no exception" (p. 21), and "by all laws of human language can admit of no exception" (p. 23).

Now it happens that we have a statement of St. Paul just as positive as that of our Lord, which, nevertheless, we are absolutely certain did admit of an exception. In Rom. vii. 1 ff. he refers to the Jewish law of marriage, and says, "The woman that hath a husband is bound by law to the husband while he liveth. . . . So then, if while the husband liveth she be joined to another man, she shall be called an adulteress." But we know (and St. Paul knew) that there was an exception to this statement. The law bound the woman to her husband as long as he lived, *except when he gave her a bill of divorcement, and then she was free to marry again.*

Here, then, is a clear and undeniable example of a sacred writer stating the rule very positively and omitting the exception which nevertheless he knew existed. That illustrious scholar the late Canon Bright says, "A writer cannot be said to witness to the principle that nothing but death can dissolve

marriage because he gives the general prohibition of divorce without noticing the one exception. For to state a rule is not equivalent to setting aside an exception."

In illustration, let me observe that the pages of Dr. Hugh Davey Evans and of President Woolsey abound in broad statements of the indissolubility of the marriage tie, though both held that adultery dissolved it.

I add another illustration from Origen. He says: "The woman is an adulteress, though she seems to be married, if her former husband be alive."¹ Yet Origen elsewhere carefully and repeatedly acknowledges adultery to be a justification of divorce. In this place then he is laying down the general rule, irrespective of the one exception.

But why should the exception, given by St. Matthew, be omitted by St. Mark, in his account of the same interview? I answer with that great scholar Heinrich Wilhelm Meyer, Because "Mark has not the original form of the question. He follows a defective tradition, which in this particular is completed and corrected in Matthew."² Alford long ago acutely pointed out that the "omission by Mark of the words *κατὰ πάσαν αἰτίαν* carries with it the omission of the exception."

The fact that there is approximately a consensus among recent New Testament critics that St. Mark is the oldest of the Gospels — though such scholars as Zahn and F. Godet reject the supposition — does not necessarily require us to conclude that St. Mark is always more accurate than the Gospel which bears the name of St. Matthew, for the compiler of the latter is believed to have used not only St. Mark but also that collection of discourses called "Q," which is supposed to represent St. Matthew's tradition. This last is believed by Harnack to be older than St. Mark, and, if by St. Matthew, it

¹ Com. on Matthew. ² Com. on Mark, p. 128.

must have an even higher authority. It is therefore open to us to conjecture that the compiler of the First Gospel corrected and completed the account of this interview by the report of it he found in "Q."

As the narrative stands in our St. Matthew, it is clearer, fuller, more natural, than the narrative as given by St. Mark. The confusion and self-contradiction of the St. Matthew narrative so much insisted on by Professor Tyson appear to me to be due to his erroneous translation and exegesis.

But, in any case, the supposed compiler of the First Gospel is believed by Professor Tyson to have had in his hands and used the Gospel of St. Mark. Did he consider that in introducing the exceptive clause he was contradicting St. Mark? Would a Jewish Christian deliberately contradict a tradition which had behind it the authority of St. Peter?

Since Professor Tyson (following Dr. Allen) dwells so much on the "utter confusion" created in the St. Matthew texts by the introduction of the exception, let us see if such confusion exists. The Pharisees came to Christ, asking, "Is it lawful for a man to put away his wife for every cause [i.e. for any and every cause, serious or frivolous]?" Our Lord answered by referring them to the original institution of marriage, when God himself made husband and wife one flesh, and added, "What therefore God hath joined together, let not man put asunder." They reply, "Why then did Moses command to give a bill of divorcement, and to put her away?" Our Lord replies, that this was a temporary accommodation conceded for the hardness of their hearts, — to prevent cruelty and to mitigate the evil of arbitrary expulsion of the wife by the husband. It was a departure from the primitive ideal and ordinance: "From the beginning it was not so." "And I say unto you, Whosoever shall put away his wife, except for for-

nication, and shall marry another, committeth adultery; and he that marrieth her when she is put away committeth adultery." That is to say, marriage is indissoluble, save only when the unity created by it is wickedly rent asunder by marital infidelity — by an act of sin which, *ipso facto*, destroys the oneness of flesh which marriage created. (It will be observed that the two clauses of verse 9 are closely linked together, and that the woman mentioned in the second clause is the same referred to in the first clause. The logical sequence compels us to understand that the woman whom if any man marry he will commit adultery is the woman who has been divorced for some cause other than adultery.)

This rule of marriage and divorce thus enunciated by Christ was so much more strict even than that the school of Sham-mai had laid down, so unspeakably more strict than any the disciples as Jews had been accustomed to see observed; it was in such sharp contrast to the lax practice prevailing everywhere in Judæa — for the school of Hillel was now completely dominant — that the disciples could but exclaim, "If the case of the man is so with his wife," — if the tie is indissoluble except by the act of adultery, — then "it is not expedient to marry." Jesus replied, "Not all men can receive this saying [that is, the saying of the disciples that it is not expedient to marry]." And then in verse 12 he enlarges upon the subject of celibacy, adding, "He that is able to receive it let him receive it."

Is there any confusion or self-contradiction in the passage as thus elucidated? I fail to discover it. It is consistent, logical, intelligible; and the exegesis violates no rule of Greek Grammar.

Turn now to St. Matt. v. 32. There we read, "It was said also, Whosoever shall put away his wife, let him give her a

writing of divorcement [referring to Deut. xxiv. 1]; but I say unto you, that every one that putteth away his wife, saving for the cause of fornication, maketh her an adulteress [i.e. causes her to commit adultery by exposing her to the temptation, to a Jewish woman peculiarly strong, of marrying again]; and whosoever shall marry her when she is put away committeth adultery [because she has been unlawfully put away—because she is still another man's wife]." I confess that my eyes are not sharp enough to see any inconsistency in this passage with itself or with the other passage in St. Matt. xix. just discussed.

3. Professor Tyson quotes St. Paul as an independent and earlier authority for the absolute indissolubility of marriage. The passage on which he relies is the much discussed and much disputed one in 1 Cor. vii. 10, 11. It is thus rendered by the American Revisers, "But unto the married I give charge, yea, not I, but the Lord, That the wife depart not from her husband (but should she depart, let her remain unmarried, or else be reconciled to her husband); and that the husband leave not his wife." He also quotes verse 39 at the end of the chapter: "A wife is bound for so long time as her husband liveth; but if the husband be dead (or fallen asleep) she is free to be married to whom she will."

Now let the reader observe that this last verse is almost identical with Rom. vii. 2, — the assertion is as positive in the one case as in the other. And yet we know, beyond any question, that there was an exception to the Jewish law referred to in Rom. vii. 2, though St. Paul does not state it. Why then may there not be an exception to the Christian law stated in 1 Cor. vii. 10, 11, and 39?

Our author assumes that St. Paul here declares that our Lord taught the absolute indissolubility of marriage, allowing

no exception; but it must be said that the best scholarship does not support that assumption. Olshausen says: "He makes no mention of adultery as a valid cause of divorce, since this constitutes the divorce itself." Dean Mansel says: "The context shows that Paul was not contemplating the case of adultery at all." Dr. Hugh Davey Evans points out, in agreement with Mr. Keble, that St. Paul's decision had been asked about "mixed marriages, second marriages, and some others"; and that "the question of divorce for adultery was not among them." "Of divorce there is no direct mention; there was therefore no occasion for referring to the exception by which it is permitted in certain cases" (p. 205). "This passage proves nothing for or against the exception."¹

4. Professor Tyson affirms (again following Dr. Allen) that if the First Gospel correctly reports the teaching of Christ, then Christ "does not rise above the school of Shammai. He simply confirms its interpretation of the Old Testament's teaching" (p. 44). Again, he says: "In effect the Lord answers, according to the first gospel, that although the Divine Law in this matter is a declination from the original standard set by Almighty God, and is no more than a temporary concession to human depravity, it is nevertheless eternal! And accordingly, placing his divine *imprimatur* upon the Shammaic interpretation, He declares it binding" (p. 38). Our author returns again and again to this alleged correspondence between the teachings of Shammai and Christ's teaching as reported in the First Gospel.

In doing so Professor Tyson does not seem to be on solid ground. It is a mistake to allege a parallel between the two. Dr. Edersheim, whose authority in the interpretation of all questions pertaining to Judaism is generally recognized, says:

¹ Compare Meyer, *in loco*, pp. 157-159.

"It is a serious mistake to set the teaching of Christ on this subject, by the side of that of Shammai." (Life of Christ, p. 333.) Again, "The Jewish law unquestionably allowed divorce on almost any ground" (even the school of Shammai). Once more, he says, "No real comparison is possible between Christ and even the strictest of the Rabbis, since none of them actually *prohibited* divorce except on the ground of adultery" (p. 334).

If this be true, all that Professor Tyson says about Christ "descending to the level of Shammai," and much more of his argument (pp. 38-44) falls to the ground (p. 42).

As a matter of fact, as Meyer says, in the time of Christ, Hillel's doctrine had become the prevalent one. In this view Edersheim coincides, and this was the view which was brought before Christ on this occasion. The question of the Pharisees was, "Is it lawful for a man to put away his wife for every cause [that is to say, for any and every cause]?"

It is true that our Lord teaches that the Deuteronomic permission of divorce was a declension from the standard set by Almighty God, but the passage gives no ground for Professor Tyson's assertion that Christ's words as given in the First Gospel declare that the Deuteronomic law "is nevertheless eternal." To interpret Deut. xxiv. 1, as granting permission of divorce only upon the ground of adultery, is to be strangely oblivious of the fact that adultery, under the Mosaic law, was punishable with death (xxii. 22).

It follows that our author's assertion on page 46, that, according to St. Matt. xix. 2, "Christ adopts no higher ethical standard than a Jewish Rabbi," or that he "does not rise above the school of Shammai," or that the Deuteronomic law is eternal, finds no support in this passage.

5. We come now to Professor Tyson's critical argument for

the thesis that the twice repeated exception recorded in the First Gospel was not a genuine saying of Christ, although the witness of antiquity compels him to confess that it formed an integral portion of the First Gospel.

Now it should first be observed that our author's critical argument is brought forward to confirm a conclusion he has already arrived at. Exegesis has convinced him that this is not a genuine saying of Christ. His critical argument is a device to explain how it got into the record.

As to the main issue, namely, Is this a genuine saying of Christ, Professor Tyson makes his appeal to exegesis. It follows, therefore, that his argument is to be compared with the argument of the great scholars of the nineteenth century. He will not deny that the greatest biblical scholars in the Church of England in the latter half of that century gave a radically different exegesis of these passages. And as no new principles of interpretation have been evolved, the case reduces itself to this — it is the exegesis of Professor Tyson as against the exegesis of Lightfoot and Ellicott and Westcott and Pusey and Wordsworth and Bright and Meyer and the Lambeth Councils of 1888 and 1897. I am content to take my stand with the latter.

What now is Professor Tyson's critical explanation of the assumed interpolation of these words of exception in St. Matt. v. and xix.? Observe that he does not offer his critical hypothesis as a proof that the words are not the genuine words of Christ; but, having convinced himself of this fact, he offers his critical hypothesis as an explanation of the fact.

The hypothesis is, that the Jewish Christian writer, whoever he was, who compiled the First Gospel, was intensely solicitous to claim our Lord's authority for the eternal obligation of the Jewish Law; and accordingly he interpolated the words "except for the cause of adultery" in order to har-

monize the teaching of Christ with the enactment of Moses in Deut. xxiv. 1.

But, as I have already pointed out, this alleged teaching of Christ is not in harmony with the enactment of Moses on the subject of divorce. Christ permits divorce — absolute divorce, when adultery has taken place. He uses the word *ἀπολύειν*, the recognized Hellenistic term for divorce. Moses permitted it for a lesser cause (whether the school of Shammai or the school of Hillel was in the right makes no difference in that statement). Whatever the “shameful thing” of Deut. xxiv. 1 may mean, it cannot mean adultery, because that was to be punished with death (xxii. 22). Recent scholarship confines it to the region of immodest or indecent behavior (Driver). This is admitted by Professor Tyson (p. 22), and yet his critical hypothesis is as above stated.

One can only say, therefore, that our author's explanation does not explain. His hypothesis does not support his case. The Jewish compiler's supposed interpolation does not harmonize the teaching of Christ with the enactment of Moses.

Perhaps one may be pardoned for expressing regret that Professor Tyson has thrown the weight of his position and his scholarship into the scale in favor of undermining the authority of one of the four Gospels. This regret can only be emphasized by the frail foundation on which two at least of his critical suggestions rest. The Professor finds an instance of the compiler's Judaic coloring of our Lord's words in St. Matt. xv. 10-20, as compared with St. Mark vii. 14-23, and upon the ground that, while in the latter passage we read, “This he said, making all meats clean,” in the former we have only the statement that “Not that which entereth into the mouth defileth the man.” To rest a critical conclusion on such a foundation is, to speak frankly, to build upon the sand.

Our author finds another instance of the Judaizing inter-

polations introduced into the record by the compiler of the First Gospel, in the counsel which he alleges Christ gave his disciples to pray that their flight from Jerusalem be not on the Sabbath day. This he thinks refers to the limitation of Sabbath travel to two thousand cubits, and shows that the writer believed the Jewish Law still binding, and wished to represent our Lord as sharing that belief.

Much more natural is the supposition that our Lord actually uttered those words, but that this writer alone recorded them, because he was writing primarily for Jewish Christians. Such counsel from Christ by no means would indicate that He meant to bind the law of the Jewish Sabbath in perpetuity upon his disciples, but that he had a merciful regard for the scruples of the Jews and the Jewish Christians, and for the obstacles which these scruples would place in the way of those Christians who should be seeking to escape from Jerusalem on the Sabbath day.

That acute scholar Dr. Godet, in his "Introduction to the New Testament" (published in 1899), flatly denies "that the words in Matt. 24:20 are the expression of a legal Judæo Christianity." "The words do not imply the maintenance of the legal observance of the Sabbath for believers. The difficulty for these to migrate on a Sabbath day might arise, not from a legal scruple, but from the indignant opposition of Jews who were present, and would see them set out on such a day." Jesus could not go before the time and suppose his disciples already convinced of the abolition of the Sabbath.

In alleging this passage as a proof of Judaic particularism, Professor Tyson ranges himself with the school of Baur. It is passing strange that a professor in the University of the South should be found joining hands so far with the Coryphæus of the Tübingen school of criticism!

In conclusion, one must ask, in all solemnity, Is the church, which is the witness and keeper of Holy Writ, to expunge words which have come down to her through all the Christian ages as the very words of Christ himself, upon the ground of the conjectural criticism of a little group of modern critics? Is not this a very hazardous business? Does it not jeopardize the authority of Holy Scripture? With what consistency can the church hold her clergy and people to belief in the Virgin Birth of Christ, if, at the bidding of conjectural criticism, she discredits the words of exception in St. Matthew's Gospel? Will not conjectural criticism be appealed to with no less force to discredit the only two verses in the New Testament which plainly declare the Virgin Birth of Jesus?

Nor is this the only important doctrine of the Christian religion which may be compromised by such criticism as this essay relies upon.

We would not be understood to oppose the sober and reverent application of the higher criticism to the Holy Scriptures; but there is grave reason for caution in accepting critical results which rest upon the precarious basis of conjecture. The weighty words of a truly great scholar, Bishop J. B. Lightfoot, may here be recalled to advantage. He said: "There is at least a presumption that the historical sense of seventeen or eighteen centuries is larger and truer than the critical insight of a section of men in our late half century." Much more may it be presumed that the witness of the church for eighteen centuries to the genuineness of the words of exception in St. Matthew's Gospel is more reliable than the critical conjectures of a little group of scholars who would persuade us on subjective grounds to throw them out as an interpolation.