

## The Exception Clauses of Matt. 5:32 & 19:9

### The Meaning of “Except,” “Fornication,” & the Passive Infinitive of μοιχεύω

#### The Meaning of “Except”

#### I. There is No Exception

##### A. The Clarification view:

This view holds that Christ merely intends to clarify that the husband does not make an adulteress out of his wife by divorcing her because she has already made an adulteress out of herself by virtue of her own marital infidelity

But -

1. This logic works in 5:32, but not in the parallel passage (19:9) where the husband is the one who commits adultery. (If divorce & remarriage are always prohibited, he would be accountable for his own adultery, regardless of what his wife had previously done.)
2. Even in 5:32 the argument fails because Christ does not use a *noun* – “adulteress” – to characterize what the woman has become. Rather, He uses a verb to describe *an act* committed either by the woman or against her. Though a single, initial act of infidelity is sufficient to tag a woman with the label “adulteress,” such acts of infidelity can be repeated. Thus, even if she did willingly become an adulteress the *first* time, there is nothing prohibiting the husband from being accountable for causing her to commit adultery the *next* time (or, for committing adultery against her subsequent to her own infidelity).

##### B. Negative Inference:

In formal logic, a negative inference cannot always be drawn from an “if . . . then” clause. For example, in the statement “if A, then B” we cannot necessarily conclude the opposite: “if not A, then not B.” Thus, Christ essentially said, “Whoever divorces a faithful wife and remarries commits adultery,” but from this we cannot infer the opposite statement that “Whoever divorces an unfaithful wife and remarries does not commit adultery.” Of course, this observation doesn’t prove that there *is* no exception; it merely opens the door to the possibility that there *may* not be an exception.

BUT – technically this is true in the context of mathematical precision and symbolic logic. However, daily conversational language is a very different medium of communication and is subject to variations of connotation derived from context, vocal inflections, facial expressions, etc. (none of which impacts the precise logic of math & symbols). This is why learning to speak a language fluently requires attaining a “feel” for the language. For example, consider the following statement: “We will have a picnic tomorrow if it does not rain.” In formal logic, we may conclude that it’s just as likely that we will hold a picnic even if it *does* rain. But in linguistics (i.e. in the “real world”), most would take the statement to mean that we will hold a picnic if – and only if – it does not rain. Similarly, from a linguistic viewpoint it is natural to infer from Christ that one commits adultery by remarriage if – and only if – he divorces a faithful wife. Since this would be the most natural interpretation of Christ’s language, at a minimum the burden of proof rests with the other side to prove that Christ did not mean for us to infer the opposite; but, how could this be proved? In fact, had Christ not wanted us to infer the opposite, He could have avoided that by simply omitting the exception clause altogether; then there would be nothing to infer.

### C. Inclusive view:

This interpretation takes the Greek expressions translated as “except” to mean “besides/apart from/in addition to” or “not even for.” Hence, in 5:32 *παρεκτός* means “besides/in addition to the fornication for which he divorces her, he causes her to commit adultery.” In 19:9 *μὴ ἐπὶ* conveys “not even for fornication” is divorce acceptable.

BUT -

1. 5:32 – *παρεκτός*: From his diachronic study of *παρέκ* and *παρεκτός* Guenther concludes, “No instances of the inclusive meaning (‘even though ... not’) were found in the Greek sources which exist in English translation” (*Tyndale Bulletin* 53.1 [2002], p. 92.) He demonstrates that when used with the meaning “apart from,” the term refers either to logical separation (exception or exclusion) or spatial separation (distance), but it never carries an inclusive/additive sense.
2. 19:9 - *μὴ ἐπὶ*: To derive the sense “not even for fornication” one must include a form of *καὶ* and *εἰ* in the phrase. Hence, Guenther demonstrates that the inclusive meaning is intended only in one of the following compound constructions: “*καὶ μὴ ἐπὶ*” or “*καὶ εἰ μὴ ἐπὶ*” (p. 94). Thus, by itself the phrase “*μὴ ἐπὶ*” does not convey inclusion.

D. A. Carson – conceding an additive sense for “*ἐπί* + dative” (cp. Col. 3:14) - comments, “All this requires almost impossible Greek. When *epi* has this ‘additive’ force, it is nowhere preceded by *me* (“not”)” (Matt. 19:9 in *EBC*). Indeed, if “*ἐπί* + dative” has an additive force, then prefixing the phrase with *μὴ* has the affect of *negating* the addition, thus resulting in an exclusion rather than an inclusion.

### D. Exclusive / preteritive view:

This interpretation takes the Greek expressions translated as “except” to mean that Christ intends to “exclude” the whole topic of fornication from the discussion. Essentially, Jesus insists on making “no comment” about the case of fornication. His refusal to comment about fornication, however, cannot be implied to express permission for divorce on such grounds.

BUT –

1. 5:32 – *παρεκτός*: Though at one time “exclusion” was one of several possible meanings for *παρέκ/παρεκτός*, by the first century this meaning begins to fall out of usage. The term becomes restricted primarily to mean “exception,” and secondarily “spatial separation/ distance.” The early Greek commentators consistently understood the term in the sense of “exception.” (Guenther, p. 90).
2. 19:9 - *μὴ ἐπὶ*: Guenther’s survey of Greek usage demonstrates that indeed this exact phrase always conveys the idea of exclusion (p. 95). But the question becomes, from what is Christ excluding fornication? Does He intend to exclude it from the entire discussion as irrelevant, or does He intend to exclude it as a grounds of divorce that results in adultery? Guenther himself states, “When this use of *ἐπὶ* is negated (as in *μὴ ἐπὶ*), it means the author is introducing the thing because of which something does not exist or happen, namely, that which is excluded as an occasion or cause” (p. 95). Based on this statement, we could say that Christ introduces fornication as the “thing because of which” adultery “does not happen” when one divorces & remarries. Thus, it is excluded from being a grounds of divorce, and – in a round-about way – this becomes a form of exception. If Christ had intended to exclude fornication from the entire discussion as in the exclusive/preteritive interpretation, then He could have done so simply by omitting any reference to it at all (as indeed He does in Mark and Luke).

## II. There is an Exception, but It Applies Only to the Divorce

This view is based upon the observation that Christ introduces the exception clause immediately after His reference to divorce. The suggestion is that He therefore restricts the exception to the divorce. Had He intended to apply the exception equally to the divorce and remarriage, He would have placed the exception clause either before or after the coordinate actions of divorce & marriage as follows: “Except for fornication, whoever divorces & remarries commits fornication” or “Whoever divorces & remarries (except for fornication) commits adultery.”

BUT – Utilizing one of the suggested alternate formulations would have clouded the issue, because then Christ would be implying that fornication is as much a direct cause of the remarriage as of the divorce. Of course, no one gets remarried *because* of spousal infidelity; rather, he gets remarried because of a divorce (or because his spouse died). Thus, in reality the remarriage is predicated upon divorce, and the divorce in turn is predicated upon fornication. Furthermore, this argument misses the point that Christ is not commenting so much about when divorce is wrong, but rather about when remarriage subsequent to a divorce is wrong: if the divorce is groundless, then the divorce constitutes adultery. If the divorce is predicated upon fornication, then the remarriage does not constitute adultery. It is worth noting that although this interpretation was common among the early Church Fathers, it was influenced by their increasing tendency toward asceticism (no remarriage subsequent to the death of a spouse, celibate ministers, etc.).

## III. The Exception Applies to both the Divorce & Remarriage

A. 5:32 – παρεκτός: Guenther demonstrates that this term can be either “exclusive” or “exceptive” in meaning. However, it increasingly began to lose its exclusive meaning in the first and second century, and it was overwhelmingly interpreted by the early church as exceptive. Guenther further demonstrates that there is a linguistic marker that identifies when the term is exceptive in nature: “whenever that from which something is excepted is clearly identified as being a totality or universal.” This is the case in Matt. 5:32 – “what is excepted (λόγου πορνείας) is a small part of the whole (anyone who divorces his wife)” (pp. 90-92). Thus, Matt. 5:32 definitely contains an exception

B. 19:9 - μη ἐπί: This expression could be interpreted in two different ways, both of which would affirm the exception interpretation. First, it could be understood as an ellipsis for εἰ μὴ ἐπί, in which case it is undoubtedly an exception. This approach would receive confirmation from Basil (4<sup>th</sup> century bishop) who quotes Matthew as writing εἰ μὴ ἐπί instead of the shorter μὴ ἐπί (Guenther, p. 95). Apparently, Basil took it in the sense of an exception.

Second, if it is not an ellipse, then it is likely to be read exclusively. But, per the comments above under the “exclusive view,” this merely raise the question: is fornication being excluded from the entire discussion (preteritive), or is it only being excluded from consideration as a grounds of divorce that would result in adultery? More likely, it is excluded only as a grounds of divorce, and thus becomes a round-about way of introducing an exception.

Either way, it is most likely that the parallel passages (Matt. 5:32 and 19:9) are conveying the same idea. Since 5:32 clearly has an exceptive idea, then 19:9 should also be read in an exceptive sense.

(See the discussion under point II above as to why this exception extends to the right of remarriage).

Summary of Translations & Interpretational Options for Matt. 19:9

Exclusive:

μὴ ἐπί = “excluding fornication” (i.e., excluding it from the entire discussion)

Exceptive:

μὴ ἐπί = “assuming no fornication” (i.e., excluding it as a cause of the divorce)

μὴ ἐπί = “except for fornication” (i.e., assuming the preceding εἰ has been ellipted)

εἰ μὴ ἐπί = “except for fornication”

ἐὰν μὴ ἐπί = “unless for fornication”

Inclusive:

καὶ μὴ ἐπί = “even on the condition of fornication”

καὶ εἰ μὴ ἐπί = “even though there is fornication”

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**The Meaning of “Fornication” (πορνεία)**

1. Sexual Immorality

The term is not a word with multiple specific definitions from which the reader must select one meaning in any given context. Rather, it is a generic term with one broad definition: “sexual immorality.” Thus, it is broad enough to encompass pre-marital infidelity/betrothal infidelity (Deut. 22:21), marital infidelity (Jer. 3:8-9, Ezk. 16:32-24, Amos 7:17, Rev. 2:20-22), incest (1 Cor. 5:1), etc. This being the case, a given context may use the term to characterize a specific sin more generally as a form of sexual immorality, or alternately the term may be used to connote sexual immorality in general without envisioning any specific expression of immorality

2. Adultery

Certainly the term *porneia* encompasses adultery, but it cannot be restricted to adultery alone. Matthew’s usage of both terms in the same sentence (15:19) indicates that Matthew (and Christ who spoke the words) sees some difference in meaning between them, even if there is some degree of overlap. Thus, “adultery” would be too specific a translation.

3. Incest

This view is based upon the passages where *porneia* refers to incest (1 Cor. 5:1, and perhaps also Acts 15:29 – if it is an allusion to the prohibited incestuous relationships of Lev. 18:6-18). But, there is absolutely nothing in the context of either Matt. 5:32 or 19:9 to indicate that Christ utilized the term restrictively to refer exclusively to incest. Rather, one must first conclude that only incestuous marriages can be annulled (not divorced), and then utilize this conclusion to argue the point.

4. Betrothal Infidelity:

Certainly the term *porneia* is broad enough to encompass this form of pre-marital infidelity, but once again, there is nothing in the context of the Matt. 5:32 & 19:9 that limits the discussion to betrothal. (see my notes on the betrothal interpretation) [SermonAudio listeners: you may find my notes on betrothal online with my sermon entitled “Betrothal & Divorce” preached on 7-11-10]

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*The Meaning of the Passive Infinitive of “to commit adultery” (μοιχεύω)*

1. Translate it with an active sense (like a deponent verb):

“Causes her to sin” (i.e. “to violate marriage vows”)

2. Translate it with a middle sense:

“Causes her to sin against herself” (i.e. “to violate her own marriage vows”)

3. Translate it with a passive sense:

A. “Causes her to be sinned against” (“adulterized” ?) (i.e. “to be a victim of adultery”)

This sense would be true in a two-fold manner: first, because her original husband violates his marriage vows to her when he remarries, and secondly because the second husband causes her to violate her own marriage vows to the first husband. Thus, in every way the woman is viewed as passive: that is, she is treated like mere property to be passed from one man to the next. This sense of the term, if correct, would accurately reflect the Jewish cultural reality of Jesus’ day.

B. “Causes her to be stigmatized as an adulteress” (but if women could be divorced for any reason – and they could be in Jewish culture, there is no reason that others would wrongly assume the cause of divorce to be infidelity on her part: it could have been for any reason at all). More likely, she would only be stigmatized as an adulteress if – in fact – she were an adulteress and was divorced on such grounds.