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to say: "it is not a matter of  
 fact and paper." This is the true political  
 weight—this matter is settled the  
 moment in coming against the  
 laws of Rome: this is the  
 the revolution by John Williams: this  
 determines the character of the  
 in their several rebellions against the  
 of Caesar: this gives the brave  
 who have fallen in defending the libe-  
 ties of Rome, indelible right to  
 place in the calendar of martyrs: this  
 creed, we trust in God, will be openly  
 professed, on all great occasions, by the  
 protestant Englishman, to the confusion  
 of France and Rome, and to the eternal  
 disappointment of all Jacobins.

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*The OEconomy of the Sexes.*

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OR THE  
DOCTRINE of DIVORCE,  
THE  
PLURALITY of WIVES,  
AND THE  
VOW of CELEBACY

Freely examined.

The mistakes of some celebrated protestant writers laid open :

AND

A more consistent view taken of the operation of the matrimonial law, in the sense both of the *Jew* and of the *Christian* law-giver.

With observations moral and political.

*Caleb Fleming*

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*Si omnes omnium fuerint & mariti, & patres, & uxores,  
& liberi, quæ ista confusio generis humani est ?*

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## ADVERTISEMENT.

*THE* subject requires delicacy, and is canvassed in a studied purity of style and expression. the pages are devoted to the chaste rights of the fair; and with more safety invite her eye than the novel, the play, or the love-poem.

The sense given of the Mosaic permission of divorce, is new; but appears to have less inconveniencies and fewer difficulties, than what load the current opinions.

The generous reader will take no offence at the nameless citations; because the argument is uninjured, and there are reasons for those negligences.

Another concealment, the peculiarities of the subject apologize for, and that is, of the author's name. indeed none ought to complain of this, if the tract affords him pleasure; if not, the knowledge of the pen would make small amends for the disappointment.

The importance of the matrimonial law is infinite; because it adjusts the most intimate and interesting society of man. we are told, "that in antient Rome an altar was dedicated to Juno Juga, where the new married couple did offer sacrifice. that they took from the sacrificed beast the gall, and cast it behind the altar, to signify that all bitterness should be banished the conjugal society." —

The

*The poetic fable of Hermaphrodite, son of Mercury, by his sister Venus, is thought to teach the union there should be between married persons. the violations of this law, common with Britons, melt the human eye that can weep over the dying virtue of his country ! with Horace he sees, foecunda culpae secula nuptias primum inquinnare, et genus, et domos. hoc fonte derivata clades in patriam, populumque fluxit.— whether the legislature or the statesman will consult or not the means of remedy ; such is the condition of the public, and, unreformed, its ruin is inevitable.*



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## CHAP. I.

### *Of Divorce.*

**T**HAT most celebrated, as well as most antient historian, *Moses*, having mentioned man, created by God male and female, thus describes the blessing of their maker upon them,—be *fruitful, and multiply, and replenish the earth*, and subdue, or keep up and preserve a regular subjection, and subordination.—It cannot then be supposed, that man, who was to govern and preserve order on this globe, should himself be unob-servant of rule; contrariwise, this, the very condition of the first pair exhibits, *viz.* a single intercourse.

The freedom which men have taken with the laws of nature, are many; not only in the present view we have of the world, but in the very distant retrospect which history affords. Yet, there have not been any good and great men under the gospel dispensation, who could defend fornication, or adultery. nevertheless, from prejudices of some kind, even a *Milton*, *Burnet*, *Locke*, and others, have defended divorce. humour or disgust did surely provoke the pen of *Milton*: disagreeable temper in a yoke-fellow. hence he, with others, have been tempted to affirm, ‘that unless the wife be found affable and courteous, every way suitable to their genius and

disposition, she is to be discarded." not duly considering what quantity of neglect or faulty conduct from themselves may have given offence, and occasioned the disagreeable, of which they complain. *e. g.* " may it not be presumed that the great *Milton* had observed, examined and approved the natural temper of the woman he designed to make his wife ? he surely found so much of the pleasing and agreeable as to determine his choice. but after marriage, it is very likely his own philosophical and studious turn of mind occasioned that behaviour towards her which created the dislike. she was not formed to be the companion of his severer studies ; tho' qualified to compose his cares ; and by the institution of her sex, a proper companion of suitable engagements in the sphere of her ability and service." \*

Probably this was the case with that surprising genius. I the rather mentioned it, because others have thought, " that crossness of humour, alters the obligation to what it was with *Adam*."—but how is the obligation hereby altered ? was not *Eve* first in the transgression ? and did she not influence her husband to a participation ?—This is not said to apologize for perverse temper or disobliging behaviour in any wife : for every one's desire should be to her husband. her study should be to make him happy, who is to rule over her. The observation then only suggests, that or-

\* To adopt the reasoning of *Puffendorff*, of the Law, &c. Book vi. c. 1. s. 24.

dinarily there is a defect in the condescensions and conjugal tenderneſſes of the huſband, when the wife's averſions run high, and are immoveable. for ſurely that woman muſt be a monſter in nature, who can hate her own fleſh, under all the ties of conjugal reſpect.

Such inſtances are poſſible indeed ; but then they are ſpecial, and ſo not ſufficient to ground a law upon. they are very hard and difficult to be ſupported under ; but cannot deſtroy our Lord's ſenſe of the inſtitution, *viz.* that nothing ſhort of defiling the marriage bed, can legally diſſolve the contract.

Thoſe laws which relate to alienable property, are confeſſedly plain and eaſy to be underſtood, which *Seneca* ſaw, when he ſaid, “ whatever contributes to the improving of our virtue, or of our happineſs, nature has taken care either to lay directly before us, or at a very eaſy diſtance for our ſearch.” can it then be thought, that the law which concerns bodily property, and on the regulation of which, the improvement both of our virtue and happineſs very much depend, ſhould be obſcure or doubtful ?

Biſhop *Patrick* well ſays, “ the firſt peopling of the world is only ſuppoſed; [in the Moſaic account,] but not related.”—however, the longævity of men in the beginning, is agreeable to the relation of one firſt pair, from whom all deſcended. this ſeemed requiſite to the neceſſary encrease of the ſpecies. and altho' remote obſervers may, with difficulty, now think of the firſt intercourse, between

children of the same venter, as it has the idea of incest ; yet, it should appear needful in the primitive state of man : and even the first couple had the most intimate relation.—for the woman was made, or her body formed out of the body of the man. if then, we only correct the imagery, by supposing the appetite more regular, and its intention more virtuously attended to, than in after-ages ; what otherwise would be offensive, will vanish, and become reconciled to sober reflection. *Incest*, as a criminal alliance, became so from the changed circumstances of human society : when it was found highly useful to blend and intermingle the interests of families, and, as it were, to throw the strong affection and sympathy into one common stock. this seems to have been the reason of the canon-law, which prohibits marriage, within such lines of consanguinity. This canon availing society of advantage, we are from infancy taught to detest the prohibited alliance, which dislike grows into a kind of natural judgment. whereas in the pristine condition of man, there was nothing unnatural in such conjugal society.

The principal things said in favour of *divorce*, shall be distinctly examined.

It has been said, “ *propagation is the first end of marriage ; but if a woman is merely capable of conjugal intercourse, she is not fit for marriage.* ”

Such capacity in the woman, has ever been esteemed a valid reason and just ground of marriage, exclusive of propagation or fruitfulness.

ness. \* and it is reasonable it should be so ; because *children are the heritage of the Lord, and the fruit of the womb his reward.* † for this reason, *Jacob* said to *Rachel*, [when she complained,] *am I in God's stead, who hath withheld from thee the fruit of the womb ?* || God alone can make fruitful ; for he tells *Abram*, *that he would make him exceeding fruitful.* § And *Isaac* prays over *Jacob*, *that God almighty would make him fruitful.* \*\* thus certain is it, that man, in the earliest ages of the world, understood the fruit of *the womb*, to be *God's reward.* the very language of the mother of all living, *I have gotten a man from the Lord.* †† Every man, who taketh a wife, may, and ought to know, that fruitfulness is not at her pleasure, or in her power ; and therefore the capacity of intercourse is all he is to expect from her, relative to propagation ; which being found, consummates the contract.

This very capacity, exercised within the laws of chastity, confirms and establishes an union of affection, as well as of person ; it naturally produceth a mutual endearment. to call this, by any term of obscenity, is abusive, and unworthy a venerable pen. *St. Paul* stiles it, *due benevolence* ; which imports a gracefulness in the conjugal embraces not to be refused, unless in extraordinary cases. |||—Vain minds,

\* Pure virginity is a very valuable possession, and as it were the common portion which nature gives her daughters. *Puffend. law, &c.* B. iii. c. 1. f. x. † *Pf.* cxxvii. 3. || *Gen.* xxx. 2. § *Ch.* xvii. 6. \*\* *Ch.* xxviii. 3. †† *Ch.* iy. 1. ||| 1 *Cor.* vii. 3, 5.

full of levity, may treat the subject with as much wantonness, as they do their own bodies: but divine wisdom so teacheth, *let thy fountain be blessed, and rejoice with the wife of thy youth;—and be thou ravished, or err thou always in her love.—enjoy life with the wife whom thou lovest, all the days of the life of thy vanity; for that is thy portion in this life, and in thy labor which thou takest under the sun.* \*

A learned writer remarks from *Ulpian*, “ that the marriage-contract among the anti-ent Romans was very solemn, at which there was a sacrifice, and a cake of bread corn was used.—and from *Dion. Halicar.* that the old manner of marriage instituted by *Romulus*, was, by eating together of bread corn: which took its name from the corn so eaten, and implied a necessary bond of indissoluble friendship, and nothing could dissolve their marriages.” †

Indeed *Plutarch* has observed, “ that *Romulus* instituted one law somewhat severe, which suffers not a wife to leave her husband; but grants an husband to turn off his wife, either upon poisoning her children, or counterfeiting his keys, or adultery.” which this Greek philosopher and historian thought severe; because it did not grant equal privileges to the wife.—*Laëtantius* also says, “ that the strong propensities and ardent affection of the sexes, are the constitution of divine providence. ||

\* Prov. v. 15. Eccl. ix. 9. † *τὸ διαίτησθαι τὰς γαμέτας οὐδὲν νῦν.* Essay on the nature, &c. of sacrifices. p. 72, 73. || Dr. Lardner's Credib. P. ii, V. v. p. 138. Note (c).

St. Paul understood the marriage-contract to import, a giving up to each other all the claims of bodily property: which he has expressed in this chaste manner, *the wife hath not power over her own body, but the husband: and likewise also the husband hath not power of his own body, but the wife.* \* the property is reciprocally transferred.

More than this, keeping the point in view, it will be difficult to affix any standard by which the barrenness of the female, or the frigidity of the male may be determined; because not a few married couples have passed a great number of years in wedlock without any signs of issue; who yet afterwards have had children.—Not a few wives have been capable of fruit, though it never reached maturity, but proved abortive. yet, if an actual progeny be made needful to establish the contract, a divorce may be thought expedient; than which, a more inhuman cruel position cannot well be imagined! for the principle will even admit, that if she should have carried her fruit to the actual birth in the due season, death, taking place in the infant state of the offspring, dissolves the conjugal tie!

I know, *Lightfoot* has asserted, “that the scriptures throughout ascribe barrenness to the women.” † but he was too hasty; *Deut.* xxv. 5.—10. is expressly against him. a statute law built wholly upon the supposition of the husband’s impotency. and *Plutarch* having taken

\* 1 Cor. vii. 4. † *Works* V. i. p. 397.

notice of the antient Romans their constancy in marriage, sais, “ that for two hundred and thirty years neither any husband deserted his wife, nor any wife her husband—adds, and the Romans all well know, *Spurius Carvilius*, was the first who put away his wife, accusing her of barrenness.” \*

“ Some would distinguish between a natural and casual barrenness ; they say the casual, intends, a woman’s being past the time of child-bearing, when she entered the conjugal state.” an age, we must allow, unfit for marriage, if multiplying the species be the sole end of the contract.—but,

Here it will be sufficient to allege, that an actual or natural barrenness was never understood to be a reason of divorce, where the capacity of intercourse had place. the first instance on record, viz. that of *Abram* and *Sarai*, produced no such sentiment ; they continued their conjugal union ’till old age.—and *Jacob*, we are told, loved *Rachel*, notwithstanding her barrenness, more than he did *Leah*, who was fruitful.—*Elkanah* gave *Hannah* a worthy, a double portion ; for he loved *Hannah*, *tho’ the Lord had shut up her womb.* † —*Zacharias* and *Elizabeth* have a shining character, who were both well stricken in years. and had had no children ; *for Elizabeth was barren.* ||

From the above instances, as well as from the reason and fitness of things, the conjugal

\* *Plut. liv. engl. V. I. p. 123.* † : *Sam. i. 5.*  
|| *Luk. i. 7.*



relation appears to have its peculiar endearments, even where propagation is not the consequence of such union.

The christian lawgiver has very expressly forbidden divorce, except in case of fornication. *Moses*, said he, *because of the hardness of your hearts, suffered you to put away your wives: but from the beginning it was not so. and I say unto you, whosoever shall put away his wife, except for fornication, and shall marry another, committeth adultery.* \* the prohibition of divorce was full to the Jew; because in the case of adultery after marriage consummated, the woman was to be put to death: and putting away, on any other account, is expressly forbidden.—for if a man put away his wife, he was chargeable with adultery, if he married another. nor could another man marry the divorced wife, without committing adultery. this, at least, is undeniably certain, that in the judgment of *Jesus*, nothing, but a defilement of the marriage bed, could dissolve the matrimonial covenant.

But the better to understand the declaration of *Jesus* in this matter, the precept which *Moses* wrote should be examined. see *Deut. xxiv.*  
 1. *when a man hath taken a wife and married her, and it come to pass that she find no favor in his eyes, because he hath found some uncleanness in her, or matter of wickedness, [the Sept. ασχνημον πραγμα, a shameful thing] then let him write her a bill of divorcement.*

\* *Matt. xix. 8, 9. Mar. x. 2.—13.*

What may be meant by the uncleanness, nakedness, or shameful thing found in her, which would justify the divorce?

It may either intend her incapacity of conjugal society, or wanting the proofs of chastity, mentioned *Deut. xxii. 15.*—the former would be a manifest reason of divorce, it would be a shameful thing and expose the woman to reproach, could we suppose any woman capable of the imprudence of contracting marriage in such circumstances.—but it should rather intend her having had her nakedness uncovered. if she was not an *Israelite*, this exposed her to the utmost danger of being stoned to death. \* her safety depended upon the tenderness of her husband, and strength of his affection to conceal the uncleanness. which, I cannot but be of opinion, was sometimes the case. † *uncovering the nakedness*, originally among the *Jews*, seems

\* *Deut. xxii. 21.*

† This should appear from *Joseph* being willing to put *Mary* away privately, upon being informed by her that she was with child, under her betrothment. *Matt. i. 19.*—

Should the objecter to revelation plead, that the supernatural formation of *Jesus*, is an high reflection on the matrimonial law? it would be groundless: since the *fœtus* so produced by the fiat of immediate creative power, was to be the second *Adam*, i. e. the second man so formed. which he could not have been by ordinary generation. and that moreover, he was to be distinguished from the first *Adam*, in his being the spiritual head of all virtuous and holy men. and from the nature of his mission he must have no personal concern in the natural propagation of mankind. even the predictions of him, rendered the measure of the divine proceeding most proper, as he was to be, *the seed of the woman, and born of a virgin.* both by *Matthew's* and *Luke's*

seems to have had the meaning of indecent and unchaste freedoms with the bodies of one another, as a carnal acquaintance. see, to this purpose, *Lev. xviii. 6—17, and 19. verses.* it is the law-language.

As to the license which *Moses* gave the *Jew*, on account of his obstinacy or obduracy, it respected the males only: and that too was most probably confined to strangers and captive women, whom they took for wives. they appear not to have had his connivance, or a permission from him to marry two or more *Hebrew* women: *i. e.* so as to cohabit with them, at one and the same time.

The following particulars may support this observation.

*Luke's* account he could not be the natural offspring of *Joseph*; though *Mary* conceived him under the espousals. for when *Mary* his mother told him, that his father and she had sought him sorrowing, his reply is a tacit denial that *Joseph* was his father; as it only acknowledged *God* to be his father. see *Luke ii. 48, 49.*

It might have reflected on the matrimonial law, if it could have been proved that because he was thus born of *Mary*, that therefore she was thenceforwards obliged to avoid a cohabitation with *Joseph*. but the contrary should appear manifest from the face of the gospel-history. I make no doubt but *Mary* had several children after the birth of *Jesus*, by her husband *Joseph*, with whom, we have reason to believe, she cohabited till *Jesus* was about twelve years of age. and to what purpose did the angel encourage *Joseph* to take her to wife? or *St. Matthew* declare, that he knew not *Mary* till she had brought forth her first-born? if he never knew her; or if she had no other children! some believers in the Christian revelation, have some-how taken offence at the account of our Lord's formation; and tho' *Joseph's* scruples and jealousies were all removed, theirs are not.

1. In the law referred to, there are no instructions given how to behave towards the family of the divorced woman; \* as there is in the case of an *Israelite* woman, when an accusation was brought against her by her husband. the *Hebrew* woman's parents and family were to be satisfied with the reason of her husband's bringing upon her an evil name. the reputation of the *Hebrew* wife is held sacred, every-where provided for; and never at the mercy of her husband.

2. I cannot find, in all the *Mosaic* code, a law for the divorce of an *Hebrew* woman. she is not intended, *Deut. xxi. 10—14. when thou goest to war with thine enemies, and the Lord thy God hath delivered them into thine hands, and thou hast taken them captive. and seest among the captives a beautiful woman, and hast a desire unto her, that thou wouldst have her to thy wife. then thou shalt bring her home to thine house, and she shall shave her head, and pare her nails. and she shall put the raiment of her captivity off from her, and shall remain in thine house, and bewail her father and mother a full month; and after that thou shalt go in to her and be her husband, and she shall be thy wife. and it shall be that if thou hast no delight in her, then thou shalt let her go whither she will, but thou shalt not sell her at all for money, thou shalt not make merchandise of her, because thou hast humbled her.†*

\* *Deut. xxiv. 1, 2, 3.* † *Patrick* observes, it do't necessarily suppose he had actually layn with her.

the law in *Deut. xxiv.* is in perfect agreement with this. so probable is it that the uncleanness or matter of nakedness, refers to her not having given him satisfactory proofs of her chastity. for we are led by the law to understand her an unmarried woman, from her bewailing her father and mother, but no mention at all of her husband. and besides, we shall find, by their articles of war, they were not to take the married women captive.—something of the nature of such discovery, may be supposed to occasion the loss of the husband's favor, who had such an affectionate desire towards her.

If the law *Deut. xxiv. 1.* respects an *Hebrew* wife, I should then conclude, that the husband had not consummated the nuptials with her; because it says, ver. 2. *that when she is departed out of his house, she might go and be another man's wife.* but had the first husband layn with her, she might have become pregnant; in which circumstance it would not then be so clear a point, *that she might go and be another man's wife.* the constitution, don't seem to encourage or admit of such blendings of families. but her being at liberty to marry, rather supposes it was signified in her *bill of divorce* that she had found no such favor in her husband's eyes, as that of consummating the nuptials. it differs very widely from that law, ch. xxii. 13, 14. where the man, after having layn with his wife, reports, *that he found her not a maid.* It is likewise observable, of the divorced woman, that if she had another husband and he hated her,

her, the first was not allowed to retake her.—the *law of divorce* seems to have been too dishonourable and rude usage of a filter, a native *Hebrew* woman : for in all marriage-contracts with these, there is a delicacy observed, and every precaution taken to secure her against any insults upon her reputation. the very father and mother of the repudiated *Hebrew* wife, or the accused, are concerned in supporting her honour, or in not suffering any false charge to lie against her.

To suppose the *Hebrew* wife divorced, in this sense unhumbled by the husband, makes a very considerable difference in her condition ; yet, it is not probable, that this could be done, without satisfaction given to her and her family.

For any to say, “ that *Moses* disapproved of divorces, and therefore did not make provision for the reputation of the repudiated wife, as in other cases ;” does not satisfy me : because his disapprobation would of itself naturally lead him to load and encumber the license as much as possible. from the very face of the permission, I should therefore conclude, that the divorced wife was the fair captive, whom the man had betrothed. which less confines us in accounting for the phrase, *not finding favor in his eyes*. for surely *Moses* could never connive at, and permit the divorce of an *Hebrew* wife, at the arbitrary pleasure of an husband ; and that too after he had humbled her ! this must have occasioned unspeakable confusion, and bloody resentments from families so  
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intimately concerned in the disgrace and dishonour thrown upon a sister, or near kinswoman:

It is said in that law, *Deut. xxiv.* beginning, *that the divorced woman might go and marry another.* but if the matter of nakedness found in her was signified in the bill of divorcement, it should be nothing that would necessarily expose her to contempt; for if it did, she was not so properly at liberty to go and marry another. but—altho' a defect in the proof of chastity found in a fair captive, might expose her to the dislike of her first *Hebrew* husband, yet, others might fancy to take her, as willing to indulge their lust.

*Moses suffered you to put away your wives.*—the term, *wives*, is not too strong so applied, when the solemnity is attended unto, with which they were to marry the fair captives.—and can any man reasonably suppose, that *Moses* allowed an *Hebrew* wife to be divorced, when an express law amerced the husband in an hundred shekels of silver to her father, and to remain her husband for ever, if he brought an evil report upon her? here is an emphatical reason assigned, *viz.* because he hath brought up an evil report upon a *virgin of Israel.* another law made it death for any married woman to lie with another man. yea, death was to be the punishment of a betrothed virgin, if she lay with another man in the city; or within the call and assistance of her neighbours. but if forced in the field, the man was to die, and she acquitted. there was also another law that obliged a man, who lay with  
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an unbetrothed virgin, to give her father fifty shekels, and she was to be his wife, because he had humbled her.

These laws render it absurd to suppose, that a *Jew* might put away his *Hebrew* wife at his pleasure, and even after he had humbled her.—

3. The hypothesis gathers strength from *Lev. xxi. 14. the high priest must not take a widow, a divorced woman, or prophane, or an harlot; but he must take a virgin of his own people to wife.*—the virgin of his own people is opposed to the prohibited women. but there is no virgin among the prohibited, unless it be the *divorced woman*, a virgin-captive: *i. e.* if Bishop Patrick has rightly understood—the prophane, ver. 7. of such who had prostituted their bodies, to the mysteries of idolatry. may not this give the sense of the *shameful thing?*—a confession made by the fair captive, under the espousals, would give the information.

*Lev. xxii. 12, 13. affirms, that if a priest's daughter be a widow, or divorced, and have no child, and is returned unto her father's house; as in her youth, she shall eat her father's meat; but there shall no stranger eat thereof.*

Patrick observes, that stranger here, does not intend one who was not an *Israelite*: it is not *Nechar*, but *Zar*, which signifies any one to whom a thing does not belong; one, not of the *Aaronical* family. which seems to be a just criticism; for none of the *Hebrew* women were allowed to marry strangers in the former sense. *Numb. xxxvi.* those of the other tribes, were



were only to marry into their own tribes, if they had any inheritance or lands which belonged to their families. but this was not a restriction to a priest's daughter.—as to her divorced, it should mean one that had no child, because admitted to her father's board, and to eat of the holy things, allotted only for the priests and their family.

Here arises a considerable difficulty, that would perplex my hypothesis, if understood in the restrained sense of the word, *Garaṣh*, as a divorce. *i. e.* from the wife not having found favor in the eyes of her husband. but there is another sense much more natural and reconcileable to the intention or spirit of this law, *viz.* the divorce meaning no more than poverty and extreme want driving her from the house of her husband. this should be the meaning of the expression. for in this circumstance, though the husband be reduced to extreme indigence along with his wife; yet as a stranger, the law forbid that either he or his children should eat of the offerings, sacred to the priest and his family, *Lev. x. 14.* compare with this another statute, chap. xxv. 39. *if thy brother be waxen poor, and be sold unto thee, thou shalt not compel him to serve as a bond servant; as an hired servant, a sojourner shall he be with thee until the year of jubilee.*—if he, the poor man, was the husband of a priest's daughter, this provision was made for his wife, during the time of his servitude; or of this her separation from him. the *Hebrew* word rendered, divorce, does not necessarily suppose a man's

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turning away his wife ; but is put for other kinds of expulsion, *Gen. iv. 14. Cain saith, behold, thou hast driven me out this day. Exod. xi. 1. he shall surely thrust you out. xii. 39. because they were thrust out. xxxiv. 11. behold, I drive out (divorce) before thee the Amorite. Is. lvii. 20. whose waters cast out mire and dirt. thus poverty, want, the husband's going into servitude might thrust out the wife, and so divorce her.*

4. The absolute unlawfulness of the Jew's divorcing, or voluntary putting away his Hebrew wife, is determined by that passage in *Malachi ii. 14, 15, 16.* where he reproves the idolatries of *Israel*, by an express allusion to the matrimonial law—*the Lord has been witness between thee and the wife of thy youth, against whom thou hast dealt treacherously : yet is she thy companion, and the wife of thy covenant. and did not he make one ? yet he had the residue, or excellency of the spirit ! and wherefore one ? that he might seek an holy seed : therefore take heed to your spirit, and let none deal treacherously or unfaithfully against the wife of his youth. for the Lord, the God of Israel saith, that he hateth PUTTING AWAY, or dismissing. so the word Shalakh is used, Exod. ix. 7 . and he did not let the people go. it stands for neglect, Prov. xxix. 15. a child left—i. e. a neglected child bringeth his mother shame.—God hates all putting away, all neglects of the wife, whom his institution requires should be treated with sacred regard.*

It follows, by fair deduction, that *Moses's* suffering them to put away their wives, because  
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of the hardness of their hearts, cannot denote any, the least approbation; but barely such a permission as he found altogether unavoidable. the permission itself intimated the obduracy of their hearts, and the record of it, is a monument of their sensuality.

Dr. *Lightfoot* thinks, "*Moses* proposed the law of divorce to mitigate the law which denounced death on the adulterers." \*—if this sense will agree with our Lord's declaration, that *Moses suffered this for the hardness of their hearts*; it would then follow, the law of divorce was confined to those wives only who had forfeited their lives by a defilement of the marriage bed.—but then a considerable difficulty will stand in our way, *to wit*, how comes it to pass that *Jesus* should say, *from the beginning it was not so*: and yet, with the same breath encourage the continuance of the innovation? as he appears to do, when he saith, that fornication will justify the putting away. *whosoever shall put away his wife, except for fornication*. which exception, would be as ample a permission as that of *Moses*, in the sense of that learned writer.

*Bernardinus Ocbinus*, an *Italian*, whose dialogues on polygamy and divorce were printed at *Basil*, in the year 1563. and the translation at *London*, 1657. has supposed *St. Paul* to contradict his master, when he saith, *unto the married I command, yet not I, but the Lord, let not the wife depart from her husband, &c. also let not the husband put away his wife.* †

\* *Works*, vol. I. p. 146. † *Dialogue of divorce*, p. 31.

The *Italian* did not see the manifest difference. our Lord refers to the violation of the marriage covenant, when putting away may be justified. St. *Paul* has in his eye the case of christian men or women having infidel wives or husbands. in which circumstance, some had weakly imagined that their christianity obliged them to a separation: which St. *Paul* sais it did not, unless the infidel party was dissatisfied, and refused the cohabitation.

*Ochinus* again observes, that some say, “ because the husband is head of the wife, and has authority over her, he may, upon the occasion aforesaid, put her away, which the wife cannot do to the husband, as having no such authority.” \*

This superiority can surely be no reason of divorce; because by the very exercise of this act of sovereignty, the superiority is quite lost and gone. so that for the man to assert his superiority over the woman in putting her away, he would do just the same thing as assert his authority, by an act of resignation thereof. but although he is head of the woman, she is his glory. divorcing of her would then be no other illustrious display of his authority, than that of stripping off and laying aside his glory.

*Numb.* xxx. 9. makes mention of the vow which a woman had made under her divorce as binding: but does not affect the hypothesis; because, in all probability, applicable to the divorced stranger, or fair captive in her widow-

\* *Dialogue of divorce*, p. 37.

hood. every vow of a widow, and of her that is divorced, wherewith they have bound their souls, shall stand against her.—her father had no such power over her, as before marriage.

*Deut. xxii. 19.* sais, the man who unjustly brought an evil name upon his wife, detected in his crime, *should be amerced an hundred shekels of silver; and he might not put away his wife all his days*—he is obliged to constant care of her, and his testimony against her, probably, would never, after this vile attempt upon her life, be accounted valid or legal.—but had he proved his point, it does not appear he could have given her a divorce; but rather that the sentence of death would have passed upon her.

Should it be objected, that the supposed *shameful thing*, which occasioned the divorce of the fair captive, has no foundation; because the *Jews* were commanded, as in the case of the *Midianites*, *to spare no woman that had known man? Numb. xxxi. 17.*

The reply to this would be, the case was special, as the *Midianite* women had been the defilers of *Israel*. *Patrick* observes, “this was a peculiar case, wherein a middle course was held, between those that were of the seven nations of *Canaan*, and those that were not. if of the latter, the *Israelites* might take the women and little ones to themselves *Deut. xx. 14, 15.* if of the former, every thing that breathed were to be destroyed, ver. 16, 17. indeed the law of arms, *Deut. xx. 10—14,* is, *when thou comest nigh unto a city to fight against it,*

*it, then proclaim peace unto it. and it shall be, if it make thee answer of peace, and open unto thee, then it shall be, that all the people found therein, shall be tributaries to thee, and they shall serve thee. and if it will make no peace with thee, —when delivered to thee, thou shalt smite every male thereof with the edge of the sword. but the women, \* and the little ones, and the cattle, and all that is in the city—thou shalt take unto thyself. —after this follows an exception of the Canaanites.*

From this account it is manifest, that the rigor used with the *Midianites* was not always observed : and that among their fair captives they might mistake in fixing their eyes on such whom they took for virgins.

The preliminaries, which they were enjoined the observance of in their marrying the captive women, are remarkable. *she must shave her head, and pare her nails.* very likely this was to be done in token of her bewailing her idolatrous extraction, and renouncing those customs. she must also, of her own accord, *put off the raiment of her captivity*; perhaps that had been worn in honour of some idol—*and bewail her father and mother, for a month, at least.* who had been cut off in the battle.—so the *Jews* mourned a like time, *viz. thirty days.*

Learned men are indeed divided in their sense of these preliminaries; but it is more probable that the design of the law-giver, was

\* I reckon this means the young women; supposed virgins.

to

to abate the fury of their lustful passions, by depriving her of her hair, and her greatest ornaments; and giving him time for cool and sober reflection.

5. This interpretation seems to account for the total silence of the divorce of husbands. I see not how they could practise divorce in the case of adultery, when *Lev. xx. 10.* made it death. and death too both to the adulterer and the adulteress.

6. The law which obliged the next of kin to a deceased *Jew* to marry his widow, if he died childless, is an argument against barrenness being the reason of divorce under that constitution; for it supposeth unfruitfulness occasioned on the side of the male, which was not to be remedied till his death, *Deut. xxv. 5—10.* moreover, the *Jewess*, who had been the wife of an *Israelite*, was not to marry a stranger; but must be provided for in the tribe of her husband. a reason in proof of the proposition, *viz.* that a *Jewess* could not be intended by the wife that might be divorced on account of a matter of shame, if understood of her unfruitfulness.

The corrupt glosses which the *Jews* had given of the law of divorce, and their vile practices in the time of Christ's ministry, ought, by no means, to be taken for the sense of *Moses*. — for *Lightfoot* has observed from the *talmudical* writers, that they put away their wives upon any, and almost every trifling pretence.

“ As

“ As if she was not of a good behaviour, and not modest, in the sense and taste of her husband.

If a man hate his wife let him put her away, excepting only that wife which he first married.

If the wife was not a good cook, and did not please her husband in salting or roasting his meat; he must put her away.

If she become, by the hand of God, dumb, &c.

Besides many other things too immodest to be mentioned. *R. Akibab* said, if any man sees a woman more handsome than his own wife, he may put her away; because it is said, *if she find not favour in his eyes.* \*

*Patrick* says, the *Jews* extended their reasons of divorce, even to a stinking breath. †

That master in reasoning, *Locke*, has something upon *divorce*, perhaps as little worthy of him, as any thing that ever dropped from his pen. for having spoken of the human offspring, he says, “ — but though these are ties upon mankind which make the conjugal bonds more firm and lasting in man than in the other species of animals; yet it would give one reason to enquire, why this compact, where procreation and education are secured, and inheritance taken care for, may not be made determinable, either by consent, or at a certain time, or upon certain conditions, as well as any other voluntary compacts, there being no ne-

\* *Works*, vol. II. p. 146, 147. † On *Deut.* xxi. 1.

cessity



cessity in the nature of the thing, nor to the ends of it, that it should always be for life ; I mean, to such as are under no restraint of any positive law, which ordains all such contracts to be perpetual." \*

The best apology I am able to make for this excellent man, is, *he was a bachelor, and had no adequate ideas of the subject he wrote upon*; otherwise, he would have known, that the conjugal society will bear no manner of comparison with the brutal couplings! and the *union*, he would have found, to be much too sacred and interesting to bear a dissolution from any other hand than that of death. for many aged pairs, who have lived, even to an half century of years, in love and harmony, I doubt not, could with as much ease resign life, as submit to a previous determination of the conjugal society.

The very institution has this aspect in the original ; *they two shall be one flesh. and what God hath joined together, let no man put asunder.* our blessed Lord has delivered himself on this subject, in the very spirit of the original. no christian man, may, with impunity put away his wife, if she has not defiled his bed. and because *they are no more twain, but one flesh*, a voluntary separation is unnatural, and inconsistent with the institution.

The disciples of *Jesus* object to the sense he gave of the conjugal law ; they say, *if the case of a man be so with his wife, it is not good, ex-*

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pedient

\* *Of Government*, B. ii. ch. vii. Sect. 81.

pedient or proper *to marry*. the tie, they think, is much too rigorous and unyielding. their former conceptions of the law, had more latitude of sentiment and practice. *Jesus* replies, *all give not place, accede or yield to this word, or sense of the law : but to them it is given.* i. e. the *Jews* might all of them see that this is the natural, obvious sense of the original institution of marriage. it is of the very nature of the conjugal union, that the bond be indissoluble. all who marry should so understand it; yet there are numbers who will not yield to this unforced construction.

Thus I have understood *Matth. xix. 11.* οὐ πάντες χωρεσι τον λογον, ἀλλ' οἱς δεδοται. all do not give place to this law, *nevertheless* to them it is given. the conjunction ἀλλὰ, is so rendered, *Rom. v. 14.* and if our Lord has his eye on the custom of divorce as a violation of the law of marriage, the sense is easy.—as to the instances which follow of *Eunuchs*, they are the exceptions to matrimony itself, which then had place among the *Jews*; but did by no means affect the sense given of the matrimonial law. some of these were physically incapable of matrimony; others superstitiously made celibacy essential to religious character; however the reasonableness of the law is such, that he who is able to receive it, let him receive it. *q. d.* put no difficulties upon him.

This sense I prefer to that of our Lord's intending, "all cannot live pure and chaste without marriage: but some only who have the gift of continence," my reasons are, because in  
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the instances of *Eunuchs*, two of the three sorts, argue great defects and injuries to the bodily frame, viz. those born imperfect, and those maimed by men. and as to the other, the third sort, the mortification appears to have been the result of a religious frenzy; *namely*, persons taking it into their own heads, that celibacy is a qualification for the kingdom of heaven. surely none of these intend a *divine gift*. — but of this in the proper place, when we come professedly to treat on the subject.

The instruction given, plainly restores the lost genuine sense of the conjugal law to its primitive dignity and glory! it censures and condemns the unhallowed freedoms which the *Jew* had taken with that institution; more particularly in the article of divorce. — The institution in its pure sense, best serves the interests of societies. and Bishop *Patrick* observes, “that for 500 years or more, the *Roman* state flourished without the use of divorces.” but admit that they did allow a dissolution of the marriage contract by consent; yet, this is no good authority, when we advert to the original, the divine law. neither should it have any weight in the argument, that in bilateral contracts among men, in commercial or civil life, a dissolution of covenants may take place by mutual consent: “for *Civilians* properly deny, that marriage is a contract; because it relates to persons, and their inseparable union, which are not things in commerce.” — \* but if in bilateral contracts the obligation cannot be dissol-

\* *Heineccius* on univ. Law, Vol. I. Sect. 385. by *Turnbul.*

ved, only by mutual consent ; much less can the marriage covenant by the mere will of either the man or the woman. and even with mutual consent, where the bed has not been defiled, the separation has no warrant in the sense of *Jesus*, or the original institution. it is a lawless situation.

Having thus largely treated on *divorce*, I will proceed to the subjects of polygamy and celibacy in the next chapter.

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## C H A P. II.

### *Of Polygamy and Celibacy.*

SOME have said, "*that polygamy is allowed of under the gospel constitution.*"

Previously to a discussion of this matter, some things may be noticed. — should it be granted that propagation and a convenient education of children, are the two great ends of conjugal society ; it might be easily proved, that these very ends are best accomplished by monogamy, or single intercourse in wedlock. yet, if in some instances, these ends fail in the pure and simple intercourse ; the interests of society are no more injured in these respects, than they are by those who remain celibate. but where-ever the conjugal union is made with reasonable and human intention, it is infinitely preferable to the impure, and worse than brutal conjunctions, only designed to satiate lust.

However

However the defenders of *polygamy* say, in favor of it,—“ *that it does not hinder propagation.—nor render the offspring uncertain.—that the people of God have approved of it.—that education of the offspring is not injured by it.—and that the husband’s vigor, or the wife’s barrenness has made it proper.*”

These are bold and specious declarations. yet if *polygamy* be found inconsistent with a just observance of the matrimonial law, these affirmations will then appear to be, in truth, sophistical and trifling.—in confutation of the first article. *viz. that polygamy does not hinder propagation*, I refer my reader to Dr. Delany’s *reflections*, &c.—he has shewn, “ that the increase of the human species is manifestly checked, and their miseries multiplied by that permission, in every region of the habitable world. and that monogamy is that right and regular commerce of the sexes, that true social union of the affections and interests which God intended and nature demandeth. so that whoever considers all these evils, and abhorreth not *polygamy* the parent of them all, that man has a soul utterly estranged from all social and benevolent affections ; from all true love of liberty, and reverence of virtue ; and from all awe, honour, and veneration of the supreme being.”

This writer has with much labor and judgment demonstrated the great injury that *polygamy* is of, respecting the increase of the human species, where-ever it is permitted. besides, an objection would have lain against the *Mosaic* account of the creation of man; and  
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of the institution of marriage, if single communion were not, in fact, the best and most effectual method of peopling the world. but the observations of many learned men, prove the point, beyond any reason of debate.

To proceed with the argument ; we may allow to the polygamists, “ *that it is not the forms so properly as the tie of marriage, that binds one man to one woman.*” but then, even the forms are needful in society. how else would any claims of descendants, in the right of ancestors, be made good ? some form, no matter what, any that is agreed upon by the community for the satisfaction of the public. perhaps the less private the ceremony, and the better. it would have a tendency to prevent impositions, deceptions, and mal-practices, the frequent occasion of great infelicities to persons and families. the very nature of the contract seems too sacred, and the connections it has with society too many and important to admit of privacy and concealment in the celebration of the nuptials. “ every one knows how marriages were made among the *Romans*; *confarreatione*, *cæmptione*, *usu* : of which ways the two former were attended with many ceremonies : and the *legitimæ tabellæ*, or at least consent of friends, preceded all, *auspicia* were usually taken, public notaries and witnesses assisted, &c. among the *Greeks*, men and women were espoused by mutual promises of fidelity ; besides which there were witnesses and dotal writings—at the wedding sacrifices to *Diana* and other deities.—all nations have some form

form or other on these occasions.—there is no coming together after the manner of man and wife upon any other foot.” \*

*Incapacity* seems to be hinted at in the proposition, as delivered by the polygamist: which, if concealed from the other party, will be a good plea for the separation. but it is highly reasonable to suppose that a known incapacity, a real natural impotency in the woman, will ever be attended with an indisposition to matrimony. the law of *Moses* never considered a woman betrothed under such disability, that I can discern. and defective men are prohibited marriage with an *Israelite* woman, *Deut. xxiii.* beginning. which may be the meaning of the phrase, *they shall not enter into the congregation of the Lord.*

The unnatural disabilities do not wholly destroy the disposition towards the sexes, as may be seen in that apocryphal book, *Ecclef. xxx.* 20. which intimates a propension without the generative ability. however this, by no means, perplexeth the argument; because the disability is known. the case is not equal, or of like kind with that of a natural impotency, where the desire has no place. these instances do not properly belong to polygamy; for though there should be no divorce upon the discovery, yet, if the impotency would not admit the consummation of marriage, they never were *one flesh.*

\* *Woolaston's religion of nature*, p. 156, 157. note and text.

I shall use the term, *polygamy*, for a man's having more than one wife at one and the same time; without any regard to the term bigamy or digamy: because if monogamy be transgressed, for the same reason that a man has two wives, he might have twenty. add to unity, I would call it, in this case, *polygamy*.

If polygamy was connived at under the *Mosaic* institution, will that be an argument in its favor? no surely, since *Moses* suffered it only *for the hardness of their hearts*.—the defenders of polygamy, I would remark by the way, will not readily plead for the woman having more than one husband. yet from the condition of mankind their plea is as good as that of the men: for if the proportion of males to females was among the *Jews*, what it is nearly all the world over, *viz.* as 13, to 12,\* there was as much room for the *Jewesses*, as the *Jew*. † but hence it is evident, there was no such thing as the possibility of a *Jew* having two *Jewesses* at once, without injuring the natural claims of his brother *Jew*. polygamy could not then be tolerable among that people, but from the addition made to the females by the captive women.

\* I have not mentioned the manner of proof. but those who consult Mr. *Derham's* table, or Dr. *Arbushnot* on the subject; may see a demonstration.

† In the account our Lord gives to his disciples, *Mar. x.* 11, 12. both the man and the woman are supposed putting away. *whosoever shall put away his wife*—and *if a woman put away her husband*. it is the very same word in both cases, *απολυση*.

“ Dr.



“ Dr. *Delany* has understood, *Lev. xviii. 18.* as an exprefs law againſt polygamy ; *neither ſhalt thou take a wife to her ſiſter, to vex her, to uncover her nakedneſs, beſides the other in her life.* —not only the *Sadduces* of old, but the *Caraites*, (a learned ſect among the *Jews*) at preſent, have ſo underſtood this law. and ſo the *Chal-dee* paraphraſt. nay, the idiom of the *Hebrew* tongue requires this ſenſe. \*

The *Jews* were wont to look upon all the *hebrew* women as ſiſters, and all *hebrew* men as brethren ; deſcending from one common father or origin, *Jacob*. they therefore could not take two *hebrew* women to wife, but they would thereby diſturb the peace of the family, and raiſe jealousies and diſtractions in the breasts of thoſe warm competitors.—the conſequence was not ſo certain or inevitable in their taking female captives ; becauſe over them the *hebrew* wife would exerciſe authority, and claim a ſovereignty.—the writer above-mentioned ſaies, “ this was the reaſon why *Mablon*’s next kinsman reſuſed to redeem *Ruth*, his widow, viz. becauſe it was not lawful for him to marry her, having already a wife of his own, *Ruth, iv. 6.* *he could not redeem for himſelf, leſt he ſhould mar his own inheritance.* †

“ The caſe of mankind ſince the fall, ſay ſome, varies much from what it was in innocency ; for then the ſoundneſs of their bodies, and the purity of their minds did keep out of the way, all the hazards of barrenneſs, ſickneſs, uncleannneſs and

\* *Reflexions*, p. 72, 73. † *Ibid.* p. 69.

*crossness of humour ; and therefore a single marriage, as being the most perfect coalition of friendship and interest, was proper for that state."*

This is to give up the argument for polygamy ; because if a single marriage was most proper for a more perfect state, it surely will be most proper for a less perfect state of man : since the more infirmities and humours are introduced in the less perfect state, the less able men are to deal with or manage well a multiplication of them, which there must be in polygamy. the first law, instead of losing its strength, receives considerable addition to its force from the more disordered state of man. if therefore polygamy could ever have been suitable to human nature, it would have been to that of innocency ; but upon a degeneracy would lose its fitness.

*" Lamech is allowed to have been the first polygamist."*

*Lightfoot* remarks upon his being so, " it gave him the horror of conscience, that he reckons his sin *seventy times* greater than *Cain's*. which occasioned the complaint he made to his two wives," *Gen. iv. 23.* \*

*" Abraham and Jacob are said to be polygamists."*

*Abraham's* wife urged him to such licentiousness ; yet preserved and exercised a despotic power over *Hagar*. and very barbarously procured the banishment both of her and her off-

\* *Works* Vol. I. p. 3, and 693.

spring.—the case of *Jacob* was very peculiar : he was prompted to polygamy by the vile imposition and fraud of *Laban*, the father of his wives. *Isaac*'s character is pure and unstained.

“ Some farther say, *when a man had married more wives than he could maintain, to prevent any indirect ways in getting rid of them, this fair one of divorce was allowed by God ; and polygamy was practised without either allowance or controul as the natural right of mankind.*”

This is very bad reasoning. divorce was never allowed by God. and polygamy men practised contrary to the voice of reason and revelation. it could never be countenanced by the Governor of the world, as it violates the natural rights of mankind, which appears from the equality of the sexes.

“ Not less idle is it to say, *polygamy is nowhere marked among the blemishes of the patriarchs.*”

Does it, in any one instance, raise their reputation ? was it not the fertile source of family broils, contentions and confusion ?

“ But we are told, *David's wives are termed by the prophet, God's gift to him.*”

It is true that *Nathan* tells *David*, 2 Sam. xii. 8. *God had given him his master's wives into his bosom.* but then, what saith, ver. 11 ? *behold I will raise up evil against thee out of thine own house, and I will take thy wives before thine eyes, and give them unto thy neighbour, and he shall lie with thy wives in the sight of the sun.* this God foretold, as what he foreknew his neighbour, that is, his son *Abalom* would do,

who went in to his father's concubines in the sight of all *Israel*; chap. xvi. 22. this is a *gift of God*, that has been mentioned in defence of polygamy. but surely such a one, that no man in his senses would be very fond of. it imports a dreadful curse that fell on polygamy.

A defender of it will affirm, "*that Jesus designed to raise mankind to the highest degree of purity and chastity; and therefore our Lord and St. Paul do prefer a single life to a married state, as that which qualifies us for the kingdom of heaven.*"

Here is taken for granted, what is incapable of proof. the direct contrary to this is the truth of the case, as applicable to mankind in general. neither *Jesus* nor *Paul* thought a single life ordinarily preferable to a married state. special cases do not affect, so as to weaken or destroy a general rule. the very design of Christ's mission and character rendered him an unfit subject of the matrimonial law. he was to be a quickening spirit to mankind, in contradistinction to the first *Adam's* being made a living soul, *i. e.* the animal parent of the species. a propagation of our race was not analogous to the divine character of the author of our religion; the appointed resurrection, the medium of the spiritual and future life of man. —also *St. Paul's* remaining celibate, was grounded on his situation; whose travels, labors, and perils were *more abundant* than those of the other apostles, 1 *Cor.* xv. 10. compared with ix. 5. and he gave it as his opinion, that such of the *Cerinthian* christians who found no  
incon-

inconveniences from the single state, would have less trouble in the flesh, under the violence of persecution. but he never presumed to say, that the celibate was a more holy state than the matrimonial. he knew better.—nothing can justify a contempt of marriage, tho' there may be many circumstances that will justify, in some persons, the celibate. St. *Paul* had the most honourable sentiments of matrimony, though he did not think it expedient for himself. he enjoins a special regard to widows, who had brought up children, 1 *Tim.* v. 3—10. he would have the younger women marry, bear children, guide the house, give no occasion to the adversary to reproach christianity; as though it forbad, or discountenanced marriage. the tenets which prejudiced men against matrimony, and made the abstinence a religious thing, he brands with the name of, *the doctrine of demons.* chap. iv. 1, 3.

Very great stress has been laid on 1 *Cor.* vii. 32—36. wherein the apostle distinguisheth the carefulness of the wife, from that of the virgin: yet, each have their burdens, and objects of solicitude. the one has affections or passions, giving her pain, lest her husband should find any thing disagreeable in her temper and behaviour, during the perilous season: she has her cares and anxieties about her husband. the other has another kind of distress, her heart fills with fearful, terrifying emotions, lest under the fiery trial, she should not demean herself so as to please the Lord. the apostle, discerning these extremes in the married and unmarried women, would have them both without

out carefulness. he is earnestly desirous that both may support a decency and comeliness of deportment in the public worship, and in all their devotions : that they might attend on the Lord without those drawings of the passions, which were convulsive ; *απερισπασως*, ver. 37. so the word may be rendered, which is translated, *without distraction*.—St. Paul is concerned about the credit and reputation of the christian religion ; and from a view of what inflamed and disturbed the passions, he is so very solicitous that the christian might be as free as possible from all those *spasms* and *convulsions* which detract from the glory of the profession. he would have christianity appear, what it really is, a rational, and not an animal religion. there is not any thing that can be more dangerous than the passions taking the lead, either in religious or in civil life. in the religious, these are the consequences, — reason is excluded as no judge of doctrines ; and revelation itself becomes eclipsed by mystery. that gigantic monster, *transubstantiation*, was thus begotten, and has ever fed on the garbage of ignorance.

The ascetic, monkish tribe have egregiously perverted the sense of scripture, and brought a reproach on marriage, as a less holy state than the celibate. by which means many shocking, enormous villainies have been perpetrated ; too horrid for an human eye. \*

\* La loi du celibat a causé bien des maux et a introduit dans le monde et dans l'église une infinité de crimes et d'abominations. *Osterwald's traite l'impureté*. Sect. 111. Cap. 111. Art. 8.

To suppose the holiness of men as arising from a self-denying neglect of a divine institution, is no small absurdity. had fanatics been able to shew that matrimony was not ordained till after the fall of man, some shadow of triumph might be allowed them. as it is, the placing holiness merely in abstaining from marriage, may bear some resemblance to the absurdity of punishing *Judaism* with death, at the very time the very persons pay a supreme homage to a *Jewess* ! witness, the *Popish* inquisitors.

Men may be so circumstanced as that a single life will be to them most eligible. the *evil* there is in celibacy is the making it meritorious ; a state of superior purity ; and a qualification for the kingdom of God ! — I pretend not to say, there is any law of God or man, that obliges all individuals capable of marriage, to come under those engagements. what I contend against, is, the *superstition* which appears in the church-sense of celibacy.

The advocate for polygamy allows the new testament to say. “ *if a man takes another woman, after an unjust divorce of his wife, he commits adultery ; but if so, the wife has that right to the husband, that he must touch no other. this is plausible, and all that can be brought from the new testament which seems convincing ; yet it will not be found of weight ; for if the Lord designed to antiquate polygamy, so deeply rooted in the men of that age, he, or his apostles, must have done it more plainly.*”

Let

Let us examine how plainly he has done it, and not implicitly swallow the advocate's account of the matter. see *Matth. v. 27, 28. thou shalt not commit adultery. but if a man look on a woman to lust after her, he hath committed adultery already with her in his heart. which is farther explained, Chap. xix. 4, 5, 6. he that made them at the beginning, made them male and female; and said, for this cause shall a man leave father and mother, and 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 no man put asunder.* Could the doctrine of monogamy be more plain and exprefs? adultery is the violation of the marriage bed. looking on a woman with lustful desire and intention, is unlawful in any man. *i. e.* having a lascivious eye, with the desire base and dishonourable, in the gratification of which her virtue would be debauched, and her chastity sacrificed.

The original institution is proposed to every christian disposed to marriage, as the invariable law and rule of his conduct. a law that effectually secures monogamy from all violence; *they twain shall be one flesh*; and upon the conjugal society, *they are no more twain; but one flesh*. Is it possible these words can be so mistaken as to be understood to mean, *they twain shall not be one flesh*? yet polygamy would stamp this sense on the words. one might indeed as reasonably conclude, that *twain* intends, three, four, five, or fifteen. that *two* are



are equal to three ; and that *three* are no more than one.

Dr. *Hammond* has thus paraphrased, *Matth.* xix. 11. “ all men are not capable of that prudential aphorism [that a single life is more profitable and fit for their turn than marriage] but those only, whom God has some way more than ordinary fitted for it, by some *special gift*.”

This instance among others, shews, that whatever the Church has consecrated, or stamped an holiness upon, has been implicitly received and swallowed, even by learned men, without any examination. do any need the *special gift* of God to qualify them for rejecting an institution of his own, designed for all men ? — or, should not the Dr. rather have thus commented on the text ? all men are not disposed to attend to the law of marriage, tho’ it is the only method in which God would have mankind propagated. he never encouraged polygamy or divorce ; but by his own institution *he made two to be one flesh*. — he first made woman out of the man, an helpmeet for him ; or as the *Hebrew* word *kenegdo*, like to him ; whereby marriage is most effectually recommended to all mankind, as founded in nature ; and as the re-union of man and woman.” \*

The advocate for polygamy will even allow, “ *that monogamy is the most perfect coalition of friendship and interest.*”

\* *Patrick* comment. in loco.

Polygamy should not then be countenanced among reasonable creatures, who are enjoined the *perfecting of holiness*, and we christians know, that this is the will of God, *even our sanctification*. that we *abstain from fornication*: and every of us possess his vessel [body] in *sanctification and honour, not in the lust of concupiscence*; like the *Gentiles, who knew not God*. and to avoid fornication, every man is to have his *own wife*, and every woman her *own husband*. but polygamy will not admit of every man having his own wife, and every woman her own husband: it is not reconcileable herewith. — finally, there is something so singular and pure in the conjugal affection, that it is compared to the love which Christ bears to his church. under which similitude, *every christian husband is to love his wife even as himself*; and *every christian wife is to reverence her husband*. is it possible that any thing can be said more repugnant to polygamy? can a man love more than one wife, at one and the same time, with this pure affection, *even as himself*? or any woman so reverence her husband? “there is not any thing involved in the doctrine or precept; it need not be sought out, as it has been said, by the secret of logic, neither are there any dark words used about it.” both polygamy and divorce, except in the case of adultery, are condemned in the very letter and spirit of the new testament writings; tho’ they were practised both by *Jew and Gentile*.

C H A P.

## C H A P. III.

*Observations moral and political.*

*Obs. I.* **T**HE original institution of marriage, as expressly recorded by *Moses*, is a moral proof of the divine authority of his history. for, the historian does not model his account of the matrimonial institution from the practice of the Patriarchs, nor from the custom of his own times ; but in contradiction to both. no popular, nor political scheme guided the pen of the *Jew* lawgiver in recording the original law. on the contrary, a perfect knowledge of God's design, and of the voice of providence about this ordinance, are obvious in the very face of the account. it stands perfectly clear of all priest or kingcraft. and *Moses* himself practised upon this original law ; for he had no wife but *Zipporah*. — an example worthy the imitation of every legislator. —

According to *Cooper*, in his entertaining *life of Socrates*, the purity of the matrimonial law, was strictly observed by that great philosopher, 400 years before Christ, who had no wife but *Xantippe*. \*

*Obs. II.* The sense which *Jesus* has given of the institution, purged away the obscurity

\* See his note, p. 157.

which the lusts of men had brought over it ; and leaves all inexcusable who have the gospel, and yet will not see their duty. he allows of no divorce, but from a defilement of the marriage-bed. the pandect of the canon-law surely cannot invalidate his authority, or enervate the reason on which he has thus delivered his judgment.—the universal order, peace, and happiness of society, are best promoted by his sense of the law ; therefore to repeal it, because of *special* instances, is as great an absurdity, as it would be in civil society, to repeal a statute law, highly conducive to the weal of the public, because of some particular persons who would be aggrieved by it.—the delicacy moreover with which *Jesus* delivered his sense of the original law, conveys an idea of his wisdom and consummate knowledge. and we may add, when the plainness of the gospel morals is compared with the best systems or pandects of law, an ingenious judicious eye will discern its divine excellence.

*Obs.* III. Marriage is not so properly a positive institution, as it is a moral duty, arising from a law written on the hearts of the sexes : I mean, the desire implanted there by the very hand of nature ; obliging where it is so implanted. “ the instinct argues a more peculiar and earnest care in nature, to have this institution observed with the utmost strictness, as the immediate cause of the safety and welfare of mankind : whilst, distrusting, as it were, the bare force of reason, she assists and seconds it with

with so violent an instinct, that men cannot, without great difficulty, bend the contrary way."— \* there is an immutable reason in this law, whilst the world continues what it is. and because divine providence proportions the sexes, nothing but a violation of this law can occasion that injustice and cruelty seen in the neglect of some of the virtuous fair.—

*Obs.* IV. From the state of mankind, and the express voice of the divine law, the appetite or desire to the sexes cannot be reasonably indulged till the ends of it may be admitted : that is to say, it should not be gratified before the man is capable of attending to the care of his offspring. and even then, the institution allows not of such gratification but within the sacred limits of the conjugal union : since it is a contradiction to the original statute, for any man to suppose himself at liberty to indulge in whoring or fornication. in such case, he either joins himself to a debauched woman, and so becomes one body with her who is the strange woman, *that forsaketh the guide of her youth, and forgetteth the covenant of her God !* or else, he is guilty of violating the virgin chastity, and thereby of exposing her to neglect, shame, and inevitable ruin. in both which cases there is a manifest insult on truth. in the one, it is a criminal, dishonourable prostitution of his own body ; in the other it is a double prostitution and debauchery.

\* *Puffendorf's law, &c.* B. vi. C. i. Sect. 3.

The due government and restraint of the appetite, is requisite to the virtue and glory of the youth. it must be done, till he arrives at proper age, and can enter the conjugal state with probable views of being comfortable and happy in the union. in entering on this alliance, as a reasonable creature, he should not merely consult the appetite ; but he ought to discern a suitableness of temper and circumstance, in order to gain the probability. a contract sincerely made, upon mutual professions of love and esteem, will leave no room for after-reproaches.—in truth, the marriage tie is of too interesting a nature to be contracted without some deliberation. prudence, at least, so much thoughtfulness should be exercised, as to canvass the nature and design of the union, and attend to its perpetuity.

A youth of *fourteen* has usually the capacity, upon trial, of knowing whether the trade to which he is put, is likely to be agreeable to him, or not ; and he can also form some notion of the term of his indenture. he is to reckon upon it as the season of his educating for that labour and commerce or intercourse with man, upon which his own future support and usefulness will very much depend. less thoughtfulness and care should not surely be admitted at a more mature age, and in an engagement which concerns his most intimate social delight, the security of his confidence ; yea, the very being and well-being of posterity. — *Plutarch* in his life of *Lycurgus* observes, “ that the most proper allurements to marriage, is the sweet  
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constraint and unsophisticated dictates of nature, from that mysterious agreement and sympathy of minds which alone can make men happy in a married state."—thus it appears, that the instinct in and of itself does not make the duty necessary; but other relative circumstances must have their weight in this determination.

*Obs. V.* Persons in the conjugal state, appear to be indispensably obliged to unity in affection, as well as person. the disgrace, the obloquy brought on the holy state of matrimony, from discordancies, jarrings and contentions, are a very wide occasion of painful reflection. yet, it is not possible to conceive of greater absurdity, than such disagreements, where the interests are mutual and inseparable: and one may conclude upon it, that where-ever the husband or the wife takes pleasure in discomposing the mind, and breaking the peace of the other; there is an infatuation equal to that of phrenzy or madness: because the consequences must unavoidably have an effect upon their own happiness,—if it does not bring on their present ruin, it is a negative on their virtue, and determines them unworthy the approbation of their maker.—In all instances, where there is an offspring, there is not any thing can bid fairer for entailing a curse on the rising family.—the *Spectator* has finely described the happy marriage thus, “where two persons meet and voluntarily make choice of each other, without principally regard-

regarding or neglecting the circumstances of fortune or beauty. these may still love in spite of adversity or sickness: the former we may in some measure defend ourselves from, the other is the portion of our very make. when you have a true notion of this passion, your humour of living great will vanish out of your imagination, and you will find love has nothing to do with state. solitude, with the person beloved, has a pleasure, even in a woman's mind, beyond show or pomp." \* But there is another paper, in which he observes, " the married condition is hardly ever unhappy, but from want of judgment or temper in the man. the truth is, we generally make love in a style, and with sentiments very unfit for ordinary life: they are half theatrical, half romantic. by this means we raise our imaginations to what is not to be expected in human life: and because we did not before-hand think of the creature we were enamoured of, as subject to dishumour, age, sickness, impatience or sullenness, but altogether considered her as the object of joy, human nature itself is often imputed to her as her particular imperfection or defect.—the rule to be observed in the matrimonial life, is, to preserve always a disposition to be pleased.—when the affection is well placed, and supported by the consideration of duty, honour, and friendship, which are in the highest degree engaged in this alliance, there can nothing rise in the common course of life,



or from the blows or favours of fortune, in which a man will not find matters of some delight unknown to a *single condition*.†

*Obj.* VI. Whoring and polygamy are baneful to society; because destructive of order and rectitude. if viewed justly, they would be detested by the human, the brave, the generous! for lying, theft, and murder are as capable of defence. concubinage, keeping, whoring, debauch the mind; lead into expensive measures, and make men dishonest.— that respect, that veneration due to human nature, can never be paid by those who contemn the precept, *thou shalt not commit adultery*.—The delicacy observed among the ancient *Greeks*, respecting the reputation of the female chastity, may be seen in *Orestes* convincing *Iphigenia in Tauris*, that he was her brother,

————— one token more,  
of what myself have seen, I will produce.  
In thy apartment stands the ancient spear  
of *Pelops* —————

Upon which Mr. *West* concludes, “ that the *Grecian* women, especially virgins, were kept with great strictness and reserve in separate and retired apartments, into which no man, except their nearest relations, such as fathers or brothers, were permitted to enter.”\*

† No. 479. \* See his translation, p. 186.

The apartments, the lodging rooms of the chaste virgins were held sacred. It is every where a mark of bravery and true generosity, in men, to be found the guardians and protectors of the virgin's most valuable possession; rather than that of basely ensnaring, deluding, or surprizing and dispossessing her.

Whoring and polygamy, have an ill aspect on the care of infants, and on their proper education. parents should unite in a concern for their interests. but that very mutual concern depends on a confidence that they are the offspring of faithful embraces. and though this cannot have place where there is no ground for the confidence; yet the weal of a people much depends on a virtuous education of children, and no system of laws whatsoever can supply the want of it. the business of every session at the *Old Bailey*, would give an illustration of this remark.—the latitude taken in the above respects, violates, and then discharges that native, pure, unitive principle which supports the happiness of conjugal society.—civil policy would of itself direct the magistrate or ministers of state, if honest, to discourage all irregular intercourse of the sexes; and to consult every method of encouraging regular marriage. for the end of government is sadly neglected, where other conjunctions have the public connivance.—our fine gentlemen of liberal education value themselves much upon their acquaintance with the opinions and practices of the antients: even some, who scruple not to take great liberties! and yet, the antient *Greeks* held

held marriage necessary to support the reputation and honour of the human race ; “ because upon the point of extraction of the candidates for the *Olympic* games, the *Eleans* were so very scrupulous, as to admit none, who could not declare his father and mother, and shew that there was no bastardy or adultery in his lineage.—which, in all probability, was the reason or ground of that law by which the candidates were required to enter, together with their own names, those of their fathers, and of their country.” \*

It gives one pleasure to think, the *modern unbeliever* cannot call this a supernatural, or a doctrine of revelation. it seems not to have been any other than a scheme of policy, built on wise observation, on truth and nature ; coincident with the design of those public games, which had many civil advantages in view.—such as rendering men more capable of public service—instigated to such labors and conflicts from the lure of public applause ! at the same time, the victor was accustomed to sacrifice to the gods, he invoked the muse to celebrate their praise.—whence came these institutions ? —are they allowed to give us the most advantageous idea of the *Pagan* world ?—with what face can men violate and trample under foot the sense of the politest heathen, as well as the institution of the divine oracle itself—? but if marriage be ridiculed, because a doctrine of revelation, the same ridicule fastens on the

\* *West* on the *Olympic* games, p. 116.

sense of *Greece*, given in the summit of her wisdom, virtue and glory.

What great obloquy and reproach fixes upon *Britons* ! not *pagan*, not *mahommedan*, not popish, but christian ; and yet accustomed in adultery and whoredom, in uncleanness and gross impurities ; in all the infamous trade of bawding and pimping. and this too, from the great, even down to the day-laborer !—!

But as all human laws, calculated to secure property, and preserve order, have their perfection in the degree that they have the divine law, or reason as the basis of them ; so every indulgence of the great, which would destroy the foundations laid by God and reason, are so far from deserving imitation, that they merit our warmest indignation ! however, the face of example is such, that the vitious practice of men in high stations, spreads its poison ordinarily very wide in the community. but those men are very unjustly deemed true-patriots, whatever their rank, who scandalously endeavour to destroy the public virtue.

Would *Britons* universally conform to the eternal law, in this article of chastity, encouraging matrimony, discouraging whoring and sodomy ; in such reformation of our manners, it would soon be obvious, *that God has made man upright* : and that the wretchedness and disorder which now spreads over us, was entirely owing to our *having found out many inventions*.

*Obs.*

*Obs.* VII. The placing of holiness in celibacy, proves the dotage of the world.—in the pristine ages it was never so thought of. under the *Mosaic* constitution it was altogether reproachful. the case of *Jephthah's* daughter, I understand as an instance of celibacy being an abomination. she seems to have been made a curse, by her father's devoting her to the celibate life. it is a less shocking sense than that of his offering her a burnt offering, *Judg.* xi. 31.—*Shall surely be consecrated to the Lord, or I will offer it up a burnt offering.* many good critics have observed the *Hebrew* particle, *vau*, rendered *and*, would here be better expressed by the discretive particle, *or*.

This reading and sense is more agreeable to the air and spirit of the history.—*Jephthah's* grief had its pointings from her being his only child. hence, from her perpetual virginity, his family would be extinct. and her asking two months on the mountains to bewail her virginity, [not the loss of her life, but her virginity] that is to be perpetuated, was a proper measure taken to confirm and establish her resolution; having solemnly put herself under the obligation of her father's vow.

*His doing with her according to his vow:* I presume could not mean putting her to death; for human sacrifice was hateful to God; and was in itself inhuman! but *he did with her according to his vow; and she knew no man.* here what he did is explained, and how the emphasis lies. his vow prevented her marriage. the sense

sense becomes yet more conspicuous, from the custom of the daughters of *Israel*, going annually to confer with and console *Jephthah's* daughter, four days in the year. so the critics, *ad consolandum—ad alloquendum—ut differerunt—ut colloquerentur cum filia Jephthæ*. if they conferred with her yearly four days, she must then be living. Dr. *Patrick* takes notice that some interpret the *hebrew* word *Thamoth*, to discourse with her ; and cites *De Dieu*, as understanding the offering only to mean, her being separated from men, and devoted to perpetual virginity.

If it be said the vow so understood was illegal. I see no inconvenience in granting it was so. the history sais nothing either in praise of *Jephthah's* vow, or his performance of it. and admit that it was ever so much contrary to the sense of the *Mosaic* law, who could dispute it with their judge and general, a martial man, who had just obtained a signal victory over their enemies ? and moreover, in the performance of the vow, so understood, he himself perhaps suffered the most from it : at farthest, only he and his daughter felt the painful weight. there is, however, a shining instance of filial piety in her submitting to the reproach, for the peace sake of her aged father.—

The history, thus understood, presents us with a lively picture of the detestation the *Jews* had of celibacy. and indeed among the miseries which beset their nation, this is mentioned as one, *the fire consumed their young men ; and their maidens were not given in marriage,*

*Pf.*

*Pf.* lxxviii. 63. christianity cannot change or alter the nature and truth of things. so that sanctity placed in celibacy must be, what it ever was, a vile position. celibacy, when preferable to marriage, ought to have reasons subsisting of another nature than the religion of the thing : for in no one instance among the sons of *Adam*, can it plead merit on its own account, or make the least pretension to superior purity.

The learned and judicious Dr. *Lardner* has amply shewn, that this mistake became a part of the *Manichean* system, which had place towards the end of the 3d, or beginning of the 4th century—"their elect were forbid to marry, and were required to forbear eating flesh and drinking wine.—but their auditors, the second order among them, they did not hinder from marrying and having wives.—however marriage in the auditors, was rather tolerated than approved in the *Manichean* scheme. for they thought they would need a purification." but no wonder, "for notwithstanding their great pretensions to reason and science, they did not escape superstition.—they had numerous rites, and there was not a sect that rendered themselves more miserable by affected austerities than the *Manicheans*." \*—thus sais that impartial and useful historian.

Celibacy chosen under the idea of purity, is an egregious perversion of truth. vows of it made by persons only as religious obligati-

\* *Credib.* Part II. Vol. VI. p. 225, 258, 264, and 418.

ons are the most stupid compliments that can be paid the deity, expressing contempt of an institution of the God of nature. an infatuation that could never have existed, but from the wildness of an enthusiastic superstition. an elated clergy that scrupled not to enjoin whatever submissions could be made to their pride, vanity, and worldliness, have nursed and reared; if they did not at first beget the imposture.—the bare letter of a text has been used in support of the celebrate: *these are they which were not defiled with women, for they are virgins.* tho' it evidently means such who had not gone into idolatrous customs, nor admitted of base, effeminate corruptions of the true religion. for every revolt to idolatry was stiled by the prophets, *whoredom and fornication.* and very pertinently, since idolatry encouraged those bodily prostitutions. the purity or virginity imports a steady adherence to the doctrines of *Jesus*, in a time of great degeneracy and apostacy.

*Diodati* on *Luke* ii. 36. thus writes, “this seems to be added for to shew this woman’s great chastity and devotion: who being left a widow in the flower of her age, had continued in her widowhood to dedicate herself wholly to works of piety in the temple, according to the manner of holy women in those days.”—but very unluckily for him, he refers to *1 Sam.* ii. 22. where we are told of the priest’s *lying with the women who assembled at the door of the tabernacle.*—what he says of *Anna* may be no more than imaginary; for her living with  
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an (one) husband seven years from her virginity, will as well signify or intend seven years from the time of her marriage being consummated. for the age of life when she married is not specified : and she might have been thirty or forty, or more years old, when she married. nay, for aught we know, she might be past the age of child-bearing when her husband died. she was now, when the historian makes mention of her, a widow, and her age eighty-four years. not eighty-four years since she buried her husband. in these circumstances she was justifiable as to her remaining a widow : and as she had the prophetic spirit, the temple was a proper place for her habitual resort. but then, the temple was not a nunnery. there is not, upon the face of the account, any thing in the life of *Anna* that countenances the ascetic ; tho' it is said she remained a widow under such circumstances.

—A female author, of fine taste and genius, has painted the vow of celibacy as acceptable to God. thus, in *letters from the dead to the living*, “ the Lady who had died in the convent at *Florence*, is made to tell her lover, that, notwithstanding her love-passion had been violent, yet her vow of chastity saints and angels had heard, the all-seeing skies were invoked to witness the chaste engagement ; it was sealed above, and entered in the records of heaven. —and she had resolved never to attempt an escape from the holy retreat, to which her vows had confined her : but rather to fall a victim to the sacred names of chastity and

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truth.—

truth. — and that heaven accepted the sacrifice.” \*

But how mistaken the imagery ! this kind of vow must even have been hateful to heaven, as it militates with truth. heaven may pity and forgive the error, but can never approve the sacrifice.—the passion to the sexes is purely natural ; it every way becomes the dignity of reason, the sanctity of religion, and the grandeur of the human mind improving for immortality. there is a pleasure in the unadulterated conjugal affection, peculiarly interesting and solacing.

*Obs.* VIII. Popery cannot be the true religion ! it is demonism and not christianity ; because it teacheth men to despise the commandments of God. it has placed holiness in a chosen neglect and contempt of God’s institutions. — popery encourageth whoring, and discourageth matrimony. what God has sanctified, she calls prophane. what he has condemned, that she has approved. popery is the quintessence of absurdity and contradiction. it exalts *Peter*, gives him the keys, as if *superior* to all the other apostles ; makes him a first rate saint, notwithstanding his marriage. in the sense of this church, one would have thought, matrimony might consist with the most exalted purity of the sons of *Adam* : for *papists* have derived even their *infallibility* from this prince of the apostles, tho’ he continued, during his apostle-

\* Letter iv.

ship,

ship, in the holy state of matrimony ! 1 Cor. ix. 5.—the *Pope's* obligation to celibacy is not from the authority of St. *Peter*, nor in imitation of his example ; but must be a magical refinement made upon his excellency. and whoring *ad libitum*, in the sense of the pontiff, is a degree of chastity much *superior* to the indulgence of wedlock.—they stupidly enough pretend to miracles, wrought in support of the celibate life.—but what kind of veneration can possibly be due to the recluse monk, useless to his generation ? what to the cooped-up nun, whose days have been breathed or yawned over in an unnatural retirement from man, *for whom she was made*, 1 Cor. xi. 9. bred up in an awkward hypocritical aversion to the conjugal state ? so far from becoming the *glory* of the man, she has withdrawn from the station, by nature, appointed for her : and in this retirement has been the scandal of her sex.

An excellent writer, in his *remarks on the Jesuit Cabal*, sais, “ the number of monks in the church, was wholly owing to the zeal of those fathers, who made it their business to recommend and extol the monastic life, as the perfection of the christian life, and the very pattern of an heavenly one. these monks lived also then (*i. e.* in the fourth century) as they do now in monasteries, founded for their sole use and reception, and under a solemn profession or vow of perpetual chastity ; voluntary, as we may imagine at first ; till, by their frequent violations of it, they were gradually tied down by more strict and forcible restraints. and

if they did not immediately encroach on the rights of others, and engross their estates, and become tools of the *Popes* ; yet such effects were sure to follow from the very nature of their institution : for it is not possible, that such numerous societies of crafty, ambitious spirits, recommended by a reputation of wonderful sanctity, could long subsist without acquiring both rights and estates, and attaching themselves to that power, which was the best able to protect them in such usurpations. and we find accordingly, that they made it their care, from the very beginning, to seduce the heirs of rich families into their monasteries, against the will, and to the utmost grief of their parents, and to conceal them there, from the knowledge and the search of their friends. nor are we to suppose, that any of their late encroachments are derived from any written statutes or rules, by which modern monks are governed, in distinction from the antient ; but from such acts only as experience would teach of course, and tacitely prescribe to all societies of the same kind.” \*

The celebacy of the *Romish* clergy, has, can have no better support than that of its preserving their independency, and availing them of certain dominion over the properties and consciences of men. every end dangerous to civil society is promoted, and not a single good one secured thereby. the opposition in which it stands both to the laws of natural and revealed

\* Pages 103, 104.

religion, is very direct. for saith *Puffendorf*, “it is a great absurdity to imagine that God almighty is delighted with such inventions of men, such institutions and ways of living, as are disagreeable to human and civil society, as it is tempered by the dictates of reason and the laws of nature.” \* — in another place he saith, “it appears, that not only those persons do live in a state repugnant to sound reason, who maintain themselves by robberies and villainies; but those too, who withdraw themselves unnecessarily from the common duties and offices of life: such are the modern hermits and monks, as well as some of the antient philosophers.” † the institutions of *Rome*-papal do reverse, in the monastic life, the natural order of things. so the above celebrated writer on the law of nature and nations, saith, “it is more agreeable to nature, for a man to undertake all sorts of labour and trouble for the service and conservation (if it were possible) of the whole world, than to live in solitude, not only free from cares, but in the midst of the greatest pleasures. those wretches are worthy of the utmost detestation, who regard only their private interest, and neglect the common good of mankind; as if they were born for themselves alone, and not for an innumerable society, for their parents, their wife, their children, and in general for all the world.” §

\* Book II. C. IV. Sect. 4. † Ibid. Sect. 15. § Book III. C. III. Sect. 1.

*Homo sum, humani nihil a me alienum puto* : is a good maxim. and it is indisputably for the honour of the new testament moral, that it every where inspires and inculcates the generous, the universal benevolence : and condemns nothing more than the narrow, contracted, mistakenly selfish spirit. — what are called religious recluses, “ are useless burdens to the earth; who, under pretence of religion, study only the improvement of a fat carcase, and in a lubberly laziness consume the fruits of other men’s labours: so the monastic brethren, says *Zozimus*, abstain from wedlock, and fill city and country with numerous swarms of men, useful neither for war, nor for any other service of the common-wealth. yet they have pursued their designs with so much success from those times unto the present age, that they have engrossed to themselves the greatest part of the lands and estates ; and, under colour of communicating all things with the poor, have reduced almost all others to poverty.” \* — here is some figure; but much more literal truth in the account.

In the papal church the consecration of celibacy has been pregnant with these two evils, fornication, and the murder of infants, the fruit of unhallowed embrace. when *Henry VIII.* ordered a visitation of the monasteries here in *England*, *A. D. 1535.* *Burnet* observes, “ for the lewdness of the confessors of nunneries, and the great corruption of that state, whole houses being found all with child ; for the dissoluteness

\* Book 114. C. 111. Sect. 2.

of abbots, and the other monks and friars; not only with harlots, but married women, and for their unnatural lusts and other brutish practices, these are not fit to be spoken of." — \*

*Fuller*, in his church history, sais, "that the priory of *Christ's-church* near *Aldgate* was first and solely dissolved: — but that all the other abbeys afterwards were *stormed by violence* — he complains of the *preamble* which shewed the reasons of the dissolution; and sais, that *small houses*, like little fishes, could not be caught with the net of the reformation—except by suppressing their foundation, p. 311."

*Burnet* sais, "the first house that surrendered to the King was *Langden* in *Kent*; the abbot was found in bed with a whore, who went in the habit of a lay-brother." *abridgment*, p. 150. — yea, it appears that unnatural lusts in both sexes, were occasioned by celibacy.

But provision was made to ease the consciences of such sinners, for as *Monsieur Bayle* has shewn, in the article *Banck*, n. (B.) the taxes of the *Romish* chancery, printed at *Rome*, A. D. 1514. at *Cologne* 1515. at *Bois-le-duc*, 1664. at *Paris*, 1530. and an edition at *Franeker*, 1651. —that tho' the article of *incest* is missing in the edition of *du Pinet*, yet there are found, "the absolution and pardon of all acts of fornication committed by a cleric, in what manner soever, whether it be with a nun, within or without the limits of the nunnery, or with his relations, in consanguinity or affinity, or with

\* See his history of the reformation, Vol. I. p. 191. and *Rapin Hist. of E.* Vol. I. p. 807, folio.

his god-daughter, or with any other woman whatsoever ; and whether also the said absolution be given in the name only of the cleric himself, or of him jointly with his whores, with a dispensation to enable him to take and hold his orders, and ecclesiastical benefices, and with a clause also of inhibition, costs thirty-six turnois, \* and nine or three ducats. and if besides the above, hereceives absolution from buggery, and the crime against nature, altho' committed with brute beasts, with the dispensation and clause of inhibition, as before, he must pay ninety tournois, twelve ducats, and six carlins. † but if he only receives absolution from buggery, or the crime against nature, and committed with brute beasts, with the dispensation and clause of inhibition, he pays only thirty-six turnois and nine ducats.— a nun having committed fornication several times within and without the bounds of her nunnery, shall be absolved, and enabled to hold all the dignities of her order, even that of abbess, by paying thirty-six turnois, and nine ducats. the absolution of him who keeps a concubine, with dispensation to take and hold his orders, and ecclesiastical benefices, costs twenty-one turnois, five ducats, and six carlins.”

So highly adapted is popery to pamper the lusts of men !

Some christians, who make the scriptures the rule of their faith and practice, have ima-

\* *Tournois*, a *French* penny, the tenth part of a penny sterling. † *Ducat*, uncertain, 5 s. or 6 s.—*Carlin*, an *Italian* coin worth 40 quadrins, the fourth part of a sol.



gined, that *St. Paul* has forbidden the clergy having more than one wife; which they ground upon *1 Tim. i. 2.* and *Tit. i. 6.* where *a bishop must be the husband of one wife.*—such have thought that, upon the death of his wife, he might not marry again. but surely this would be unworthy the sense of the apostle, who could not but know that, in many instances, the reason for a second marriage would be every way as forcible as for the first. *e. g.* where the death of the wife was soon after marriage, or in the prime of the husband's life, and without any issue by her. they seem to have thought justly on this instruction who reckon it has allusion to the custom of divorce. a Bishop must not be a man who practised divorce, and lived in wedlock, the divorced wife yet living. \*

Celebacy, is not an apostolical institution. it is a doctrine of *demons*, which prohibits marriage in any order of men. it is the nursery of pride, ambition, revenge; which have ever been fed and nourished by this separation and inconnection with society. it is calculated to bring about an independency on the state: and probably was the occasion of the corrupt clergy, at first, taking it into their heads, that they were the embassadors of God, and not accountable to the civil magistrate, or punishable by him.

*Bower*, in his very good *history of the popes*, justly remarks, “that young women are al-

\* See, on the place, a paraphrase in imitation of *Locke's* manner.

lowed to take the veil of virginity at the age of sixteen ; that is, they are allowed to dispose of themselves for life, when they are not yet thought capable of disposing of any thing else ; to vow perpetual virginity, when they can scarce understand what they vow ; at least, when they can have but a very faint idea of the difficulties of keeping it through their lives." \*

What was true of the *Pagan* priests, is applicable to the popish, " among other arts to divert the attention of mankind from the knowledge of truth, they have constantly amused their minds with inexplicable things, where the human understanding being plunged into an unfathomable deep, could never emerge into the light of reason." † the religion of truth, pure and undefiled, they have prostituted to the base end of usurping an arbitrary, uncontrouled and the worst of tyrannical dominion over their fellow men. an observation of the same writer's on the *Pagan*, will serve to shew how this is effected by the popish superstition. " the hierachy is enthroned on the highest pinnacle of sacerdotal grandeur, and the sanctimonious obedience of the people have thoroughly transferred the sight of the understanding into the eye of faith, that whilst the one is totally darkened, and the other supernaturally illuminated, no absurdity whatever in the form of worship, in the multiplicity of

\* Vol. II. p 122. † *Cooper's life of Socrates*, p. 65.  
deities,

deities, or in the wild and blasphemous opinions of the divine nature are too gross to be reconciled to the mind by the friendly interposition of faith, when ushered in under the venerable name of a religious mystery. the ignorant are always fond of incomprehensible words, and unintelligible grimace : having in religion, as in common life, a higher veneration for things they do not know, than for those they do : foolishly imagining that the greater the contradiction is in religious affairs to common sense, so much more it ought to be regarded as an awful mystical concealment of the will of heaven." \* by this method, in the *Roman* martyrologies there are presented to us, " a mob of ignorant enthusiasts, who lived the life of useless fools, and died incendiary mad men." †

But is it not amazing, that those flagrant evils with their very malignant effects should not long ere this have been more generally held in detestation and abhorrence ?—they should be, by all men who have the least regard to the dignity, the glory of human nature, or who wish well to society.—but the prophecy is thus fulfilling, and men are intoxicated by having drank deep of the cup of her fornication. the earth has been, and yet remains corrupted by it. a swarm of priests are intrenched in their security ; princes themselves are under the debauch ; the people by fear and

\* *Cooper's life of Socrates*, p. 172. † P. 173.

indolence are kept dozing, and tamely acquiescing in the established superstitions.—but this is our consolation, we may expect, that he whose judgments are true and righteous, will one day judge the great whore, *superstition*, that has corrupted the earth with her fornication ; and that he will avenge the blood of his servants at her hand. *Amen. Alleluia.*

**F I N I S.**







