

NOTE

CHRIST AND DIVORCE

Efforts to find a satisfactory interpretation to the divorce clause in Mt 19:9 have given rise to a great variety of opinions. The periodicals over the last twenty years have defended many different views, but, strange to say, in none of them have I found support for the interpretation which appears to be the most satisfactory of all, that of St. Augustine. Bruce Vawter comes closest to it in a competent article, in which he introduces his explanation as "long ago suggested by Augustine, though in a different sense and for different reasons. . . ." ¹

For the sake of clarity, I shall first explain Augustine's view, giving the reasons in favor of it and answering the difficulties raised against it. I shall then quote his own rather terse and condensed statement on the subject, to show that the exposition and defense of it here given is in accordance with his mind. Since it would be impossible within the limits of an article to discuss adequately all the solutions of this problem so far put forward, I shall confine myself to brief criticisms of those which are better known.

AUGUSTINE'S INTERPRETATION

As the interpretation of Mt 19:9 depends on its context, we must start with the latter. A group of Pharisees had approached our Lord asking Him: "Is it lawful for a man to put away his wife for every cause (*kata pasan aitian*)?" The purpose of this question was to get from Him a decision on a much-disputed text of the Bible (Dt 24:1): "If a man takes a wife and dwells with her, and she finds not favor in his eyes for some shameful thing (*'erwat dabar*), he shall write her a bill of divorce, and shall give it in her hand, and send her out of the house."

The word *'erwa* primarily signifies "sexual organs," hence "something to be covered" or "shamefulness," so that *'erwat dabar* means literally 'the shame of a thing,' i.e., "a shameful thing." Among the rabbis the interpretation of these words led to conflicting opinions. The disciples of Shammai understood the words to mean "something morally shameful," though not necessarily adultery, as Bonsirven has explained: "In addition to adultery, reasons for divorcing a wife were: her failure to observe the Jewish law (which prescribed a great reserve for a wife), e.g., going out with her head

¹ B. Vawter, C.M., "The Divorce Clauses in Mt 5,32 and 19,9," *Catholic Biblical Quarterly* 16 (1954) 155-67. I shall not attempt to summarize Vawter's view, lest I may do it an injustice; those interested should read the original.

uncovered, running around the streets, speaking with every man she met. . . .”²

Against this view, the followers of Hillel held that *'ervat dabar* meant not only some moral fault in the wife but also any failing on her part which could cause annoyance or embarrassment to her husband; e.g., it would be “a shameful thing” for a wife to burn her husband’s dinner. Rabbi Aqiba held that even a wife’s fading beauty would be a sufficient reason for divorcing her. This explains the question put to Jesus on this occasion: “Is it lawful for a man to put away his wife for every cause?” We are told that this question was asked “tempting Him.” Probably it was put by a Shammaite, expecting that He would denounce the lax doctrine of Hillel. In this way it was hoped to “play off” the Nazarene against a rival school.

According to Daube,³ such insidious questions were a part of the technique of rabbinic dialectics, which followed a fixed pattern, divisible into four stages: (1) an insidious question, (2) a counterquestion, (3) an expected reply to the latter, (4) a partial reply sufficient to silence the original questioner.

The foregoing process is illustrated by the following incident which occurred when Tineius Rufus was governor of Judea (about A.D. 130). (1) Rufus contemptuously asked Rabbi Aqiba what was the difference between the seventh day and other days. (2) Aqiba replied by asking what was the difference between Rufus and other men. (3) Rufus answered that his master, the Emperor, willed the distinction. (4) Aqiba closed the discussion by saying that his master, God, likewise willed the distinction between the Sabbath and other days. Sometimes the Rabbi’s disciples would seek fuller information afterwards in private, which would add two extra stages to the proceedings, i.e., (5) disciples’ question, (6) full answer, as in the following instance.

In the latter half of the second century A.D., (1) a pagan mockingly asked Rabbi Johanan ben Zakkai why the Jews purify a person who has been in contact with a corpse, by water containing the ashes of a red heifer. (2) The Rabbi countered this by asking how pagans cast an evil spirit out of a man. (3) The pagan replied that they burn roots. (4) The Rabbi then silenced his questioner with the rejoinder: “Just as you burn roots to cast out an evil spirit, we use water and ashes to purify a person.” (5) His disciples afterwards came to him protesting: “Rabbi, you pushed him away with a fragile reed, what will you answer us?” (6) The Rabbi then gave the complete answer. Uncleanliness was not caused by a corpse, nor cleanness by “the water of separation” (according to the magical way of thinking), but because God

² J. Bonsirven, S.J., *Le divorce dans le Nouveau Testament* (Paris, 1948) p. 22.

³ D. Daube, *The New Testament and Rabbinic Judaism* (London, 1956) p. 151.

willed it to be so, even though the Jews did not know the reason why. After relating this episode, Daube shows how Christ used a similar dialectical process in His discussion with the Pharisees on the washing of hands before eating. Another instance of this is found in the Saviour's handling of the question about divorce with which we are here concerned.

1. *Insidious Question by Pharisees*

Mt 19:3: "And there came to Him Pharisees tempting Him and saying: Is it lawful for a man to put away his wife for every cause?"

2. *Counterquestion by Christ*

Mk 10:3: "And He answered and said to them: What did Moses command you?"

3. *Expected Reply by Pharisees*

Mk 10:4: "And they said: Moses permitted us to give her a bill of divorce and put her away."

4. *Partial Answer by Christ*

Mk 10:5: "But Jesus said to them: Because of your hardness of heart he wrote you this commandment. But from the beginning of creation it was not so (Mt 19:8). Male and female he made them. For this cause shall a man leave his father and mother, and shall cleave to his wife; and the two shall become one flesh, so that they are no more two but one flesh. What, therefore, God hath joined together, let no man put asunder."

When the Pharisees appealed to the authority of Moses as a basis for divorce, this gave Christ an opportunity of pointing out that Moses only commanded that a bill of divorce be given to the repudiated wife. Moses did not give a dispensation for divorce (*a vinculo*); he merely tolerated the practice of divorce (because of their "hardness of heart") and legislated to restrict the harm done by it. The Pharisees had brought up against Christ the authority of Moses; He brought up against them the greater authority of God: "From the beginning it was not so . . . What, therefore, God hath joined together, let no man (not even Moses) put asunder."

God could, of course, have given to Moses the necessary authority to grant a valid dispensation for divorce, but our Lord's words do not require us to make this assumption, as Fr. Joyce has explained: "No permission properly so called for divorce was accorded. The existence of the practice is

assumed and restricted. Not merely does it receive no positive sanction, but it is tacitly reprobated. The Hebrews were not yet fit for anything higher." ⁴

St. Paul likewise spoke of God's patience with pagan abuses as "overlooking the times of this ignorance" (Acts 17:30).

After our Saviour's rejection of the Mosaic "dispensation," He made the following statement, which has puzzled so many biblical scholars down the centuries: "But I say to you: Whosoever shall put away his wife, except it be for fornication (*mē epi porneia*), and shall marry another, committeth adultery; and he that shall marry her that is put away committeth adultery" (Mt 19:9).

To explain this text, it will be helpful to compare it with the similar saying in the Sermon on the Mount: "But I say to you that whosoever shall put away his wife, excepting for the case of fornication (*parektos logou porneias*), maketh her to commit adultery; and he that shall marry her that is put away committeth adultery" (Mt 5:32). The latter assertion could be more easily explained than the former, if it alone had been recorded; but, since both are on record, it seems to be more consistent to explain them on the same principle. To do this it is necessary first to work out the meanings of the words given in parentheses.

First, *porneia*. According to classical dictionaries,⁵ this word means "fornication," which explains the Vulgate version *nisi ob fornicationem*. In the Bible it also has other meanings. We find this term, for instance, in Jer 3:9: "And it came to pass that she counted fornication (*porneia*) as nothing, and committeth adultery (*emoicheuse*) with wood and stone." According to Hebrew parallelism, *porneia* here is equivalent to *moicheia*. Elsewhere, however, they are distinguished, e.g., in Mt 15:19: "For out of the heart come forth evil thoughts, murders, adulteries (*moicheiai*), fornications (*porneiai*) . . ." We can reconcile the preceding two texts by saying that *porneia* signifies "unlawful intercourse" in general.⁶ Primarily, therefore, the word would mean "fornication," that is, when no special circumstances aggravate its guilt; but in different contexts it could be identified with adulterous or

⁴ G. H. Joyce, S.J., *Christian Marriage* (London, 1933) p. 273.

⁵ Liddell and Scott (9th ed.) records only one classical use of the word (Demosthenes).

⁶ Lexicons give the following meanings of *porneia*: (a) Zorell (Paris, 1931): "ea voce N.T. auctores quemlibet illegitimum veneris usum designant, etiam adulterium vel incestum." (b) Moulton and Milligan (London, 1949): "originally meant prostitution, fornication, but came to be applied to unlawful sexual intercourse generally." (c) Arndt and Gingrich (Chicago, 1957): "prostitution, unchastity, fornication, of every kind of unlawful sexual intercourse." In LXX (Dt 24:1) *aschēmon pragma* is used instead of *porneia*—apparently to include lesser acts of misconduct (cf. Shammai's interpretation).

incestuous intercourse. St. Paul used the word in the latter sense when he wrote: "It is absolutely heard that there is *porneia* (unnatural intercourse) among you, and such *porneia* (unnatural intercourse) as the like is not among the heathen that a man should have his father's wife."⁷

Accordingly, in Mt 19:9 *porneia* signifies "unnatural intercourse," which in the context is adultery; hence Augustine correctly translated the word as "adultery." But why, then, did not Christ use *moicheia*? He could have used it, but as the same word occurs again in the same sentence of a different sin, the use of a synonym avoids a confusion of expression. Besides, *porneia* included another "cause" for divorce, i.e., incest.

Second, *epi*. This word with the dative primarily means "on" locally (without motion), as, for instance, in Mt 14:8: "Give me here on a dish (*epi pinaki*) the head of John the Baptist." It has also a secondary sense, namely, "based on" or "because of," e.g., in Lk 5:5: ". . . because of your word (*epi tō rhēmati sou*) I will let down the net."⁸ Therefore, in Mt 19:9 *mē epi porneia* may be literally translated "not because of adultery."

Third, *mē*. Here we have a negative particle, by means of which "divorces" are divided into two categories, i.e., divorces "not because of adultery" as distinct from those "because of adultery." Christ positively excludes the former as invalid, because the marriage bond would still remain.

Fourth, *parektos*. According to the dictionaries, this means "apart from" or "outside of" (a preposition governing the genitive case), as, for instance, in Acts 26:29, where St. Paul exclaims: "I would to God that . . . all that hear me this day should become as I also am, apart from these bonds (*parektos tōn desmōn toutōn*)." The Apostle here evidently prescinds from his bonds. Likewise, in Mt 5:32 the meaning is "apart from (i.e., prescinding from) the case of adultery."⁹ Some commentators have suggested that *parektos* (in Mt 5:32) means "outside of" in an inclusive sense,¹⁰ as, for example, if one were to say, "outside of (i.e., in addition to) dieting, exercise reduces corpulency." This, however, is not the meaning of *parektos* found elsewhere in Koine, e.g., in Acts 26:29 just cited. Hence, *parektos logou porneias* simply means "prescinding from the case of adultery."

⁷ Bonsirven, *op. cit.*, p. 46, says that many commentators "think" a marriage had taken place, which would give *porneia* the meaning of "a null marriage." But if *porneia* is taken to mean "unnatural intercourse," this latter meaning would be true whether or not there had been an attempted marriage. Later, Bonsirven's view will be discussed in detail.

⁸ Arndt and Gingrich, *op. cit.*, p. 287.

⁹ *Op. cit.*, p. 630: "as (improper) prep. w. gen. *apart from, except for . . .*" *Parektos* is a rare word in Koine.

¹⁰ This view has been defended by M. Brunec in "Tertio de clausulis divortii," *Verbum Domini* 27 (1949) 3-16. B. Vawter replies to his arguments, *art. cit.*, pp. 160 f.

The foregoing analysis of terms brings into agreement Christ's two statements on divorce, since the two parentheses have the same meaning. Thus, *mē epi porneia* = "not because of adultery" = "for every other cause" = "apart from adultery" = *parektos logou porneias*. Admittedly, the *parektos* clause is easier to understand. This may explain the variant in *Codex Vaticanus* in which Mt 5:32 is substituted for Mt 19:9—perhaps due to the effort of a well-meaning copyist to clarify the latter text in accordance with the tradition of early times.¹¹ Mt 19:9 may therefore be translated: "But I say to you that whosoever shall put away his wife not because of adultery (i.e., prescinding from the cause of adultery) and marries another committeth adultery. . . ."

Certain critics have rejected this explanation on the ground that Christ here contrasts His teaching with that of Moses: "but I say to you. . . ." Does not this imply that He is rejecting the Mosaic legislation instead of merely prescinding from it? The answer is that He supersedes Moses by positively rejecting divorce for all reasons other than adultery, whereas Moses (like Shammai after him) apparently tolerated divorce for lesser forms of misconduct.¹²

It has also been objected that this interpretation contradicts Christ's previous rejection of all exceptions to the indissolubility of marriage ("What God has put together, let no man put asunder"). If He had already ruled out divorce in every case, why does He now prescind from the case of adultery? But there is here no contradiction. Christ does not withdraw what He said. He rules out all other causes but refuses to discuss the case of adultery. Why?

¹¹ Cardinal J. MacRory explains this variant otherwise in *The New Testament and Divorce* (London, 1934), where he attributes the "exceptive clause" in Mt 19:9 to an interpolation. According to the Cardinal, the obvious meaning of this clause is a permission for divorce in the case of adultery; but Christ could not thus have contradicted His clear statements elsewhere: therefore, the clause must have been an interpolation. When did it take place? The most likely time was after the persecution of Diocletian (303-11), which burnt Bibles wholesale. Constantine later (331) commissioned Eusebius to have fifty copies made, and because Roman law permitted divorce, the "exceptive clause" was then introduced, which also explains the break in tradition about that time. Prior to that (the Cardinal concludes) Mt 19:9 was the same as Mt 5:32 (as in *Vaticanus*), which can easily be reconciled with Christ's other statements. But J. Dupont, O.S.B., *Marriage et divorce dans l'évangile* (Bruges, 1959) pp. 84 f., shows that this theory is "difficult to reconcile with the data of textual criticism: an important variant of the fourth century spreading through the whole of manuscript tradition."

¹² Vawter, *art. cit.*, p. 166, holds that *'erwat dabar* has "a precise equivalent" in the *logos porneias* of 5:32. He denies (against Augustine) that *porneia* in 19:9 means adultery, and translates *mē epi porneia* as "Deut 24:1 notwithstanding"—which differs from the explanation given in this article.

Because such discussion would have been worse than useless with the "hard-hearted" Pharisees. As a good pedagogue, He is content in the circumstances with a partial revelation of the truth, a principle on which He also acted in the gradual revelation of His divinity.

He thus answers the query originally proposed to Him: "Is it lawful for a man to put away his wife for every reason?" His reply condemns the lax doctrine of Hillel and is more strict than the teaching of Shammai. The legal-minded Pharisees see that He has answered their question (although not as they would have wished) and they do not press the point any further. The disciples, however, are not satisfied with the partial answer given to the Pharisees, so they seek fuller information.

5. *The Question of the Disciples*

This question is mentioned in Mark's account of the same incident. Since this Gospel was written for Gentile converts, unfamiliar with the disputations of Jewish schools, all references to the latter are omitted.¹³ The question put to Christ by the Pharisees is therefore worded: "Is it lawful for a man to put away his wife?" (Mk 10:2). Hillel's contention "for every cause" is not mentioned, neither is there any allusion to Christ's precession concerning adultery. We are merely told that He answered the Pharisee's question with the general law: "What God hath joined together, let no man put asunder." Nevertheless, Mark adds some details which are not found in Matthew's account, but which evidently complete it. He tells us that, after the encounter with the Pharisees, the disciples "in the house asked Him concerning the same thing," that is, the case of adultery about which He had reserved judgment. Would it be lawful for a man to send away his wife because of adultery?¹⁴ "And in the house again His disciples asked Him about the same thing" (Mk 10:10).

6. *The Full Answer Given by Christ*

Mk 10:11-12: "And He said to them: Whosoever shall put away his wife and marry another committeth adultery against her. And if the wife shall put away her husband and be married to another, she committeth adultery." Mt 19:10: "His disciples say unto Him: If the case of a man with his wife be so, it is not expedient to marry."

Christ gives the full truth to the disciples, since they were better disposed than the Pharisees to receive it. Even to them it came as a shock. How

¹³ Cf. *art. cit.*, p. 167; Dupont, *op. cit.*, p. 88, n. 2.

¹⁴ Mark thus supplies "the missing context" (preceding Mt 19:10), which many commentators mention (Dupont, *op. cit.*, p. 164).

much greater would have been the protests of the Pharisees, if He had told it to them in the same way! To reassure His discomfited disciples He then says: "All men cannot receive this saying but they to whom it is given. For there were eunuchs who were born so from their mother's womb; and there are eunuchs who were made eunuchs by men; and there are eunuchs who made themselves eunuchs for the kingdom of heaven's sake. He that can receive it, let him receive it" (Mt 19:11-12).

These concluding words verify the above interpretation of the whole incident. Christ's statement, "All men cannot receive this saying," explains why He withheld the full reply from the Pharisees. Those, however, "who can receive it" (i.e., the disciples) are reminded that enforced continence, after an unfaithful wife has been "sent away," puts one in no worse a position than that of those who are eunuchs either by birth or malice or voluntary continence "for the kingdom of heaven's sake" (e.g., John the Baptist). Many commentators take the eunuch logion as foreshadowing St. Paul's teaching on virginity "in the Lord" as more perfect than marriage, but others favor the explanation just given. Lagrange in later life came round to this view: "The man to whom remarriage is forbidden is not in a worse case than the unfortunate eunuch, who is incapable of marriage either through natural defect or because he is rendered so by the cruelty or selfishness of others; and by voluntarily accepting this sacrifice such a man [i.e., he who has put away his wife without remarrying] may gain great merit."¹⁵

This concludes the case for Augustine. Admittedly, his interpretation introduces a rather subtle distinction by the meanings given to *mē* and *parektos*. But our Lord often spoke obscurely to the Pharisees, when it was not prudent to speak more openly. It is to be noted, also, that the disciples did not voice their protests against the strictness of His teaching until *after* they had questioned Him about it. This confirms the view that, when speaking to the Pharisees, He reserved judgment concerning divorce in the case of adultery. The element of obscurity in Augustine's interpretation can thus be easily accounted for, whereas the difficulties raised by other explanations cannot be so simply solved, as we shall now see.¹⁶

THE COMMON PROTESTANT INTERPRETATION

The opinion of the mass of Protestants (and "orthodox" Greeks) is that in Mt 19:9 ("according to the obvious meaning of the words") Christ

¹⁵ M.-J. Lagrange, O.P., *The Gospel of Jesus Christ 2* (London, 1938) 91.

¹⁶ Dupont, *op. cit.*, p. 93, gives a bibliography of about sixty works on this subject since 1948. These various solutions have been classified under different headings, ranging from five to eleven in number. We here confine our attention mainly to the five more prominent interpretations.

granted a dispensation for divorce *a vinculo* in the case of adultery of either husband or wife. But this opinion clearly contradicts the teaching of several other texts of Scripture; e.g., our Saviour Himself definitely ruled out all divorce in His perfectly general statement to His disciples immediately afterwards "in the house": "Whosoever shall put away his wife and marry another, committeth adultery against her. . . ." ¹⁷ Lest it might be argued that general laws admit of particular exceptions and therefore the law against divorce might admit an exception in the case of adultery, the words recorded by Mark explicitly exclude such an exception, because they mention the case when a wife has been "put away," that is, for "adultery," as we have seen from the context.

Many scholarly Protestants have been forced by the evidence to admit that Christ definitely excluded divorce, even in the case of adultery. For example, Dr. Salmon wrote: "It seems now clear to me that the disciples understood our Lord to say that it was not lawful to put away one's wife [he means to put her away and marry again] even in the case of adultery." ¹⁸ Harnack also held that the ancient Gospel source known as Q represented the teaching of Jesus to be: "He who divorces his wife causes her to commit adultery—both she and her new husband are guilty of adultery." ¹⁹ The Protestant *New Commentary on Holy Scripture*, published in 1929 under the editorship of Bishop Gore, declared: "Our Lord, no more than St. Paul in 1 Cor 7,11, forbids separation: indeed, it may sometimes be a duty, but for His new community He totally disallows divorce." C. H. Dodd explained Christ's appeal to the creation of man and woman in Mk 10:2-9 as follows: ". . . the very nature of man, as created by God, points, if properly understood, to the law of permanent monogamy." ²⁰

The New Testament thus makes clear to open-minded scholars that our Lord rejected divorce even in the case of adultery, and the unbroken tradition of the first three centuries reinforces this conviction. Several ancient witnesses testify to the faith of the early Church on this point, especially Hermas, Justin, Athenagoras, Theophilus, Tatian, Clement of Alexandria, Origen, and Cyprian. It would unduly prolong this article to cite all these authors, but their testimonies may be found in theological textbooks dealing with the sacrament of marriage.²¹ The common Protestant view thus runs counter to both the Bible and tradition.

¹⁷ Mk 10:11. Cf. Lk 16:18; Rom 7:2-3; 1 Cor 7:10-11. The scriptural argument is well done by H. J. Richards, "Christ on Divorce," *Scripture* 11 (1959) 22 ff.

¹⁸ *The Human Element in the Gospels* (1907) p. 394.

¹⁹ *The Sayings of Jesus* (1908) p. 58. ²⁰ *Gospel and Law* (Cambridge, 1951) p. 79.

²¹ Also MacRory, *op. cit.*, pp. 63-78; Bonsirven, *op. cit.*, pp. 61 ff.; Dupont, *op. cit.*, pp. 153 ff.

THE CLASSICAL EXPLANATION

The "classical" or "traditional" Catholic explanation of Mt 19:9 is usually attributed to St. Jerome,²² although he was perhaps not the first to propose it. St. Augustine mentions this view, but he did not hold it as his own. It interprets Mt 19:9 as follows: "Whosoever puts away (i.e., separates from *quoad mensam et torum, non quoad vinculum*) his wife, except for adultery (in which case alone it is licit), and (after separation) marries another, commits adultery. . . ."

This interpretation seems to many commentators "too forced," i.e., it introduces too many *sub voce* explanations. Besides, in the same context it gives two different meanings to the phrase "to put away" (*apoluein*). When the Pharisees asked about "putting away" a wife (v. 3), they evidently meant divorcing her completely. It is, therefore, unsatisfactory to say that, when replying, Christ used the same word in a different sense, that is, signifying mere separation. It would also be overstrict to say that our Saviour permitted separation only in the case of adultery; other licit causes would be insanity, infectious disease, etc. To answer that He is speaking merely of permanent separation is to assert what is not in the text.

But the biggest difficulty against this interpretation is the fact that the Pharisees, who asked our Lord about a complete divorce (*a vinculo*), had no conception of a lawful repudiation of a wife in such a way that the marriage bond would still remain. Since, then, they asked about a full divorce, how could Christ have inconsequently answered about a mere separation which they could not have understood? Many followers of the classical interpretation admit this difficulty, including Dupont, who writes: "One must confess that the credit of this interpretation has generally fallen very low in actual Catholic exegesis."²³ Nevertheless, Dupont then goes on to show that this opinion is grammatically sound.

To forestall the main objection against it, he suggests that the parenthesis *mē epi porneia* is a "literary form," an "editorial retouch" by Matthew, due to "enriching resonance" in response to the faith of the early Church.²⁴ "The hypothesis of a secondary precession, added by Matthew, here presents itself as the simplest explanation."²⁵ Yes, it would be a simple

²² *In Matthaeum* 3, 19 (PL 26, 135). Also held by M.-J. Lagrange, O.P., *Évangile selon saint Matthieu* (Paris, 1927) pp. 369 f. (for Mt 19:9); G. H. Joyce, *op. cit.*, pp. 279-84; G. Ricciotti, *The Life of Christ* (Milwaukee, 1947) nn. 479 ff.; C. Lattey, S.J., "Divorce in the Old and New Testament," *Clergy Review* 35(1951) 243-53; T. Fahy, C.S.Sp., in *Irish Theological Quarterly* 24(1957) 175 f. Other references to both Catholic and Protestant writers in Dupont, *op. cit.*, p. 138, nn. 1-2. ²³ *Op. cit.*, p. 139.

²⁴ J. Dupont, *Les béatitudes* (Bruges, 1958) pp. 14 ff., 22.

²⁵ J. Dupont, *Mariage et divorce dans l'évangile* (Bruges, 1959) p. 88.

explanation, if justifiable. But there is no foundation for it;²⁶ and if there was, it would be a very forced explanation. Besides, it seems that such insertions in the logia of Christ would jeopardize the historicity of the Gospels; because the rational basis of our belief in their historicity is the severely factual way in which they are written, their freedom from praise of our Lord, blame for His enemies, and other subjective additions. It is this absence of enthusiasm and subjectivism which forces on us the conviction that the Gospels were written by men who carefully avoided all such insertions and emotional overtones, in order to give an exact, objective account of the sayings and doings of their Master. There is no difficulty in admitting, in accordance with the historical ideas of those times, that Christ's sayings have at times been reported by the different Evangelists "not according to the letter but according to the sense"; but this latter "literary form" is not the same as that of "editorial retouches." To prove his point, Dupont points out discrepancies in the different accounts of the Beatitudes, the titles of the cross, etc.²⁷ These discrepancies can, however, be explained as due to lesser or fuller paraphrases of the same objective statements. But, if the Gospels were to attribute to Christ sayings and ideas which He never expressed at all, it is difficult to see how our conviction of their historicity would remain unshaken. So, the classical interpretation still appears to be unsatisfactory.

THE RABBINIC HYPOTHESIS

The interpretation which has gained most ground in recent years²⁸ has been presented with much erudition by J. Bonsirven, who has outlined it as follows:

We understand *fornicatio* in the sense of a null or false marriage; *dimittere* in its ordinary meaning of complete divorce with freedom to marry again. Jesus would then have said, first in 19:9 (which is probably the original form) "Whosoever puts away his wife, *mē epi porneia* (= not in the case of a false marriage). . ." and in 5:32 "Whosoever puts away his wife, *parektos logou porneias* (= except in the case of a false marriage). . ."²⁹

²⁶ NT authors make it clear when they insert their own ideas, as distinct from the ideas of Christ, e.g., 1 Cor 7:12: "But to the rest say I, not the Lord."

²⁷ J. Dupont, *Les béatitudes*, pp. 10 ff., 22.

²⁸ Also held by R. Cornely, S.J., *Prior epistola ad Corinthios* (Paris, 1890) p. 120, 5, 1; F. Prat, S.J., *Jesus Christ 2* (Milwaukee, 1951) 81; R. Dyson and B. Leeming, "Except It Be for Fornication," *Clergy Review* 20 (1941) 283-94; H. J. Richards, *art. cit.*, pp. 22-33. Many other references in Dupont, *Mariage et divorce dans l'évangile*, pp. 106 f.

²⁹ Bonsirven, *op. cit.*, p. 46.

Bonsirven bases this view on Scripture, reason, and rabbinic literary usage, as follows.²⁰ First, Scripture. In 1 Cor 5:1, it is argued, St. Paul uses the word *porneia* when speaking of "an incestuous union" of a Christian with his stepmother; hence, the word means "null or false marriage," because many commentators "think" there was question here of a marriage ceremony. But, as previously pointed out, the term "unnatural intercourse" would be a surer translation.

Further, supporters of the "rabbinic hypothesis" lay great stress on Acts 15: 28-29: "For it seemed good to the Holy Ghost and to us to lay upon you no greater burden than these necessary things: that you abstain from things sacrificed to idols, and from blood, and from things strangled, and from *porneia*." The Council of Jerusalem prohibited these four things to Gentile converts (although not illicit in themselves) merely to avoid hurting Jewish sensibilities. From this Bonsirven and others infer that *porneia* in this context could not have meant "unchastity" (which is illicit for all) but only those unions considered illicit specifically by Jews. This view would be correct if *porneia* was a technical term for specific marriages of this kind. But this cannot be proved. On the contrary, *porneia* clearly has other meanings, as already explained.

Besides, another interpretation seems more in accordance with the context. Since three of the four prohibitions are concerned with Jewish ritual, why should not the fourth have a similar significance? Why should not *porneia* in this context mean practices which (although licit in themselves) were associated with idolatry by the Jews. This meaning of *porneia* is frequently found in the Bible, where Israel's loyalty to God is so often compared to the fidelity of a wife to her husband—idolatry (consorting with false gods) being considered a form of infidelity comparable to adultery. Typical of this is Jer 3:9 (previously quoted in another context): "And it came to pass that she counted fornication (*porneia*) as nothing, and committed adultery with wood and stone." Prat has accordingly written of the Jews as people "among whom fornication and idolatry were called by the same name, *porneia*."²¹ Consequently, in the ritualist context of Acts 15:28-29 *porneia* probably means "consorting with idolaters in matters of

²⁰ *Op. cit.*, pp. 46-60.

²¹ F. Prat, S.J., *The Theology of Saint Paul* 1 (London, 1933) 99 f. T. Considine, "Except It Be for Fornication," *Australasian Catholic Record* 33 (1956), suggests that "fornication" in Mt 19:9 likewise means "idolatry." But the context of the latter text (unlike that of Acts 15:29) does not indicate a sufficient reason for departing from the literal meaning of the word.

ritual," e.g., through mixed marriages, which shocked the Jews of those times.²²

Second, Bonsirven gives the following four arguments from reason in favor of his opinion.

1) An argument "of great weight in favor of this opinion is that it does not put any contradiction into the words of Christ." But all other opinions make the same claim.

2) "If one wishes to express an exception, one says *ei mē* or *ean mē*—a clear indication that *mē* alone has not this value." Hence, the rabbinic hypothesis is "the only one which respects Greek grammar and vocabulary." But Augustine's interpretation does not take *mē epi porneia* as an exception. Instead, it is a precession equivalent to an implicit prohibition, i.e., "let us not discuss the case of *porneia*."²³

3) Bonsirven also argues: "It seems to us that *epi porneia* corresponds to a Semitic saying indicating a state rather than a cause." But, against this, we have already seen that in Koine *epi* is actually used with the dative to express both a state (Mt 14:8) and a cause (Lk 5:5).²⁴

4) In other opinions "*porneia* is taken as signifying 'adultery,' but in the Old Testament as well as in the New the latter is signified by *moicheia*." But, as already explained, the distinction between *porneia* and *moicheia* is only an inadequate one (i.e., the distinction between genus and species), so that in certain contexts they can signify the same thing.

Third, rabbinic literary usage. Bonsirven goes to great pains to prove that *porneia* translates the Hebrew word *zenut*, signifying "a null marriage." To this Dupont replies:

It is correct that *porneia* normally renders the Hebrew *zenut*, correct also that in certain cases these terms designate an illicit union . . . But *porneia* has

²² Bonsirven, *op. cit.*, p. 48, brings out this point.

²³ Cf. Mt 26:5: Arrest Him, but "not during the feast" (*mē en iē heoritē*). Here there is a similar implicit prohibition which explains the use of *mē*. Cf. Dupont, *op. cit.*, p. 103.

²⁴ Cf. *op. cit.*, p. 111. It is noteworthy that in *La sainte Bible . . . de Jérusalem* (Paris, 1956) p. 1314, P. Benoit abandoned the rabbinic hypothesis (previously held in the 1950 edition, p. 114) in favor of the preteritive interpretation of Mt 19:9: "By this exception, proper to Mt, Jesus does not permit divorce (with remarriage) in the case of adultery, because that would be to associate Himself with the Mosaic tolerance which He criticizes. An attempt has been made to see in 'fornication' the unlawful union of concubinage; but the rupture of such a union is an obligation too evident to have deserved express mention. It seems rather that the text of Mt reserves the case of infidelity as requiring a special solution, which is not indicated. This solution, which was not envisaged as long as divorce was permitted, developed in the Church under the form of a 'separation' of spouses without remarriage (cf. 1 Cor 7:11)."

not always this precise sense; it must even be recognized that is not even its habitual meaning According to available evidence, it is not the meaning of the word in the only Synoptic passage in which it is found, Mt 15:19 (= Mk 7:21); nor is it the ordinary sense of the word in St. Paul; cf. 1 Cor 6:13, 18; 7:2; 2 Cor 12:21; Gal 5:19; Eph 5:3; Col 3:5; 1 Thess 4:3.²⁴

Further, in Mt 19:9 *porneia* could not mean "a null marriage," because when the Pharisees asked about "putting away" (*apolucin*) a real wife, would Christ have inconsequently replied about putting away a false wife? "Surely it would be strange," wrote Cardinal MacRory, "if what Christ meant was: 'Whosoever shall put away his wife, except when she is not his wife. . . .' Besides, the last clause of the verse: 'And he that marrieth one that hath been put away, committeth adultery. . . .' shows that . . . in the case of any and every *dimissa* the bond of marriage remains."²⁵ It would also have been superfluous to have told the legal-minded Pharisees about the need for putting away a false wife. In reply to this, Leeming has suggested that our Lord inserted the parenthesis to forestall a carping question about breaking up "incestuous unions."²⁶ But no intelligent Pharisee would ask a question inviting a devastating rejoinder about his ignorance of the law. Another disciple of Bonsirven has also objected: "If Christ was speaking about a real wife, why did He not say so?" Because it was not necessary for Him to explain what was obvious (from the context, v. 3). People are expected to know something.

THE INTERPRETATIVE THEORY

This theory has been summarized as follows by J. J. Murphy:

This article proposes an interpretation of our Lord's words which I have not seen elsewhere. It suggests that they were not intended to abrogate there and then the Mosaic permission, but (a) to answer the Pharisee's question by condemning the lax opinion, (b) to teach the Jews the true nature and conditions of the Mosaic permission, (c) to give such an authoritative declaration of the divine law as would leave no doubt about the indissolubility of marriage in the minds of his followers, when his death should have abolished the whole of the Mosaic law, including the permission for divorce, and the original law of marriage should have come back into force once more.²⁷

²⁴ MacRory, *op. cit.*, p. 48. ²⁵ *Art. cit.*, p. 292.

²⁷ J. J. Murphy, C.S.S.R., "The Gospels and Divorce," *Clergy Review* 23 (1943) 441-49. Also held by A. Tafi. S.J., "Excepta fornicationis causa," *Verbum Domini* 26 (1948). Other supporters are mentioned by Vawter (*art. cit.*, p. 162), who criticizes this view. Cf. Dupont, *op. cit.*, p. 127.

Against this interpretation stands the unconditional rejection of divorce by our Saviour, when He proclaimed in the present tense the indissolubility of marriage: "Whosoever *puts away* his wife and marries another, commits adultery" (Mk 10:11). Fr. Murphy replies that this latter statement "concerned the future and prescinded from the present in which the Mosaic permission still held good." But this prescission is not mentioned in the text, and it would be difficult to read this explanation into it without doing more violence to the words of Christ than is done by the interpretation of St. Jerome. Augustine's prescission is stated explicitly in Mt 19:9, but Fr. Murphy's prescission is nowhere mentioned. It is true, of course, that the Mosaic law remained in force until the death of Christ, but it included no dispensation for divorce, as previously explained. So, this theory does not exclude Augustine's view.

THE PRETERITIVE SOLUTION

This solution, as explained by Augustine, appears to be the most intellectually satisfying of all those offered. If we have gone far afield in presenting it, it was to explain fully the context in which our Lord spoke and the meaning of the words He used, as well as to defend this view against many complex, opposing explanations. But in itself Augustine's solution is a simple one. Its essential idea is outlined in his own words:

... cum legerimus in evangelio secundum Matthaeum, Quicumque dimiserit uxorem nisi ob fornicationem, aut quod magis in graeco legitur, *praeter* causam fornicationis, et aliam duxerit, moechatur: non debemus continuo putare illum non moechari, qui propter causam fornicationis dimiserit, et aliam dixerit; sed adhuc *ambigere*, donec evangelium secundum alios evangelistas a quibus hoc narratum est, consulamus. Quid si enim secundum Matthaeum, non quidem quod ad hanc rem pertinet dictum est totum, sed ita *pars dicta est*, ut intelligeretur a parte totum, quod explanantes Marcus et Lucas, ut clareret plena sententia, totum dicere maluerunt?²⁸

Cardinal Bellarmine, another theological giant, held the same opinion: "... affirmatur quidem adulterium ejus, qui uxore dimissa extra causam fornicationis aliam duxerit, sed *nihil dicitur* de eo, qui duxerit aliam priore dimissa ob fornicationem."²⁹

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²⁸ *De conjugis adulterinis* 1, 11 (PL 40, 458); italics mine.

²⁹ *De sacramento matrimonii* 1, 16; italics mine.