



The Exception Clause

Marriage, Divorce, and Remarriage

(Part 3)

by Dean Taylor

Denomination or Religion	% who have been divorced
Non-denominational	34%
Baptists	29%
"Born Again"	27%
Mainline Protestants	25%
Mormons	24%
Catholics	21%
Lutherans	21%
Atheists and Agnostics	21%

When we step back and look at the practice of divorce and remarriage in the Church today, it is hard to imagine that Jesus ever gave *any* prohibition against divorce and remarriage at all. Recent studies have indicated that the divorce rate among people who call themselves "born again" fares even worse than non-Christians, coming in at 27%. Catholics and atheists tie for the lowest divorce rate, averaging around 21% .

A Quick Review

As was discussed in Part 1, Jesus' prohibition against divorce and remarriage stemmed not so much from a new teaching about divorce, but rather from reinstating God's original heart on marriage from the beginning. The basics of Jesus' teaching on marriage can be summed up in His words, "*Wherefore they are no more twain, but one flesh*" (Matt. 19:6).

When challenged by the Pharisees about when divorce might be permissible, Jesus attempted to change their entire way of thinking by informing them that, contrary to their understanding, a married couple no longer remained as two individuals that even *could* be split up—"*they are no more twain, but one flesh.*" The fundamental nature of this teaching is essentially that marriage, by definition, is actually a miracle from God, whereby two people are made into one indissoluble union.

In Part 2 we examined Jesus' teachings on divorce, both with and without remarriage. We discussed that Jesus gave His teaching about divorce and remarriage from the standpoint of what constituted "adultery" in the eyes of God. Summarizing these teachings with their respective scriptures, Jesus taught:

- Divorcing a wife and marrying another is adultery (Mark 19:11).
- Marrying someone who has been divorced is adultery (Luke 16:18).

- Divorcing a spouse for any reason except for fornication is to be guilty of *causing* your spouse to commit adultery (Matt 5:32, 19:9).

Questions

Some questions that naturally come up when discussing Jesus' challenging teaching on adultery in the light of divorce are questions such as:

Why would I be held guilty of the sin of adultery if I have lawfully divorced my spouse and married someone else?

Why would I be committing adultery if I have never been married before but I marry a person who has been divorced from someone else who is still living?

Why is remarriage looked at so negatively in the New Testament scriptures?

The answer to all of these questions, simply put, is that Jesus taught that the marriage bond was indissoluble, outside of the death of a spouse. Therefore, any other union is considered adultery. No matter what we may do—be it to legally divorce, separate, or just plain don't get along, nothing can separate the marriage union except death. As the Apostle Paul succinctly put it, *"The wife is bound by the law as long as her husband liveth; but if her husband be dead, she is at liberty to be married to whom she will; only in the Lord"* (1 Cor. 7:39).

Simple Words

The words of the Gospel concerning marriage and divorce are often seen today as culturally insensitive, irrelevant, or confusing. However, they are nonetheless

conspicuously plain. The Gospel of Mark recorded, in very plain words, the teaching of Jesus concerning divorce followed by a subsequent remarriage as:

"...Whosoever shall put away his wife, and marry another, committeth adultery against her. And if a woman shall put away her husband, and be married to another, she committeth adultery" (Mark 10: 10-12).

The Gospel of Luke also puts the teaching of Jesus in clear, simple words:

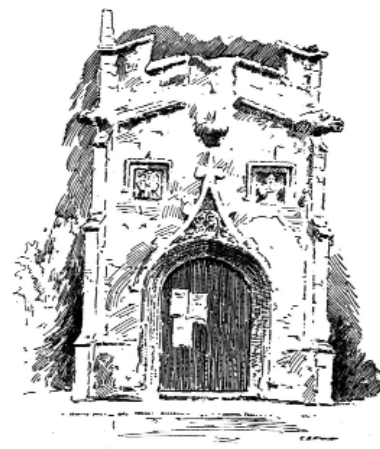
"Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her that is put away [divorced] from her husband committeth adultery" (Luke 16:17-18).

I would certainly agree that these scriptures are indeed out of fashion. However, they cannot be negated simply because they do not suit the cultural trend. Jesus taught that the marriage bond was permanent and because of that, remarriage is adultery. So why all the confusion today about divorce and remarriage?

When Did The Confusion Start?

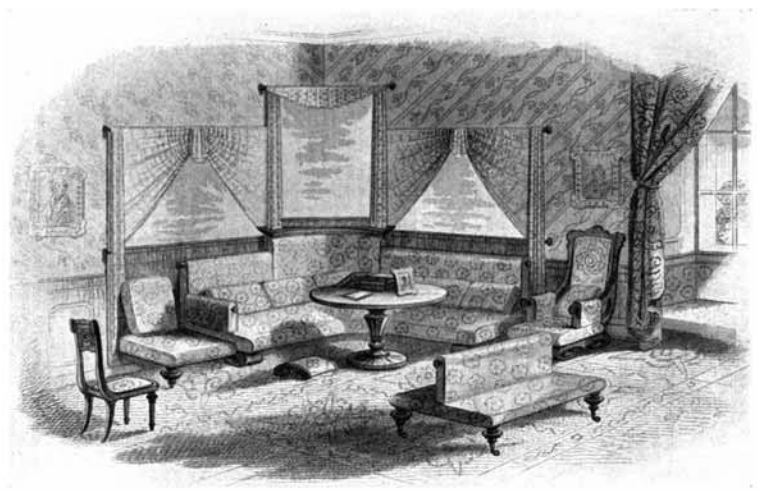
The Gospel of Matthew contains a phrase that has opportunistically become more and more prominent throughout the passing centuries. The modern theologians refer to this phrase simply as "the exception clause." It is this phrase that will be the focus of this article. During the Reformation, the Catholic theologian Erasmus, subsequently followed by Martin Luther and John Calvin, taught that Jesus' strong prohibition against remarriage had one exception, and that was adultery. They claimed that Jesus allowed for remarriage when the *rea-*

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son for the divorce was adultery. This view, however helpful it may have seemed at the time, rendered the essence of Jesus' "one flesh" teaching on marriage as conditional. Furthermore, it caused considerable difficulties in harmonizing the other Gospel accounts with the epistles of Paul.

What started out as a small "exception" or "loop-hole" in Jesus' strong prohibition against divorce and remarriage, grew exponentially into the crisis situation we now face in the Church today. When it was first introduced during the time of the Reformation, the "exception" was considered valid *only* in the case of adultery. Later however, the "exception" expanded to include desertion, abuse, excommunication, and eventually verbal insults and incompatibility. Finally, the wholesale acceptance of "no-fault divorce" and "new-beginning remarriages" and all manner of special considerations has done well to bring about the complete dissolution of the very nature of what God intended marriage to be in the first place.



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The Exception Clause

Matthew records Jesus' words spoken during the Sermon on the Mount as,

"It hath been said, Whosoever shall put away his wife, let him give her a writing of divorcement: But I say unto you, That whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery" (Matt. 5:31-32).

Similarly, in the Matthew 19 passage, Jesus repeated the Sermon on the Mount teaching to the Pharisees saying,

"And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whosoever marryeth her which is put away [divorced] doth commit adultery" (Matt 19:9).

The two phrases "*saving for the cause of fornication*" and "*except it be for fornication*" are the scriptural texts from which the "exception clause" has derived.

Divorce Without Remarriage: A Closer Look

The primary mistake by some of these reformers, as well as by modern theologians, is that of sandwiching together the ethics of divorce with those of remarriage. When looked at apart from this unwarranted grouping, the challenging teachings of Jesus, as well as the firm teachings of Paul, harmonize beautifully.

The Matthew 5 Exception: The Sermon On The Mount

In the Sermon on the Mount, Jesus was teaching through the Old Testament laws, and expanding them beyond mere outward obedience. For example, before the discussion on adultery, Jesus was teaching from the 6th Commandment, "Thou Shall Not Kill." In this teaching He expanded the sin of "murder" to include hating a brother, or even calling someone hateful names. Next, when addressing the 7th Commandment against adultery, Jesus added looking lustfully at a woman as "adultery,"

and gave a few extreme examples, like plucking out your eye, to highlight the importance of dealing with this lust. Finally, in Matthew 5:32, Jesus added both *divorce* and also the act of *remarriage* to His list of those who would be considered guilty of the sin of adultery.

What is most significant about Matthew 5:32 to this current study, is that Jesus held the man guilty of adultery simply for divorcing his wife, even without remarriage. Jesus said that the man who divorces his wife actually shares in the guilt of the woman's remarriage by *causing* his wife's future adultery! Let's read the passage again: "*whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery*" (Matt 5:32).

In reference to the guilt of causing his wife's adultery by sending her away, Jesus gave only one exception: "*saving for the cause of fornication.*" Why did Jesus grant this exception? It is very clear; the man was obviously not going to be held guilty of *causing* his wife to become an adulterer, if she was an adulterer already.

Please take special note of this fact—because that is all the exception clause is saying. The only "exception" that was given here in Matt. 5:32 is from the guilt of *causing* a woman to commit adultery. It says absolutely nothing about an exception for remarriage. As Bible commentators Dale Allison and W. D. Davies state, "the question of freedom after lawful divorce is just not addressed, and we cannot wring from the text what it will not give" (*International Critical Commentary, Edinburgh: T&T Clark*).

So again, what exactly is the "exception"? Jesus said the man is allowed this one reason to separate from his wife—sexual immorality. Remarriage is still not granted here—it is not even hinted at. Trying to make this "exception" in Matthew 5:32 apply to remarriage would be stretching this text to say something that it simply does not say. Jesus allows for separation, but not remarriage. This is the same teaching

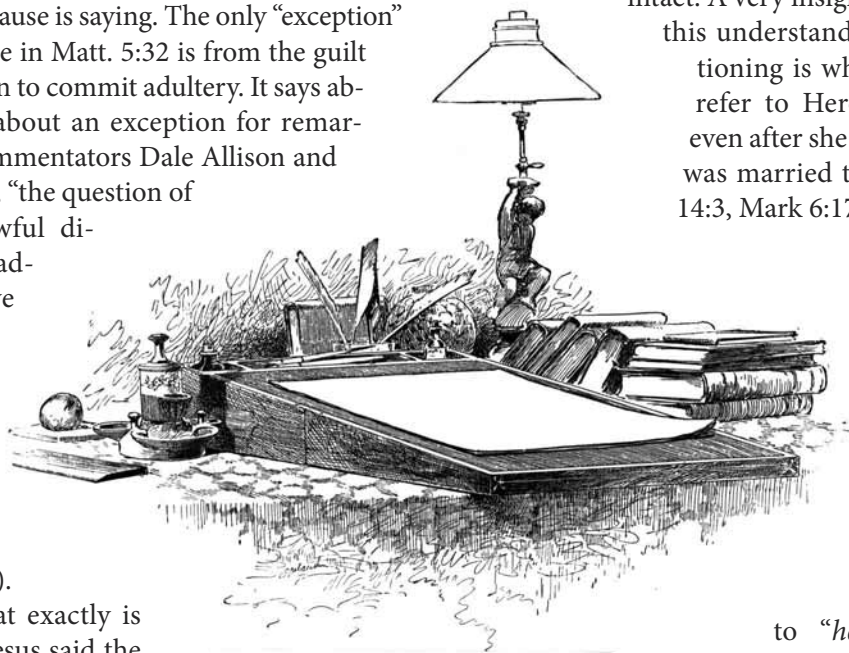
echoed by the Apostle Paul to the Corinthians, "*And unto the married I command, yet not I, but the Lord, Let not the wife depart from her husband: But and if she depart, let her remain unmarried or be reconciled to her husband: and let not the husband put away his wife*" (1 Cor. 7:10-11). [Note: There will be more on Paul's writings in the next issue.]

Marrying A Divorcee

Concluding His loving instruction that marriage was permanent and that remarriage was always wrong, Jesus ended His entire teaching concerning those who will be held guilty of the sin of adultery by saying, "*and whosoever shall marry her that is divorced committeth adultery.*" This phrase stands, like all the other Gospel accounts, as a blanket prohibition against marrying a divorced person. Why? Again, even though a physical separation has occurred, the marriage bond remains intact. A very insightful Biblical example of this understanding that is worth mentioning is when Matthew and Mark refer to Herodias as "*Philip's wife,*" even after she had divorced Philip and was married to Herod Antipas (Matt 14:3, Mark 6:17).

Simple? It was for 1500 years; but unfortunately today, numerous teachers and centuries of inherited precedents have confused this simple teaching significantly. Even

the NIV Bible has tried to "help" the situation by adding its own interpretative corrections. In Matthew 5:32b, the NIV reads, "and anyone who marries the divorced woman commits adultery." But as Cornes points out, "There is nothing whatsoever in the Greek to make this connection. The Greek simply says, '*And whoever marries a divorced woman commits adultery*'" (*Divorce and Remarriage*, pg. 206). This statement, like all the other statements of Jesus on



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remarriage, simply says that to marry a person who has been married before is to be guilty of the sin of adultery.

Jewish Betrothal

Some conservative theologians who agree that remarriage is wrong, preserve the harmony of the Gospel accounts by drawing attention to the word “*fornication*,” used both in Matthew 5 and 19. (The NIV uses the words “marital unfaithfulness.”) Those supporting this “betrothal view” legitimately bring out that the word rendered here as “fornication” [porneia] could possibly indicate a word of lesser offense than the word “adultery” [moichao]. Because of this differentiation in the Greek, they deduce that the word “fornication,” as it is used in Matthew 5 and 19, must be something other than infidelity during a regular, lawful marriage. They suggest that this different use of the word “fornication” is given as a reference to pre-marital infidelity during a Jewish betrothal period.

The advocates of the “betrothal view” point to the example of the courtship between Joseph and Mary (Matthew 1:18-25). They say that in the Jewish custom, the couple was considered “man and wife,” even though they have not yet come to live together. In this Jewish custom, if physical immorality was to occur during this time period, the man could divorce his “wife” and marry another, based on the fact that they were not actually married yet. With this in mind, it is said that the “exception clause” was given to allow for remarriage only if the “fornication” occurred during this betrothal period. Furthermore, they would say that the Matthew account was the only one mentioning this exception, simply because his Gospel was the only one written originally to a primarily Jewish audience.

Although this view nicely harmonizes the Gospel accounts, I personally find it difficult to accept for the following reasons. First of all, to restrict the use of the imprecise word *porneia* to such an exacting definition as “betrothal period fornication,” when it is so commonly used in other places representing all kinds of sexual sins, from prostitution to incest, is questionable. Secondly, as a pastor, I find it difficult to counsel and make decisions on such important and potentially life changing issues, based upon a purported Jewish custom that cannot be explicitly stated or emphatically quoted from the Bible. Ancient Jewish records of manners and customs are impressive, but even the oldest documents are still literally hundreds of years separated from the time of Jesus.

And finally, and most importantly, I find the use of the “betrothal view” unnecessary. When divorce and re-

marriage is examined in light of the clear passages of the Gospels, as well as the writings of the early Church, the prohibition against remarriage does not hang on the exact syntax of the word fornication (porneia). The word is still important of course. However, the need to overly scrutinize every nuance of the word “fornication” becomes superfluous. Nevertheless, I say this carefully, not wanting to dismiss the “betrothal view” altogether.

The Matthew 19 Account

In Matthew 19 the language is more ambiguous than in Matthew 5, but the meaning is still the same:

“And I say unto you, Whosoever shall put away his wife, [divorce] except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away [divorced] doth commit adultery.”

The difficulty with this passage is that the placement of the “exception clause” in the original Greek allows it to be read in two different ways. You can read it as the early Church read it, and that is to harmonize it with the Matthew 5:32 account as an exception to the guilt of adultery for divorcing an adulterous wife. With this view, the scripture reads just like Matthew 5, including its blanket prohibition against remarriage.

On the other hand, the construction of the Greek will permit that it can be read, as the modern theologians have read it since Erasmus, as an exception to both the sin of divorce and the right of remarriage. Advocates of this view, like J. Murray, admit that the passage can be read in more than one way. Surprisingly, even Murray, who sides with the modern view, acknowledges that the early Christian view “does in itself make good sense and would solve a great many difficulties in ...the accounts given in the three Synoptic Gospels” (ibid. 219).

How does one decide which view they like best; or more importantly, how does one discern which is right? Which method of interpretation should be used to arrive at our conclusion? Should we consider the surrounding context and similar passages? Should we research the original Greek? Should a historical witness ever bear any weight of consideration? Perhaps we would do well to consider all three.

A Look At The Context

The fundamental principle of scriptural interpretation is that scripture is the best interpreter of scrip-

ture. Ambiguous passages ought to be compared with clear passages that speak on the same subject. When applying this approach, we would take into consideration the emphatic prohibition against remarriage found in Mark 19:11, Luke 16:17-18, Romans 7:1-3, and 1 Cor. 7: 10-11, 39. In this case, it would be illogical *not* to lean the interpretation toward the early Christian view.

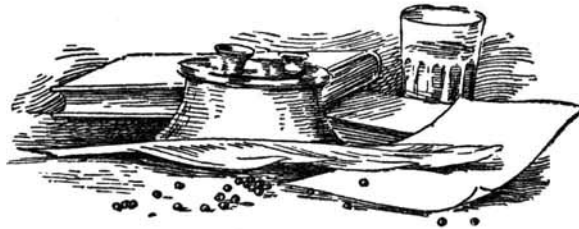
Also, considering the immediate context, the response of the Apostles following this scripture in the next verse is revealing. Their response was one of shock and amazement. They cried, “If the case of the man be so with his wife, it is not good to marry.” Surprisingly, instead of consoling the Apostles by reminding them of any “exceptions” which would allow them to remarry, Jesus went on into a discussion telling them that at times men will be called on to become eunuchs for the Kingdom of Heaven! (Matthew 19:10-12)

Examining The Greek

Jacques Dupont, speaking on a Greek exegesis of Matthew 19:9 states:

There is only one way of understanding the syntax of 19:9: it is a double conditional clause in which an elliptical phrase is placed immediately after the first condition, ‘to put away’. The elliptical phrase, ‘except for immorality’, does not contain a verb, and one must be supplied from the context. The only verb that has been stated for the reader to understand is the one immediately preceding the “exception clause”—‘put away’—the verb Matthew’s readers just passed over. Matthew 19:9 would then be read: “if a man puts away his wife, if it is not for immorality that he puts her away, and marries another, he commits adultery” (Mariage’ et divorce, 102-3).

Drawing from a historical interpretation, the early Church would have unanimously understood the exception to be dealing only with divorce—not remarriage. There was no significant change to this view for the first 1,500 years of the Church!



When Matthew 19:9 is analyzed into its constituent parts, the ambiguity disappears and it makes a fitting punch line to the dispute with the Pharisees. They asked: ‘is it lawful for a man to divorce his wife for any cause at all?’ Jesus replies: ‘it is always wrong to divorce what God has joined together: what is more, divorce, except for unchastity, is adulterous; and remarriage after divorce is always so’. Naturally the disciples object: ‘if the relationship of a man with his wife is like this, it is better not to marry.’ Unabashed, Jesus replies in a vein reminiscent of His remarks about cutting off hand or eye to avoid committing adultery (5:29-30) ‘You are able to live up to this teaching, for there are some who are even able to become eunuchs for the kingdom of heaven.’ (pg 71-72)

Historical Consideration

Drawing from a historical interpretation, the early Church would have unanimously understood the exception to be dealing only with divorce—not remarriage. There was no significant change to this view for the first 1,500 years of the Church! (**Note:** In a future issue, a historical look at divorce and remarriage will be examined in greater detail.)

An Example

When considered outside of such a hot topic as divorce and remarriage, it is much easier to follow the mode of speech used by Jesus in Matthew 19:9. Consider for a moment a limited analogy, taking the 6th Commandment dealing with anger and murder in Matt 5:22, in place of the controversial 7th Commandment, dealing with adultery and divorce found in Matt 5:32. The following scripture quotes will be an inference to the corresponding verses dealing with divorce and remarriage.

- Anyone who is angry with his brother, unless it is for a just cause, has committed a sin (Matthew 5:32a).
- Anyone who is angry with his brother and kills him, has committed a sin (Mark 10:11-12; Luke 16:18a).
- Anyone who has killed his brother after being angry with him, has committed a sin (Matt 5:32b 19:9b and Luke 16:18b).
- Anyone who is angry with his brother, unless it is for a just cause, and kills him, has committed a sin (Matthew 19:9).

In the last example, I do not believe anyone would find it difficult to make the “exception clause” apply to the first part of the phrase and not the second. Likewise, in conclusion, I sustain that in the time of Christ and the Apostles, continuing on into the early Church, the “exception clause” of Matthew 5 and 19 would have applied just as naturally to separation and not to remarriage as it would for us today in the analogy above.

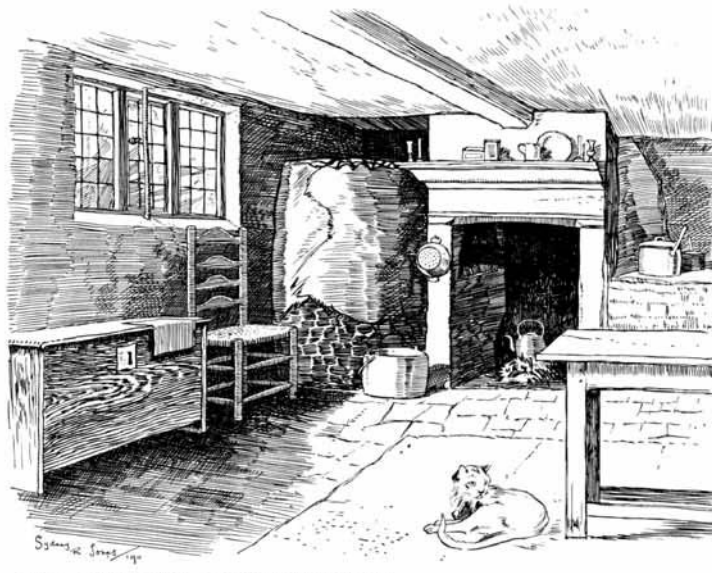
Summary

In this issue we reviewed the teaching of Jesus about the essence of marriage, noting that Jesus taught that marriage was an indissoluble union.

Next we reviewed Jesus’ teaching on adultery, noting that Jesus added remarriage to His list of what He considered adultery. On this point we also saw that even divorce, itself, without remarriage would make a person guilty of their spouses’ adultery—unless, of course, their spouse was already an adulterer.

Finally, we looked at the “exception clause” found in Matthew 5 and 19, and suggested that the “exception

clause” was only an exception from the guilt of *causing* a spouse to commit adultery—when the basis for the divorce was adultery. We asserted that we believe that this was not an exception granting the right to remarry. In addition, we stated that all the Gospel accounts are in agreement, and that they give an overriding prohibition against all remarriage.



The first step toward recovering lost ground is to come to grips with the words of Christ, Himself—to truly take Him at His Word, by faith.

As the modern Church has drifted so far from this ancient teaching, the sight of such a far-off resolve can seem almost a fantasy. Many Christians may find themselves in situations which seem hopeless; or they may feel there are no answers to their discouraging situations. And as we said before, once many of these truths are realized, people or churches may differ as to how to deal with each case. However, I think it has been proven well enough through the centuries that turning a blind eye and ignoring the situation has only made matters worse. The first step toward recovering lost ground is to come to grips with the words of Christ, Himself—to truly take Him at His Word, by faith. After that...remember, *“Being confident of this very thing, that he which hath begun a good work in you will perform it until the day of Jesus Christ”* (Phil 1:6). □