

THE EXCEPTION PHRASES:
EXCEPT πορνεία, INCLUDING πορνεία
OR EXCLUDING πορνεία? (MATTHEW 5:32; 19:9)

Allen R. Guenther

Summary

This paper examines the Matthean ‘exception clauses’ to determine whether they should be interpreted inclusively (‘if a man divorces his wife even though she has not been unfaithful’), exceptively (‘if a man divorces his wife, except if she has been unfaithful’), or exclusively (‘if a man divorces his wife—πορνεία is a separate issue’). In this grammatical study the author draws on a broad sample of classical and Koine texts from which he concludes that παρεκτός in Matthew 5:32 should, on syntactic grounds, be read as marking an exception, whereas in the later account (μὴ ἐπὶ πορνείᾳ Mt.19:9) Matthew presents Jesus as excluding the matter of πορνεία. The enigma of the meaning of πορνεία, however will not go away. The author then summarises his reasons for interpreting πορνεία as incestuous relationships and marriages.

I. Introduction

A. The Current Consensus

The Matthean divorce ‘exception’ saying has over the years attracted considerable scholarly attention. Nearly every discussion of these texts and of the ethical issues of divorce and remarriage focuses on the phrases παρεκτὸς λόγου πορνείας (Mt. 5:32) and μὴ ἐπὶ πορνείᾳ (Mt. 19:9), with the virtually unexplored assumption being that the phrase introducers παρεκτὸς and μὴ ἐπὶ are identical in meaning and both introduce genuine exceptions.¹ This paper calls that consensus

¹ J.P. Arendzes, ‘Revisiting St. Matthew’, *Expositor* 93 (1918) 366–71 and ‘Another Note on Matthew xix, 3–12’, *Clergy Review* 21 (1941) 23–26; R. Banks, *Jesus and the Law in the Synoptic Tradition* (SNTSMS 28; Cambridge: CUP, 1975) 146–59; F. Wright Beare, *The Gospel According to Matthew* (San Francisco:

into question by introducing philological and syntactic data from fifteen centuries of Greek, both classical and Koine.² In order to prejudice the results as little as possible, I have limited myself, with few exceptions, to those texts which have been translated into English. We will proceed, then, to examine the translation habits of classicists for these exception phrases.

Recent English versions reflect the major scholarly points of view. The exceptive interpretation ('anyone who divorces his wife *except for marital unfaithfulness...*') is represented by the *Contemporary English Version*, *Everyday Bible*, *God's Word Version*, *Jerusalem Bible* (5:32 only), *New American Standard Bible*, *New International Version*, *New English Bible*, *New Revised Standard Version*, and *Revised Standard Version*. The implication is that divorce (and

Harper & Row, 1982); H.D. Betz, *Essays on the Sermon on the Mount* (Philadelphia: Fortress, 1984); F.F. Bruce, *The Hard Sayings of Jesus* (Downers Grove, IL: IVP, 1983); R.F. Collins, *Divorce in the New Testament* (Good News Studies 38, Collegeville, Minnesota: Liturgical, 1992); A. Cornes, *Divorce and Remarriage: Biblical Principles and Pastoral Practice* (Grand Rapids, MI: Eerdmans, 1993); W.D. Davies & Dale C. Allison, Jr., *The Gospel According to St. Matthew* (ICC, 3 vols., Edinburgh: T. & T. Clark, 1997); R.B. Gardner, *Matthew* (Believers Church Bible Commentary, Scottsdale, PA and Waterloo, ON: Herald, 1991); D.E. Garland, *Reading Matthew: A Literary and Theological Commentary on the First Gospel* (New York: Crossroad, 1993); Joachim Gnilka, *Das Matthauevangelium* (2 vols., Freiburg, Basel, Wien: Herder, 1988); R. Gundry, *Matthew: A Commentary on His Literary Theological Art* (Grand Rapids: Eerdmans, 1982); D.A. Hagner, *Matthew 1–13 and Matthew 14–28* (WBC, Dallas, TX: Word, 1993, 1995); D.R.A. Hare, *Matthew (Interpretation)*, Louisville: John Knox, 1983); D.J. Harrington, *The Gospel of Matthew* (Sacra Pagina, Collegeville, MN: Liturgical, 1991); R.B. Hays, *The Moral Vision of the New Testament: Community, Cross, New Creation: A Contemporary Introduction to New Testament Ethics* (San Francisco, CA: Harper, 1996); W.A. Heth, and G.J. Wenham, *Jesus and Divorce: The Problem with the Evangelical Consensus* (Nashville, Camden, Kansas City: Nelson, 1984); C.S. Keener, *And Marries Another ...: Divorce and Remarriage in the Teaching of the New Testament* (Peabody, MS: Hendrickson, 1991); W.F. Luck, *Divorce and Remarriage: Recovering the Biblical View* (San Francisco, CA: Harper & Row, 1987); J. Murray, *Divorce* (Philadelphia, PA: Presbyterian and Reformed, 1974); A. Sand, *Das Evangelium nach Matthaues* (Regensburg: Friedrich Postet, 1986).

² The following discussion draws on the TLG data base (*Thesaurus Linguae Graecae* CD-ROM; Irvine: University of California Irvine, TLG Project, 1999; used with *TLG Workplace* version 8.0; Cedar Hill, TX: Silver Mountain Software, 1998), but, with a few exceptions, is limited for the sake of maximum objectivity to the texts from five translation series: the *Loeb Classical Library* (LCL), *Ancient Christian Writers* (ACW), the *Ante-Nicene Fathers* (ANF), the *Nicene and Post Nicene Fathers* (NPNF), and the *Fathers of the Church* (FOC). Other translators will be identified.

remarriage) are proscribed by Jesus unless the divorce is occasioned by an extra-marital sexual relationship. Most often the inference drawn from this is read in its positive form: ‘If the spouse has had illicit sexual relations, divorce (and remarriage) by the aggrieved is justified, permissible or even blessed.’ Particles which can have the same function as ‘except’ are ‘unless’, ‘save’, and ‘(all) but’.

The inclusive reading of these two phrases appears in the *Today’s English Version*: ‘If a man divorces his wife *even though she has not been unfaithful*’. It has found few defenders.

The exclusive reading is represented in the *New American Bible* (‘everyone who divorces his wife—*lewd conduct is a separate case*—and marries another, is guilty of adultery.’) and the *Jerusalem Bible* (19:9 only). The exclusionary reading does not provide a warrant for divorce in instances of ‘lewd conduct’ (πορνεία). The exclusionary (or preteritive) view differs from the exceptive reading in that it carries no implicit justification for divorce for πορνεία. Particles which can have the same function as ‘excluding’ are ‘aside (from)’, ‘without’, ‘besides’, ‘in addition to’, and ‘apart from’.

To this writer’s knowledge, no comprehensive grammatical study has been done of the two particles, παρεκτός and μὴ ἐπί. This paper is not designed to be such an exhaustive study but in it I will present and interpret data which advances grammatical cues by which the reader can distinguish between the exceptive and exclusive interpretation of the ‘exception’ clause/phrase in the two Matthean divorce and remarriage texts (5:32 and 19:9), given here in their sentence level contexts (NRSV):

Matthew 5:32: But I say to you that anyone who divorces his wife, ‘*except on the ground of unchastity*’ (παρεκτός λόγου πορνείας), causes her to commit adultery; and whoever marries a divorced woman commits adultery.

Matthew 19:9: And I say to you, whoever divorces his wife, ‘*except for unchastity*’ (μὴ ἐπί πορνεία), and marries another commits adultery.

These two ‘exception’ constructions are normally taken to be semantic equivalents, whether they represent one or two original sayings. Scholars also assume that παρεκτός and μὴ ἐπί are syntactic equivalents and that λόγου πορνείας (5:32) and πορνεία (19:9) are referentially identical, with the rabbinic discussion of the exegesis and meaning of Deuteronomy 24:1 as the issue in question.³ Shammai held to the most restrictive interpretation of ‘a nakedness of a thing’. He taught that only unchastity legitimated divorce. His most worthy

³ *Mishnah*, Nashim.Gittin.9.10.

opponent, Hillel, contended that '[he may divorce her] even if she spoiled a dish for him'. The Pharisees challenge Jesus to commit himself publicly: 'Is it lawful for a man to divorce his wife for any cause' (19:3)? Would Jesus identify himself with one of the two rival schools, those of Shammai and Hillel?

B. Purpose of This Study

My intention is to establish on syntactic grounds that the preposition *παρεκτός* should be read with an exceptive meaning and that the negated preposition *μὴ ἐπί* should be read as exclusionary.

II. *παρεκτός λόγου πορνείας*

A. Competing Readings

Robert Banks has argued, using as evidence the other occurrences of *παρεκτός* in the New Testament and early Christian literature (Acts 26:29; 2 Cor. 11:28; *Did.* 6.1; *T. Zeb.* 1.4), that *παρεκτός* in Matthew 5:32 should be translated in an exclusive rather than inclusive sense.⁴ The resultant reading is represented in the *New American Bible* (Catholic Edition): 'everyone who divorces his wife—lewd conduct is a separate case—forces her to commit adultery'. Bruce Vawter originally concurred with this interpretation of *παρεκτός* but subsequently repudiated his 1954 position.⁵ Few have followed their lead. This phrase in Matthew 5:32 has in the main been translated exceptively, as 'except' or 'unless' or 'save'.

The standard interpretation of this construction, then, is that nearly all acts of divorce cause the woman being divorced to commit adultery. Only the exceptions, those instances denoted by the genitive noun phrase as *λόγου πορνείας*, do not constitute adultery. That is, *παρεκτός* is here understood to exclude a minority of features or instances of what is being predicated and to imply that what is true of the majority of the subject or class is not characteristic of that which is excluded. According to the traditional interpretation *παρεκτός* carries

⁴ Banks, *Jesus and the Law* 154.

⁵ Vawter, Bruce. 'The Divorce Clauses in Mt 5,32 and 19,9' *CBQ* 16 (1954) 155–64; 'The Biblical Theology of Divorce', *Proceedings of the Catholic Theological Society of America* 22 (1967) 223–43; 'Divorce and the New Testament', *CBQ* 39 (1977) 528–42.

the implication that if a woman is guilty of a λόγου πορνείας, the divorcing man is not committing adultery by divorcing her or by remarrying.

We will test the validity of this traditional interpretation of παρεκτός. Our first step is to inquire as to the relationship of παρεκτός to παρέκ.

B. From παρέκ to παρεκτός

The New Testament occurrences of παρεκτός governing a genitive nominal phrase are the earliest recorded in extant Greek texts (Mt. 5:32; Acts 26:29). Some might object to the judgement regarding its earliest appearance, since the word παρεκτός appears once in the *Testament of Zebulun* (1:4). In my judgement, it carries the exceptive meaning: ‘I am not conscious, my children, that I have sinned in my days, *except* in thought’.⁶ Marius de Jonge concludes in a number of studies that the *Testament of the Twelve Patriarchs* is of uncertain date, but almost surely is Jewish in origin and shows strong Christian influence.⁷ It must, therefore, be dated later than the two New Testament occurrences.

The continuity in function and meaning between παρέκ and παρεκτός is evidenced in three ways. Earlier writers use the form, παρέκ with the same range of meaning: exception, separation, and distance. Two lexicographers, Apollonius⁸ and Suda⁹ identify παρεκτός as the functional equivalent of the shorter form. The first-second century date of Apollonius confirms the fact that by the time of the writing of the New Testament this shift was under way.

A second line of evidence for the semantic equivalence of παρεκτός and παρέκ comes from the twelfth century commentary on the *Odyssey* by Eustathius who explains (τουτέστι) the Homeric verbal clause ‘he pushed *off from* (παρέκ) land’ by the current equivalent using the noun phrase παρεκτός τῆς χέρσου (1.358.25). We note in passing the exclusionary force of παρεκτός.

The third confirming evidence for the παρέκ parentage of παρεκτός is the fact that in the two centuries straddling Christian

⁶ H.W. Hollander and M. de Jonge, *The Testament of the Twelve Patriarchs: A Commentary*, (Studia in VT Pseudepigrapha 8, Leiden: Brill, 1985) 256.

⁷ Marinus de Jonge, ‘Christian influence in the Testament of the Twelve Patriarchs’, in Marinus de Jonge, ed., *Studies on the Testaments of the Twelve Patriarchs: Text and Interpretation*, (Studia in VT Pseudepigrapha 3, Leiden: Brill, 1975) 193–246; *The Testaments of the Twelve Patriarchs: Christian and Jewish* (Leiden: Brill, 1991) 233–43.

⁸ 1st/2nd century AD; *Lexicon Homericum* 128.20.

⁹ 10th century AD; *Lexicon* pi.532.1.

beginnings, a number of adverbs were given –τος endings. Robertson observes that ‘the Koine shows a distinct turn for new adverbial combinations’ and identifies two such adverbs as ἐκτός and ἐντός.¹⁰ He also comments elsewhere that ‘παρεκτός is a late compound for the earlier παρέκ’.¹¹ The ancestral relationship of παρέκ and παρεκτός, therefore, warrants an examination of the different usages and meanings of παρέκ to help us interpret the meaning of παρεκτός in its New Testament occurrences.¹²

1. Occurrences of παρέκ with Exceptive Meaning:

The original, shorter form παρέκ, is exclusive in some contexts, meaning ‘excluding’, ‘apart from’, ‘besides’ and is exceptive in others, translated, ‘except for’ or ‘unless’. The examples given below are drawn from representative authors over a period of 700 years of Greek literature. We begin with samples of exceptive occurrences:

... after his (Cambyses) death all the Asiatics *except* the Persians wished him back... (Herodotus, *Histories* 3.67.6, LCL);

... they all left their posts and fled to Antioch, *with the exception* of those in the city of Bethsur and those in the citadel of Jerusalem... (Josephus *J.A.* 13.42.3, LCL);

After this no one remained with him *except* Evander the Cretan, Archedamus the Aetolian, and Neon the Boetian (Plutarch, *Lives*, Aem. 23.6.5, LCL)

In each case above, the condition of what is excepted is the opposite of that from which it is excepted. The implication in the case of the exception is that the Asiatics wanted Cambyses back, the Persians did not; all the defenders of the garrisons in Judea left their posts, whereas those marked as the exception did not; and, only Evander, Archedamus, and Neon stayed with their leader.

2. Occurrences of παρέκ With Exclusionary Meaning:

The majority of occurrences of παρέκ denote exclusion, separation or distance, translated as ‘besides’, or ‘apart from:’

A thousand Kalasiries and as many Hermotobies were the king’s annual bodyguard. These men, *besides* their lands, received each a daily provision of... (Herodotus, *Histories* 2.168.9, LCL);

¹⁰ Archibald Thomas Robertson, *A Grammar of the Greek New Testament in the Light of Historical Research* (Nashville, TN: Broadman, 1934) 170, 296.

¹¹ *Ibid.* 646.

¹² Robertson (*Grammar* 169, 170) describes its occurrences in Mt. 5:32 and Acts 26:29 as prepositions with the ablative and in 2 Cor. 11:28 as an adverb. Since its classification is not at issue the term *particle* will serve as a neutral designation.

... that he [Pompey] was bringing into the public treasury in coined money and vessels of gold and silver twenty thousand talents, *apart from* the money which had been given to his soldiers... (Plutarch, *Lives*, Pompey 454.4.8, LCL);

Another commander named Ochobatos put at the king's disposal a host of a hundred and eighty thousand heavy armed-soldiers. These did *not include* the men whom the king had sent to the several best fortified cities (Josephus, *J.A.* 8.397.6; LCL);

Besides (παρέκ) the exploits shared by the Tegeans with the Arcadians, which include the Trojan war... the Tegeans have, *besides* the deeds already mentioned the following claims of their own to fame. (Pausanias, *Descriptions of Greece* 8.45.2.1; LCL);

In the majority of occurrences παρέκ (+ genitive) is translated with the underlying element of separation or distance, without any connotation regarding what is excluded. The word παρέκ continues in wide use even after the introduction of παρεκτός. We turn now to the extra-Biblical occurrences of παρεκτός.

III. παρεκτός

A. Extra-Biblical Occurrences of παρεκτός

The word παρεκτός followed by the genitive occurs four times (apart from Mt. 5:32 and Acts 26:29)¹³ in the first two centuries of the Christian era; twice exceptively, once exclusively, and once as denoting separation or distance. It is exclusionary in the *Testament of Job*:

Have we not known the many good things sent out by him into the cities and the surrounding villages to be distributed to the poor, *besides* (παρεκτός) those also poured out in his house. (30.5.4; Kraft)

It is exceptive in the *Testament of the Twelve Patriarchs*:

I am not aware, my children, that I have sinned in my days, *except* (παρεκτός) in my mind. (*T. Zeb.* 1.4; Charlesworth)

and in the occurrence in Clement of Rome (1st/2nd cent. AD):

The chaste woman loves her husband from the heart, ... is obedient to him in all things, *except* (παρεκτός) when she would be disobedient to God. (*Homilae* 13.16.5.1; ANF)

¹³ I am excluding 2 Cor. 11:28 as primary data because the compound χωρίς τῶν παρεκτός is used absolutely and so does not meet the condition of governing a genitive nominal. Furthermore, χωρίς by itself is exclusionary, as is the construction τῶν παρεκτός.

Once it appears as denoting distance or separation:

See that no man leads you astray from this Way of Teaching, since any other teaching takes you *away from* (παρεκτός) God. (*Did.* 6.1.2; ACW)

In the second to fifth centuries παρεκτός continues to be used with the meaning of ‘except for’ but rather than ‘exclusion’ contains the idea of separation or distance. Approximately half of the occurrences of παρεκτός constitute citations or quotations of Matthew 5:32 and Acts 26:29. The adverb παρεκτός is clearly to be translated as ‘except for’ in the majority of occurrences. Origen (AD c. 184–253) illustrates this usage:

(Jesus, saying), ‘Whoever shall put away his wife, *saving for* (παρεκτός) the cause of fornication, maketh her an adulteress’, He also gave permission to put away a wife like as well as Moses did, who was said by Him to have given laws for the hardness of heart of the people, and will hold that the saying, ‘Because he found in her an unseemly thing’, is to be reckoned as the same as fornication on account of which with good cause a wife could be cast away from her husband. (Mt. 14.24.6)

There can be no doubt about the Greek theologians’ interpretation of the παρεκτός phrase in Matthew 5:32: they read it exceptively. It is hard to believe that these Greek theologians would so consistently use παρεκτός with the meaning of ‘except’ in Matthew 5:32 if that were not a viable meaning. Surely their audiences would have objected to such a misuse of the Greek language and perverted interpretation of the texts.

The particle παρεκτός appears initially to follow the semantic pattern of its shorter precursor form, παρέκ. The Greek lexicographers help us at this point, inasmuch as they indicate changes in language usage and meaning. Apollonius (1st–2nd century AD), indicates that παρέκ is being or has been replaced by παρεκτός.¹⁴ Hesychius (5th century AD) indicates that παρέκ previously had the meanings generally carried by χωρίς (separately, apart, different) and ἐκτός (outside, free from) in his day.¹⁵ He also indicates that the phrase, τῶν παρεκτῶν (concerning outsiders; those excluded) has come to be expressed by τῶν ἔξωθεν.¹⁶

¹⁴ *Lexicon Homericum* 128.20. This is confirmed by the later lexicographer, Suda (10th century AD), in *Lexicon* 001.pi.555.1.

¹⁵ *Lexicon* p-w.pi.833.1.

¹⁶ *Lexicon* p-w.tau.1750.1.

B. The Litmus Test

So, then, is there a way to discern whether a particular occurrence is to be understood exceptively or exclusively? Yes! It is to be read exceptively whenever that from which something is excepted is clearly identified as being a totality or universal, as represented by ‘all’, ‘none’, ‘whoever’, ‘anyone’, ‘the one who’, ‘not one’, ‘never’ as in:

The chaste woman loves her husband from the heart ... and is obedient to him in *all things except* when she would be disobedient to God (Clement of Rome, *Homilies* 13.18.5.1; ANF);

... and she killed *all* the sons of Ahaziah *except* for one holy seed and in a marvelous manner. (Constantinus VII 003.177.10, my tr.);

And he found the *whole* city razed to the ground and the temple trampled underfoot with the *exception* of a few inhabitants. (Epiphanius, *De Mensuribus et ponderibus* 375, my tr.);

God rains down fire ... and wastes the *entire* race of humans from it, Abraham’s nephew Lot and his two daughters *excepted* (Georgius Monachus *Concise Chronicle* 105.3, tr. Brian Guenther);¹⁷

... to whom the Father subjected *all* things *except* himself and the Holy Spirit (Hippolytus, *Contra haeresia Noeti* 8.1.5, my tr.);

he took *nothing except* what he ate (Palladius, *Historia Lausiaca* 20.1.6; LCL).¹⁸

This syntactic cue consistently guides the uses and interpretations of the translated occurrences of παρεκτός.

C. Conclusion Regarding παρεκτός

The above data suggests that παρέκ and παρεκτός have undergone a two stage semantic change over the centuries. The movement has been from παρέκ, meaning ‘excepting’, ‘excluding’ and ‘separation/distance’ (BC), to παρεκτός (beginning with the Christian era), initially carrying the range of meanings of its precursor, παρέκ. In the second stage, over the first two centuries of this era παρεκτός gradually loses the meaning of ‘exclusion’. Its semantic field decreases. The Church theologians of the third century and beyond, in whose time the exclusionary meaning has become rare or has fallen away entirely, naturally interpret it as exceptive. The direction of change can be confirmed in that in modern Greek παρεκτός is translated only by ‘except’.¹⁹

¹⁷ Cf. 105.3; 215.18; 508.1; 002.110.265.50.

¹⁸ Cf. 18.14.9; 20.2.6; 33.2.1; 37.1.2; 37.2.6; 37.14.2; 38.7.

¹⁹ Julian Pring, *The Oxford Dictionary of Modern Greek: Greek-English and English-Greek* (Oxford: Clarendon, 1986).

As an exception introducer, παρεκτός draws attention to a small proportion (three saved out of the population of Sodom and Gomorrah) of a universal referent (all, none, whoever, never).

No instances of the inclusive meaning ('even though ... not') were found in the Greek sources which exist in English translation.

D. New Testament Occurrences of παρεκτός

There are two occurrences of παρεκτός governing a genitive noun phrase within the New Testament, Matthew 5:32 and Acts 26:29. We begin with the account of Paul before Agrippa:

26:28 Agrippa said to Paul, 'Are you so quickly persuading me to become a Christian?' 26:29 Paul replied, 'Whether quickly or not, I pray to God that not only you but also all who are listening to me today might become such as I am—*except for* (παρεκτός) these chains.'

Paul declares his interest and prayer to be that Agrippa and all those attending the inquiry become Christians, except that he would not wish them to be placed in chains for their faith. The universal 'all' is present as that from which something is excepted. This occurrence of παρεκτός fits the exceptive pattern.

We turn to Matthew 5:32:

But I say to you that anyone who divorces his wife, except (παρεκτός) on the ground of unchastity, causes her to commit adultery; and whoever marries a divorced woman commits adultery.

Here, too, the pattern governing the identification of the function of exceptive παρεκτός holds true: the scope is universal, πᾶς ('anyone'). Matthew 5:32, then, identifies a true exception expressed by παρεκτός λόγου πορνείας. And what is excepted (λόγου πορνείας) is a small part of the whole ('anyone who divorces his wife').

IV. μὴ ἐπὶ πορνείᾳ

A. Non-Exceptive Occurrences

The divorce saying in Matthew 19:9 contains the compound phrase introducer μὴ ἐπὶ followed by a nominal construction in the dative case. We turn to the TLG corpus for a concordance of occurrences of μὴ ἐπὶ (+ dative) in extant classical and Koine Greek literature. Using those texts for which translations are available provides a more objective sampling.

If classicists are correct in their rendering of the Greek texts containing μή ἐπί a distinct pattern emerges. The classicists' translations fall into three discernible semantic categories. The first translates μή ἐπί as 'not' followed by a preposition as in: 'So that it may *not* be *in* the power of enraged soldiers to exceed their orders';²⁰ 'since the displeasure of the law is *not* concerned *with* ages';²¹ 'But those who...do *not* receive it [the light ray] *on* the same point ... such men squint'²² 'shall I *not* visit *for* these things?'²³ A handful of texts are translated simply, 'not' ('that I did not make more progress in rhetoric', Marcus Aurelius Antoninus, *Stoicism* 1.17.4.5; Pausanias, *Perieg. Achaia* 7.9.1.7; Philo Judaeus, *Special Laws* 2.565.5) or 'to' ('Eloquence that had so great an effect on mankind might lead *to* some form of sedition', Josephus, *Ant.* 18.118) or with another corresponding expression such as 'stops short', ('But if the accusation *stops short* at our name', Athenagoras, *Legat.* 2.4.5) or 'to avoid' ('each man as ... one of the friends of the city, so as *to* avoid the danger that many might use this pretext', Demosthenes, *Orations*, *Against Neaera* 105.5).

Nearly all of these texts containing μή ἐπί introduce a noun phrase, as in Matthew 19:9. None conveys the concept of exception. But there are two more constructions which do express exceptions.

B. *Exceptive μή ἐπί*

All the translated occurrences of exceptive μή ἐπί are given below:

And now he would have burned the shapely ships *had not* (εἰ μή ἐπί) queenly Hera put it in Agamemnon's mind himself to bestir him, and speedily rouse on the Achaeans. (Homer, *Iliad* 8.218; LCL; cf. *Odyssey* 5.427; LCL)

Why is it that when two men carry a weight between them on a plank or something of the kind, they do not feel the pressure equally, *unless* (εἰάν μή)

²⁰ Appian, *Roman History*, *Civil Wars* 4.2.10.20; cf. Xenophon, *Anab.* 5.5.20.6; Isaeus, *Orat.* 43.9; Marcus Aurelius Antoninus, *Stoicism* 9.40.1.8.

²¹ Philo Judaeus, *Special Laws* 3.118.5.

²² Aristotle, *Problems* 958a.20; cf. Heraclitus, *Histories* 2.108.14; Philo Judaeus, *On the Virtues* 206.2; Athenaeus, *Deipn.* 12.1.9.

²³ Clement, *Paed.* 1.9.77.1.4; cf. Plato, *Laws* 923.d.1; Septuagint of *Jeremiah* 5.9.1; 5.29.1; 9.8.1. Additional examples of the remaining prepositions are given below: 'with', Philo *Special Laws* 3.118.5; 'within', Thucydides, *Hell.* 2.3.52.3; 'with a view to', Thucydides, *Hist.* 2.84.1.6; 'by', Clement of Alexandria, *Stromata* 6.14.111.2.1; Lucian, *Iudicarum* 12.11; 'of', Demosthenes, *Orat.*, *Against Timocritus* 24.59.11; 'at', Xenophon, *Cyr.* 1.6.2.7; 'to', Thucydides, *Hist.* 6.22.1.122; Dionysius of Halicarnassus, *On Literary Composition* 12.12.26; Josephus, *A.J.* 19.172.5; Eusebius, *Eccl. Hist.* 1.11.6.4; 'under', Epictetus, *Discourses* 4.4.15.3; 4.10.6.4; *Enchiridion* 14.1.2.

ἐπί) the weight is midway between them, but the nearer carrier feels it more? (Aristotle, *Mech.* 857b.10; LCL)

For instance, many persons not only see pipers but associate with and hear them every day, and yet they could not even blow on the pipes *unless* (ἐὰν μὴ ἐπί) they associate with the pipers for professional ends and pay strict heed. (Dio Chrysostomus, *Orat. Hom. and Soc.* 55.5.5; LCL)

But whether we marry, *it is only that* (ἐὰν μὴ ἐπί) we may bring up children; or whether we decline marriage, we live continently. (Justin Martyr, *Apology* 29.1.3; ANF; cf. *Dialogue with Trypho* 40.2.2; ANF)

But it might be a subject for inquiry if on this account He hinders any one putting away a wife, *unless* (ἐὰν μὴ ἐπί) she be caught in fornication.... (Origen, *Commentary on Matthew* 14.24.44; ANF)

We observe the high proportion of occurrences of μὴ ἐπί to εἰ μὴ ἐπί or ἐὰν μὴ ἐπί. We also observe that in each of these occurrences εἰ and ἐὰν function as subordinating conjunctions. We note, further, that constructions with εἰ are translated by ‘except’, while constructions with ἐὰν are translated by ‘unless’.

No other type of construction containing μὴ ἐπί (neither μὴ ἐπί (+ dative nominal) δέ), ἵνα μὴ ἐπί, ὅταν μὴ ἐπί, ὅτι μὴ ἐπί, κἄν μὴ ἐπί nor εἰ ... μὴ ἐπί) yields the translation, ‘except’ or ‘unless’. The conditional subordinating conjunction in any combination other than εἰ μὴ ἐπί or ἐὰν μὴ ἐπί does not carry an exceptive meaning. An example of a different clausal position of the three necessary elements comes from Plato: ‘and if (ἐὰν δέ) he has a son besides that is *not* adopted *for* (μὴ ἐπί) any lot, of whom he has hopes that he will be sent out by law to a colony, to him the father shall be’.²⁴

Lucian uses κἄν μὴ ἐπί as two distinct compound constructions: ‘... [Paris to Athena] But have no fear; you shall not be treated unfairly, *even if* my judgement is *not* to be influenced *by* gifts’ (*Dear. Iud.* 12.11; LCL).

The inclusive reading (‘even though’) would appear to be rooted in the double compound constructions cited in Demosthenes and Lucian (above). By itself μὴ ἐπί does not bear an inclusive meaning.

Indeed, Basil, the 4th century (AD) bishop, who interprets the text of Matthew quotes both Matthew 5:32 and 19:9 (presumably from memory) and instinctively writes the ‘exception’ phrase in 19:9 as εἰ μὴ ἐπί (*except for*), in contrast with the simple μὴ ἐπί (*excluding*) of Matthew.²⁵ This reinforces our argument that μὴ ἐπί without the conditional conjunction does not mean ‘except’.

²⁴ *The Laws* 923.d.1; LCL; cf. Demosthenes, *Oration*, Onetorum 14.4: κἄν εἰ μὴ ἐπί, ‘even if they did not’; Gregory of Nyssa, *On Virginity* 18.4.13.

²⁵ Basil, *Regulae Morales* 31.852.23; cf. also 31.852.11.

We conclude that the exceptive meaning of *μη ἐπί* is always and only expressed by the compound conditional conjunctions *εἰ μη ἐπί* or *ἐάν μη ἐπί*.

C. *The Meaning of μη ἐπί*

The question of the meaning of *μη ἐπί* in Matthew 19:9 remains to be answered. The negative force of *μη* is present here as in the uses of *μη ἐπί* generally. The preposition *ἐπί* with the dative occurs with the effect of introducing the person or thing because of which something exists or happens.²⁶ When this use of *ἐπί* is negated (as in *μη ἐπί*), 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. This use of *ἐπί* occurs elsewhere in our corpus:

Shall I *not* punish them *for* (*μη ἐπί*) these things? Says the Lord. (*Septuagint*, Jer.5:9, 29; 9:9; NRSV)

For it frustrates all the virtues, robs freedom of its lofty mood, and opens a school of fawning and terror, inasmuch as it leaves matters *not to* (*μη ἐπί*) the wisdom of the laws, but to (*ἀλλὰ ἐπί*) the angry whim of those in authority. (Josephus, *Ant.*19.172; LCL)

... [Paris to Athena] But have no fear; you shall not be treated unfairly, even if my judgment is *not* to be influenced *by* (*μη ἐπί*) gifts. (Lucian, *Dear. Iud.*12.11; LCL)

In Matthew 19:9, then, the divorce saying reads, ‘whoever divorces his wife (apart from/excluding/not introducing [the factor of] πορνεία) and marries another commits adultery’. It does not mean ‘except’ as it has traditionally been interpreted. Had the Gospel writer wanted to introduce an exception, he would have used *εἰ μη ἐπί* or *ἐάν μη ἐπί*.

D. *Conclusion Regarding μη ἐπί*

The conclusion to which we are driven in this survey of occurrences and usage of *μη ἐπί* in the extant translated classical and Koine Greek literature is that it carries the force of exclusion, except when it appears as the compound construction *εἰ μη ἐπί* or *ἐάν μη ἐπί*. It then has an exceptive force.

²⁶ Henry George Liddell and Robert Scott, *Greek-English Lexicon* (New edition; Oxford: Clarendon, 1961); *Revised Supplement*, 1996; William F. Arndt, and F. Wilbur Gingrich, *A Greek-English Lexicon of the New Testament and Other Early Christian Literature* (4th ed.; Chicago: U. of Chicago, 1957).

V. General Conclusion

Our conclusion regarding the meaning of the *μη ἐπί* phrase in Matthew 19:9 is that it must be understood as, ‘apart from *πορνεία*, ‘*πορνεία* aside’, or ‘excluding the subject of *πορνεία*’. It does not mean ‘except’ as it has traditionally been interpreted.

The adverb *παρεκτός* in Matthew 5:32, on the other hand, follows a distinct syntactic pattern which characterises the exceptive meaning. In its present construction, *παρεκτός* cannot be exclusionary. Both the exception introducer (*παρεκτός*) and the exclusion introducer (*μη ἐπί*) represent the minor portion of the whole. In both our Matthean texts, the scope of *πορνεία* must be narrower than that of *μοιχεία* (adultery). Indeed, where *παρεκτός* governs a numerical object, the ratio of the excepted element to the whole ranges from 3:318 to 2:7.²⁷ Syntax and semantics are defined by usage rather than statistics but the proportions confirm the existence of a much narrower meaning of *πορνεία*.

Two secondary implications may be identified. First, our conclusion confirms the accuracy of the translation of the Jerusalem Bible of these texts in reading 5:32 exceptively: ‘everyone who divorces his wife, except for the case of fornication’ and 19:9 as exclusively: ‘the man who divorces his wife—I am not speaking about fornication—and marries another’.

Second, these findings support the argument that the Gospels contain records of two original logia on divorce and remarriage, one in response to the challenge by Jesus’ opponents to interpret Deuteronomy 24:1–4 (Mt. 19:3–12; cf. Mk. 10:2–12); the other as a part of his explicit body of teaching directed at his disciples (Mt. 5:31, 32; cf. Lk. 16:18).

²⁷ Georgius Monachus, *Concise Chronicle* 508.1; Palladius, *Historia Lausaica* 20.2.1.