

APPENDIX B: THE EXCEPTION CLAUSE IN MATTHEW

THE PROBLEM

Matt 5:31-32 reads:

31. It was also said, ‘Whoever divorces his wife, let him give her a certificate of divorce.’

32. But I say to you that every one who divorces his wife, except on the ground of unchastity (*porneia*), makes her an adulteress and whoever marries a divorced woman commits adultery.

Matthew 19:9 reads:

“And I say to you: whoever divorces his wife, except for unchastity (*porneia*), and marries another, commits adultery.”

Heth and Wenham insist that the exception clause refers only to the divorce act (and not to the remarriage). They summarize the meaning of this passage thus:

It is always wrong to divorce what God has joined together: what is more, divorce, *except for unchastity*, is tantamount to committing adultery; and remarriage after divorce is always so.¹

Is this right? Let us look more closely.

¹ Heth and Wenham, *Jesus and Divorce*, 120.

THE KEY ARGUMENTS OF HETH AND WENHAM

The key arguments of Heth and Wenham are as follows:

1. the position of “except for unchastity”. It follows “whoever divorces his wife” and must therefore refer only to that and not to what follows.²

2. Heth and Wenham charge that John Murray assumed what he wanted to prove when he insisted that the exception clause must qualify both to put away and to remarry. Again the whole argument of Heth and Wenham essentially hinges on the position of “except for unchastity”. They also note that constructions using *ei mē*, similar to what is translated, “except” (for unchastity) in Matthew 19:9

always make an exception or qualification or refinement to a verbal statement that *percedes* it and does not pick up a verbal statement that follows.³

Furthermore, they also state that

In a study of the function of all the negated prepositional phrases in the New Testament (about forty with *mē* preceding), the following norm emerged: it appears that every time a prepositional phrase immediately follows the negative particle *mē* (unless a postpositive article intervenes), the negative particle negates the verb which the prepositional phrase *follows* unless the qualification is emphatic, in which case it precedes the verb it qualifies.⁴

Other statistics are mentioned (Matthew usually has a qualifying phrase follow its intended object) to try to prove that the exception clause applies only the preceding first verb.⁵

² Heth and Wenham, *Jesus and Divorce*, 113-115.

³ Heth and Wenham, *Jesus and Divorce*, 116.

⁴ Heth and Wenham, *Jesus and Divorce*, 117.

⁵ Heth and Wenham, *Jesus and Divorce*, 117-118.

COUNTER ARGUMENTS

The Context

It is a good rule of Reformed exegesis to be clear first of all about the context of the passages in question. We looked at the context in §§ 3.1 - 3.2 in this publication.

Several things can be deduced from what was said in §§ 3.1 and 3.2.

Firstly, the Lord Jesus did not challenge the notion of divorce as such. Rather He tightened up the tolerable conditions for divorce by basically abolishing the reasons for divorce given in Deuteronomy 24:1-4 and implicitly gave only adultery as a basis for divorce.⁶

For that reason, one cannot paraphrase the meaning of Matt 5:32 to mean

nothing more than: divorcing an unchaste wife does not make her an adulteress, for she has already made herself an adulteress. As someone wrote “the exception clause is simply a matter-of-fact recognition that if the wife has already committed adultery, her husband cannot be held guilty of driving her into it by divorcing her. She is the one who will be held guilty of violating the seventh commandment in this situation, not he.”⁷

⁶ “Except” in Matthew 5:32 “cannot be understood in any other sense than that of an exception: in the case of *porneia* the prohibition of divorce is not valid.” U. Luz, *Matthew 1-7* (Minneapolis: Augsburg 1989) 304. J. Van Bruggen argues that the whole subject of adultery is left out of discussion by the exception clause and therefore the Lord does not give a guideline here for those whose marriage is broken by adultery. Van Bruggen, *Het huwelijk gewogen*, 60. The question arises whether this argument is not somewhat artificial. Van Bruggen is more circumspect elsewhere when he says that the exception clause does leave room for divorce because of adultery, even though the passage (Matt 5:32 and 19:9) does not speak explicitly about it. Implicitly, especially in Matthew 19:9 more is said. See Van Bruggen, *Matteüs*, 362.

⁷ P. G. Feenstra, *Submitting to One Another* (privately printed 1995), 59-60.

Reading Matthew 5:32 in this way makes no sense for there is much more going on here than such a solution suggests. In Matthew 5, Christ was basically abolishing divorce according to the letter of Deuteronomy 24. Furthermore, if it were so that Christ was only recognizing that the wife had already committed adultery, then Christ's statement would be rather redundant and simply stating the obvious for no clear purpose. It is apparent to anyone that such a man is not responsible for the adultery which his wife commits. Such an obvious truth would not warrant the framework of "It was said ... but I say to you!" - words Christ used to set apart his teaching from those of the men of old.⁸

An additional factor arguing against the explanation that it is no exception at all is that such a rationale is impossible with Matthew 19:9 where Christ responded to a specific question whether it was lawful to divorce one's wife for any and every reason.

Secondly, since the notion of divorce was not abolished, we may assume that as divorce broke up a marriage in the OT, so a divorce by reason of *porneia* breaks up a marriage now.⁹

Thirdly, divorce in the Old Testament presupposed the opportunity of remarriage. This is seen even in Deuteronomy 24:1-4 where an exception to remarriage is given. Furthermore, the practice of remarriage was presupposed in the regulations concerning whom a priest would marry (Lev 21:7, 13). The reason why the remarriage was considered adulterous in Matthew 5:31-32 is because the first marriage had not been dissolved in God's sight, for the wife who was remarrying was not properly divorced. The remarriage of the man in such

Feenstra quotes Heth in House, ed., *Divorce and Remarriage*, 93.

⁸ If Heth and Wenham are correct, it is also remarkable that very few other interpreters throughout the history of exegesis have caught the sense of this passage. See further on this point C. S. Keener ... *And Marries Another. Divorce and Remarriage in the Teaching of the New Testament*. (Peabody, MA: Hendriksen, 1991), 29 and cf. J. van Bruggen, *Matteüs*, 361.

⁹ Murray, *Divorce*, 41-42.

circumstance would be adulterous as well for the same reason.¹⁰ The issue of remarriage in the case of a justified divorce is not explicitly dealt with in Matthew 5. However, in light of the fact that the Old Testament tolerated remarriage after a divorce for which there were provisions in the law, the hearers of Jesus' words in Matthew 5 would have assumed that this was still true.¹¹ Indeed, it was for that reason that Jesus had to make sure that they realized that remarriage after an unjustified divorce (as now newly defined by the Lord Jesus!) was adulterous, for people assumed that one could remarry after any divorce (according to Deuteronomy 24). Matthew 19:9 also needs to be read in this light.¹²

Other Arguments

It has been argued that since the exception clause in Matthew 19:9 follows "whoever divorces his wife" it must refer only to that and not to the saying on remarriage that follows.¹³

Much has been made of the word order which is not the most common; but, even those who restrict the meaning of the exceptive clause have to agree that the construction is extremely rare and somewhat

¹⁰ See Murray, *Divorce*, 25-26.

¹¹ See also on this point, Keener, ... *And Marries Another*, 34 and A. Verhey, "Grounds for Remarriage?", *Reformed Journal* 36:5 (1986) 28. In Van Bruggen's view, one goes too far if one wants to prove that Christ would forbid a second marriage for those whose marriage is broken by adultery. The texts in Matthew are formulated with a view to Deut 24 and the mentioning of the second marriage is in connection with the unjustified breakup of the marriage according to Deut 24. Christ declares that his absolute prohibition of divorce is not applicable in the situation of adultery. In such a situation the advice of Paul applies, it is good to be unmarried, but if one cannot control oneself, it is better to marry (1 Cor 7:8-9). However, it is clear that those divorced for any reason (according to Deut 24) cannot remarry. They must be reunited with their spouse or remain unmarried. Van Bruggen, *Het huwelijk gewogen*, 60-62.

¹² Keener, ... *And Marries Another*, 44.

¹³ Heth and Wenham, *Jesus and Divorce*, 113-115.

ambiguous.¹⁴ That fact should caution us not to make too much of it. However, some important observations can be made in defence of the traditional Reformed reading of this passage.

First, let us reread the sentence under consideration:

“And I say to you: whoever divorces his wife, except for unchastity, and marries another, commits adultery.” (Matt 19:19)

Note that there is one principal verb which is “commits adultery”. The fact of this single principal verb has implications for it means that the syntax of the sentence is tight. It all hangs on the one main verb. As Murray observed¹⁵, if we leave out “and marries another” we have untruth left, namely the sentence: “Whoever divorces his wife except for unchastity, he commits adultery.” This is silly. We need “and marries another” to complete the sense. We also need the main verb “commits adultery”. Committing adultery by remarriage is integral so how can it be divorced from the exceptive clause? The exceptive clause must therefore apply to the whole sentence, not only the putting away but also the remarriage.

Furthermore, the coordination of putting away and remarriage must not be disturbed. That is the main issue of this passage. In view of the coordination, the exceptive clause is in the right place. Where else would you place the exceptive clause if it applies to all elements in the passage? It is in the natural position as applying to the coordination. It contemplates an exception to the statement in its entirety.¹⁶ Indeed, imagine if “except for unchastity” is placed after “and marries another”. It would then read:

“And I say to you: whoever divorces his wife and marries another, except for unchastity, commits adultery.”

This way of speaking could imply that unchastity is the ground for

¹⁴ Keener, ... *And Marries Another*, 43.

¹⁵ Murray, *Divorce*, 40.

¹⁶ Murray, *Divorce*, 41.

remarriage, as well as adultery, which of course makes no sense.¹⁷

Heth and Wenham also came up with statistics to show that in the New Testament *ei mē* exceptions are always taken with the preceding verb and *mē* followed by a prepositional phrase always follows the verb it qualifies. But all this is actually meaningless

for *ei mē* exceptions and *mē* followed by a prepositional phrase occur nowhere else in the NT between two coordinate verbs. No other instance of these constructions, therefore, is analogous to Matt 19:9.¹⁸

The grammatical arguments are less than conclusive for those who would interpret the text to restrict the exception clause to only the matter of divorce and not remarriage.

Yet it cannot be denied that Christ's words are structured in such a way that the exceptive clause follows the matter of divorce. Apart from reasons already mentioned, another point that we need to keep in mind is that the Lord Jesus may have put it this way in light of the fact that the issue was divorce in the first place, and not remarriage. However, as we have seen in Matthew 5:32, you cannot separate the two subjects. If a divorce is valid so is the remarriage. The key issue therefore was whether the divorce was legitimate or not.¹⁹ Jesus was addressing the matter of divorce in the first place. On the point of divorce, Christ brought a change. He did not change anything with respect to the issue of remarriage. We may therefore conclude that matters of remarriage were principally the same as dealt with in the Old Testament legislation.²⁰

¹⁷ S. D. Hull in a book review of Heth and Wenham, *Jesus and Divorce* in *Trinity Journal* 7 (1986) 102. Cf. Heth and Wenham, *Jesus and Divorce*, 115-116.

¹⁸ Hull in *Trinity Journal* 7 (1986) 102.

¹⁹ See Keener, ... *And Marries Another*, 44.

²⁰ Also see Murray, *Divorce*, 42.