

Until Death Do Us Part

Is Marriage Biblically Sanctioned After Divorce?

What really is the historic and Biblical perspective on divorce?

Divorce is perhaps the most painful wound a family can experience. After the initial trauma, its scars run deep and wide. Many have friends who have gone through a divorce, even while in their twenties or thirties.

The question for examination at present is whether remarriage to another person is biblically permissible after divorce, while the former spouse is living. After surveying the question from historical and biblical perspectives, pastoral implications will be explored.

Historical Perspectives

In most professing Christian churches today, the question of “Can remarriage be biblically allowed after divorce?” is met with an overwhelming “Yes.” In fact, few have heard or considered the alternative view that remarriage is biblically prohibited after divorce while the former spouse lives. Because of the dominance of this view today, the historic views of the church surprise those who have not studied this subject.

In the first five centuries of church history, there was essential unanimity of the Greek (Eastern) and Latin (Western) church fathers in viewing remarriage as adultery.[1] Such writers include early Greek fathers such as Hermas, Justin Martyr, Athenagoras, Theophilus of Antioch, Irenaeus, Clement of Alexandria, and Origen and later Greek writers such as Basil, Gregory Nazianzus, Appollinarius, Theodore of Mopsuestia, and John Chrysostom. The early Greek writers should be heavily weighed since they knew Koine Greek as their mother tongue and thus understood the nuances of the New Testament language better than anyone could today. Of the early church writers who wrote in Latin, a similar picture exists: Tertullian, Ambrose, Innocent, Jerome, and Augustine concurred that remarriage after divorce is biblically forbidden. The witness of the early church is clear. “In all, twenty-five individual writers and two early councils forbid remarriage after divorce.”[2]

The contrast in views on remarriage between the early church and most modern churches is therefore stark. Anytime there is a clear disagreement between the views of the modern and early church, we should not casually dismiss the early church. Rather we should study the matter with humility, acknowledging that we live in a period of laxity and disobedience as “evil men go from bad to worse.” Of course, the biblical witness stands as the final arbiter of truth.

Biblical Texts

Most of the verses contained in the New Testament appear to be quite plainly opposed to remarriage after divorce. These passages merit careful reading:[3]

Whoever divorces his wife and marries another commits adultery against her. And if a woman divorces her husband and marries another, she commits adultery. (Mark 10:11-12)

Whoever divorces his wife and marries another commits adultery; and whoever marries her who is divorced from her husband commits adultery. (Luke 16:18)

Now to the married I command, yet not I but the Lord: A wife is not to depart from her husband. But even if she does depart, let her remain unmarried or be reconciled to her husband. And a husband is not to divorce his wife. (1 Cor. 7:10-11)

For the woman who has a husband is bound by the law to her husband as long as he lives. But if the husband dies, she is released from the law of her husband. So then if, while her husband lives, she marries another man, she will be called an adulteress; but if her husband dies, she is free from that law, so that she is no adulteress, though she has married another man. (Rom. 7:2-3)

Looking at these passages in turn, Mark records a saying of Jesus that is perfectly symmetric: if either the husband or wife divorce and remarry, he or she is guilty of adultery. No qualification is given concerning the reason for divorce. Luke records a saying with the same first half as Mark, but the saying goes on to note that whoever marries the divorced woman is also guilty of adultery. Luke's additional recording (16:18b) implies that neither spouse may remarry after divorce, neither the "guilty" nor "innocent" party. Both Mark's and Luke's Gospel accounts were written for a predominantly Gentile audience that would have been familiar with Greco-Roman laws. Such laws were quite permissive about divorce: either the husband or wife could initiate divorce for any reason, including sexual immorality. The words against divorce and remarriage from either Gospel thus would have been heard as profoundly countercultural. It even surprised the Jewish disciples: "In the house His disciples also asked Him again about the same matter" (Mark 10:10).[4]

Paul, in 1 Corinthians 7:10-11, notes that neither the wife nor husband should initiate divorce or separation. If it had already occurred, the Christian should remain "unmarried or be reconciled" (v. 11). This is entirely consistent with Mark and Luke, in that all three passages forbid remarriage to another person. The fourth passage in Romans teaches that unless a spouse dies, the marital bond persists.

Matthew records Jesus' teachings on this issue in two separate locations:

But I say to you that whoever divorces his wife for any reason except sexual immorality causes her to commit adultery; and whoever marries a woman who is divorced commits adultery. (Matt. 5:32)

And I say to you, whoever divorces his wife, except for sexual immorality, and marries another, commits adultery; and whoever marries her who is divorced commits adultery. (Matt. 19:9)

The passage from Matthew 5 is taken from the Sermon on the Mount, a passage where Jesus intensifies the Mosaic law (for example, by saying that being angry is to be guilty of murder) or gives a law that supersedes Moses (such as with oath taking). In Matthew 5:32, two slight variants on the teachings in Mark and Luke are presented. In Matthew 5:32a, if the man divorces his wife, then this makes her commit adultery. While not initially obvious why this would be true, this statement almost certainly flows from the assumption that social and economic forces would pressure the woman to be remarried. In this case, the man is culpable for the woman's sin by practically forcing her into this adulterous situation. Next, an "exception clause" is introduced, not found in Mark or Luke, "except for sexual immorality." Divorce is allowed (though not required) in the case of "sexual immorality" (Greek:

porneia). Before elaborating on the exception clause, an important observation must be made. Just as in Mark and Luke, Matthew 5:32b clearly teaches that remarriage is not permitted. In this case, whoever marries the apparently innocent woman is guilty of adultery. The entire passage (Matt. 5:27-32) thus progresses through a crescendo of events: lust in the mind, looking lustfully, sinning with the hands, divorce, adultery by proxy, and finally actual adultery.

What About the “Exception Clause?”

What about this phrase, “except for sexual immorality,” that Mark and Luke lack? An important detail of Matthew 5:32 and 19:9 revolves around the Greek word *porneia*, an umbrella term for sexual immorality and rarely used just for adultery.[5] *porneia* includes premarital sexual relations, prostitution, homosexuality, incest, and adultery. *porneia* is used by Paul in 1 Corinthians 5:1 where a man is described to be sleeping with his father’s wife. The specific term for adultery, *moicheia*, was not chosen there or in Matthew 5:32 or 19:9.

Jesus allows for divorce in the case of *porneia* but forbids remarriage. Examples of permissible divorce come directly from Matthew’s gospel. “And her husband Joseph, being a just man and unwilling to put her to shame, resolved to divorce her quietly.” (Matt. 1:19, ESV) Because Joseph felt that Mary was guilty of premarital relations, such a divorce was permitted (though not required). Second, in Matthew 14:3-4, John the Baptist tells Herod to put away his wife, because she had been married to his brother Philip. In such a case, divorce was not merely permitted but demanded (see Lev. 18:16 and 20:21).

In Matthew 19:9, the verse that could be construed as the most permissive of all Jesus’ teachings, the exception clause in Greek modifies “divorce” and not the entire clause which contains “marries another.” Hence Jesus’ statement here is perfectly consistent with his other teachings: remarriage is not permitted, but divorce may be allowed due to *porneia*.

The disciples’ astonishment at Jesus’ reply makes the case for taking Mark 10:11-12, Luke 16:18, 1 Corinthians 7:10-11, and Romans 7:2-3 at face value: marriage is binding for life. The disciples’ incredulous reply of “it is better not to marry” makes perfect sense with this context. Jesus was teaching that a person’s marital status persisted despite the other spouse’s behavior—a seemingly precarious situation. Jesus appears to undercut the Pharisees’ question altogether by arguing that divorce goes against something far more fundamental, the one flesh union that God Himself has forged (19:5-6).

And What About the “Pauline Privilege?”

If he/she leaves me, I’m free, right?

There is one last passage that must be addressed before claiming complete coherence among texts in the New Testament, the so-called “Pauline privilege” text: “But if the unbelieving partner separates, let it be so. In such cases the brother or sister is not enslaved. God has called you to peace” (1 Cor. 7:15). In context, it appears that Paul is saying that a believer is not held captive to the demands of the unbeliever after abandonment. Earlier in the chapter Paul argued that normally in marriage the body of either spouse belonged to the other (1 Cor. 7:4), language very similar to mutual “slavery.” 1 Corinthians 7:15 thus implies that when the unbelieving spouse leaves, he or she forfeits conjugal rights or other claims over the abandoned spouse. In contrast, while married, the believing spouse is supposed to submit, precisely as a means to win the unbelieving spouse to the Lord (see 1 Pet. 3:1-2). But after abandonment, a believer should not endure conflict and subjugation but rather live in “peace.” The

underlying Greek word for “enslaved” is never used in the New Testament to describe a marriage bond, so it is exegetically unwarranted to claim that by being “not enslaved” Paul is not saying that the person is now free to remarry. Paul would have surely used another word in that case, or explicitly stated the freedom to remarry. Especially in the light of verses 10 and 11 where Paul requires either celibacy or reconciliation, this view makes the best sense of the passage. Thus this verse should be taken as a comfort to those who have been abandoned: they should not despair but realize that they are no longer “under bondage.” It is not, however, license to remarry.

Summarizing New Testament Teaching

Putting all the pieces together, we have coherence across all the New Testament texts. To summarize thus far:

- Marriage is a covenantal relationship that is binding until the death of one of the marriage partners (Rom. 7:2-3).
- Remarriage after divorce is tantamount to adultery for either spouse (Matt. 5:32, Matt. 19:9; Mark 10:11-12; Luke 16:18).
- Matthew’s exception clause refers to porneia, a broad term that encompasses immorality during betrothal, unlawful marriages, and adultery (Matt. 1:19, 5:32, 14:3-4, 19:9). The exception clause, however, does not allow for subsequent remarriage (Matt. 5:32b; Mark 10:11-12; Luke 16:18).
- In the event of separation, the Christian should remain celibate or be reconciled (1 Cor. 7:10-11). If an unbelieving spouse leaves, the Christian is not obligated to submit again to the departing spouse (1 Cor. 7:15).

These truths are tightly woven together in most Christian wedding vows, where each spouse promises fidelity until death. Most spouses take a vow of commitment “as long as we both shall live” or “until death do us part.” We should not treat this language as flighty romantic language (few who utter those words do anyway) but as covenantal, weighty language. Those who have taken this vow before God and before man should honor their word.

Critique of the Modern View

The prevailing view that remarriage is biblically permitted if adultery has occurred originated near the time of the Renaissance and is sometimes called the Erasmian view since Erasmus was the first major writer to advocate the view. Erasmus was responding to excesses in the Catholic understanding of marriage, and many figures of the Reformation adopted this understanding. This view has percolated down to most modern churches.[6]

The modern view, however, is fraught with problems and inconsistencies. The first major problem is that “he who marries a woman divorced from her husband commits adultery” (Luke 16:18b) and “whoever marries a divorced woman commits adultery” (Matt. 5:32b) say, at a bare minimum, that remarriage for at least some people is wrong. This is typically handled by saying that the “guilty” party can never remarry, but that the “innocent” party can. (Sometimes the distinction between guilty and innocent is blurry or disputed, but this remains another issue.) Allowing the innocent party to remarry contradicts the evidence in Matthew 5:27-32 that the man is the guilty party and not the divorced woman. In addition, the modern view has another major inconsistency. If the guilty party cannot remarry without

being adulterous because he or she is still united to the former spouse (the only way to plausibly interpret the word adultery), then the former spouse must also still be connected to the guilty spouse. If the innocent spouse is free to remarry, then he or she becomes a bigamist after remarriage, because of the persistent bond with the guilty party.

Jesus establishes the pattern of covenantal commitment, demonstrated by His commitment to His bride, the church.

In the New Testament, we learn that that the “two becoming one flesh” represents Christ and the church (Eph. 5:22-33). The husband, like Christ, represents the head, and the wife, like the church, represents the body. Husbands are called to “love their wives as their own bodies” (Eph. 5:28), and wives are called to regard their husbands as “head” (Eph. 5:22). The bond between husband and wife may be dissolved legally (as Moses permitted), but not in essence. The husband who is unfaithful to his wife is sinning precisely because the marital bond persists. If adultery dissolved the marital bond, then it could not be called adultery since adultery implies violation of an existing marital relationship. The true marital bond can be dissolved as easily as the head can be removed from the body. Can the head find a new body or the body a new head? The marital union is humanly unbreakable—only God can sovereignly break it by the death of one of the spouses (Rom. 7:2-3). This was precisely why Jesus answered the question of the Pharisees in the manner that He did; they entirely misunderstood the issue. Those who teach and practice that the marital bond can be humanly broken contradict the witness of Jesus’ love for His church and the resulting permanent union: Jesus in the church, and the church in Him.

Thus we are left with the typical modern interpretation of these passages as being slippery, illogical, and out of step with individual verses as well as larger themes of the Bible. Only the early church’s interpretation of these verses remains viable: remarriage for either spouse is biblically prohibited while the other spouse lives.

Pastoral Application

Based on the biblical witness, those who have experienced a divorce should be counseled to remain single or be reconciled with their former spouse, assuming that the former spouse is still unmarried. This counsel merely follows 1 Corinthians 7:10-11. Should reconciliation fail (or be inadvisable as in the case of persistent abuse or if the former spouse has remarried), lifelong singleness is the only option. This may seem like a bitter pill. But when wedded to the Lord, it should be a fruitful and joyful time to be in undivided ministry.

The thorniest question involves counseling a person who is already in a second marriage (while the former spouse lives) or married to a divorced person.[7] In the fourth century, Jerome counseled a woman named Fabiola to leave a subsequent marriage because he understood it to be adulterous.[8] Many modern advocates of the “no remarriage” view advocate expressing sorrow for the remarriage but then counsel to remain in the subsequent marriage. This view is certainly more humanly palatable than the alternative counsel to view the subsequent marriage as adulterous. But such an application betrays the very heart of the argument for not remarrying. If the subsequent marriage is truly adulterous, it should not persist.

Some reject this application because it seems too extreme and too hard to ask any family to face. But God's word must not be rejected because of harsh implications, particularly when devout people across diverse traditions throughout church history have practiced those very implications. Our hearts should sorrow in contemplating the ramifications but at the same time be stirred to action: "Do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality, nor thieves, nor the greedy, nor drunkards, nor revilers, nor swindlers will inherit the kingdom of God" (1 Cor. 6:9-10 ESV).

A person is obligated to keep their promises insofar as they are not sinful. Similarly with marriage, uniting with another person while a former spouse lives is a violation of another promise and another union. This would imply that the subsequent marriage should be dissolved. This principle was apparent to Ezra, the great scribe who reformed the Jewish people who returned to Jerusalem after exile. "For Ezra had set his heart to study the Law of the LORD, and to do it and to teach his statutes and rules in Israel" (Ezra 7:10). In Ezra 9-10, he takes part in dissolving the marriages of those Jews who had married with non-Jews. Ezra did not believe those were valid marriages:

The situation described in Ezra 9 and 10 is often set forth as the classic example of one in which the lesser of two evils had to be chosen: divorce is a lesser evil than the destruction of the Jewish people. This can only be said, however, if Ezra looked upon these connections as real marriages. All the evidence indicates that he did not. As early as 1890, George Rawlinson observed:

It is quite clear that [Ezra] read the Law as absolutely prohibitive of mixed marriages (Ezra ix. 10-14)—i.e., as not only forbidding their inception, but their continuance. Strictly speaking, he probably looked upon them as unreal marriages, and so as no better than ordinary illicit connections. For the evils which flow from such unions, those who make them, and not those who break them, are responsible.

In Ezra's eyes this was not a question of breaking up legitimate marriages but of nullifying those which were contrary to the law. This is further suggested by the two Hebrew words Ezra chose to describe these "marriages" (*nasa* and *yasab*) and the "divorce" terminology he employs. Ezra "was a scribe skilled in the law of Moses" (Ezra 7:6). He studied, practiced, and taught it in Israel (v.10). Yet he employs out-of-the-ordinary terminology to describe the "marrying" ("taking") and the "divorcing" ("sending away") of these women. Furthermore, how could these Israelites have made a covenant with God (Ezra 10:3) to put away their legal "wives" if it is true that Scripture portrays marriage as a covenant made between husband and wife in the presence of God? Ezra's prayer seems to indicate further that "intermarriage" had not yet actually taken place (cf. Ezra 9:2 with 9:14).[9]

No easy answers exist for those tangled in divorce. Hard ones do. But this is the path of grace...

Ezra led the people of God into a repentance that was more than mere words. He saw this as necessary to restore the Jewish people into right standing with God (see his prayer in Ezra 9:6-15). This type of dramatic action was not confined to the Old Testament. John the Baptist, who according to Jesus was the greatest man of the Old Testament era, advocates the dissolution of Herod's marriage (Matt. 11:11, 14:3-4). The actions of Ezra and John the Baptist, as well as the logical inference from Scripture perfectly harmonize. As one author notes:

There is, to be sure, forgiveness for those who have committed adultery, wickedly divorced, and remarried. But there is forgiveness only in the way of repentance. And true repentance never goes on happily in the sin repented of (e.g. sleeping with another man's wife) but rather breaks with the sin, whatever the cost. . . Grace calls and empowers the forgiven sinner to walk in holiness of life. The divorced man may not remarry. Grace will enable him to live a single life. Grace calls those who are already remarried to stop living in that state that Jesus describes in Matthew 19:9, Mark 10:11, 12 and Luke 16:18 as continual adultery. Grace will enable the repentant, pardoned adulterer and adulteress to do this. It is the very nature of the grace of repentance itself that the sinner breaks with the sin that he sorrows over and confesses. The penitent brings forth works worthy of repentance. Only this repentance is genuine. Only this repentance finds forgiveness with God, regardless of what the churches may say.[10]

The application of this teaching may be the single most difficult expression of repentance in the entire Bible. Jesus warned that the cost of following Him would be high: "He who loves father or mother more than Me is not worthy of Me. And he who loves son or daughter more than Me is not worthy of Me. And he who does not take his cross and follow after Me is not worthy of Me" (Matt. 10:37-38).

God has lovingly given a special grace to those who have been through a divorce. Jesus draws attention to this grace: "For there are eunuchs who were born thus from their mother's womb, and there are eunuchs who were made eunuchs by men, and there are eunuchs who have made themselves eunuchs for the kingdom of heaven's sake" (Matt. 19:12). Some "have made themselves eunuchs for the kingdom of heaven's sake," possibly in reference to those who had experienced divorce (v. 10) and then chose to remain celibate. God can be a husband to the lonely woman, and the source of consolation to the lonely man. Children are often implicated in such a situation, and thinking of them may present the greatest temptation to abandon this position. But God provides the grace to meet any situation in which we sacrifice in order to obey His word. If done with God's grace, then could this not give children a deeper understanding of the binding nature of marital commitment and God's love for His church? Moreover, in Christian community and service, the advantages of being single can come to fruition, expressed in a life wedded to the Lord. Ultimately all earthly marriage is transitory (Matt. 22:30), and only the marriage of the King to His bride endures. May the church conduct herself in this world in light of that enduring union.

—Finny Kuruvilla

[1] A historical overview is presented in Wenham and Heth, *Jesus and Divorce*, Paternoster press (2002).

[2] Wenham and Heth, p. 38.

[3] Unless otherwise indicated, all Scripture quotations from the New Testament are taken from the New King James Version ® (ESV). Copyright c 1982 by Thomas Nelson, Inc. Used by permission. All rights reserved. Unless otherwise indicated, all Scripture quotations from the Old Testament are taken from The Holy Bible, English Standard Version ® (ESV), Copyright © 2001 by Crossway Bibles, a division of Good News Publishers. Used by permission. All rights reserved.

[4] While beyond the scope of this chapter, views of prominent rabbis like Hillel and Shammai were considerably more permissive than Jesus' commands.

[5] The word porneia is translated “sexual immorality” (ESV, NASB, NKJV, HCSB), unchastity (RSV, NRSV), or fornication (KJV). Of these, “sexual immorality” is closest to the accepted lexical range of the word. “Unchastity” and “fornication” are not far off the mark, but are a bit unclear. The NIV, however, translates porneia as “marital unfaithfulness,” a somewhat misleading interpretation. This has been corrected in the TNIV to be “sexual immorality.” Related to this point, for any study on marriage it is best not to rely on the NIV due to some faulty translation decisions that the NIV committee made (also in Matt. 19:12 and 1 Cor. 7:1).

[6] Chapters 3 and 4 of Wenham and Heth contain a historical summary.

[7] For a deeper treatment, see Roger Hertzler’s *Dear Pastor* (2008), available at www.watchmangospelsigns.com. Hertzler’s book is perhaps the best introductory book on the subject of divorce and remarriage. His treatment of subsequent marriages is especially helpful.

[8] Jerome, *To Amandus*, Letter 55.

[9] Wenham and Heth, p. 163.

[10] David Engelsma, *Marriage: The Mystery of Christ and the Church*, Reformed Free Publishing Association (1998), p. 206 and 228.