Divorce and Remarriage
Deuteronomy 24:1-4

Expository Lessons from the Book of Deuteronomy

I. Introduction

a. In this message, we will consider the regulations provided in the Law of Moses for divorce and remarriage after divorce. We will also examine how Jesus changed those laws in the gospels; and how that impacts us, the church, and our friends.

b. This may be the single most controversial topic I have taught on.

i. The last time I taught on the topic of divorce/remarriage was about two years ago. That day, a first-time visitor to our church found this so offensive that he left the service and has never returned.

ii. The convictions I have come to in this area, after carefully considering the relevant Scriptures and the testimony of the early church, have led to significant disruptions in my life. As a result, I have lost close friends, but also gained new ones.

iii. I am aware that others who will be listening to this message have faced much greater challenges in this area than I have.

II. Some Background on Divorce and Remarriage in the Old Testament

a. Background on marriage and divorce from the Law of Moses (what we have learned thus far), includes the following.

i. Polygamy (where the husband has more than one wife at a time) was allowed under the Law of Moses, and in the Old Testament in general.

1. There are several examples of men in the Old Testament who practiced polygamy.

a. Lamech was the first recorded polygamist, having two wives. (**Genesis 4:19**)

b. Jacob, David and Solomon also had multiple wives.

2. Men with two wives were required to treat the offspring from their different wives equitably. (**Deuteronomy 21:15-17**)

ii. Priests were not allowed to marry divorced women or widows, with the reason for this restriction being that the priest was to be "holy to the Lord". (**Leviticus 21:7** and **21:14**)

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1. Keep in mind that the New Testament explains that the High Priest foreshadowed Jesus (**Hebrews 9:11**, etc.), and the various priests foreshadowed Christians. We are called "priests of God" and members of a "royal priesthood" (**1 Peter 2:5** and **2:9**, **Revelation 1:6** and **5:10**, etc.)

iii. Rulers (kings) were commanded not to "multiply" wives for themselves. (**Deuteronomy 17:17**)

1. While that requirement did not prohibit the king from practicing polygamy, it suggests that the Lord wanted some limit placed on the practice.

III. The Text Before Us

a. Read **Deuteronomy 24:1-4**.

i. This assumes divorce happened in the Israelite community and simply placed some restrictions on it.

ii. It only speaks of the case where a *husband* is initiating a divorce (not the wife).

iii. The grounds or reasons for a proper divorce are unclear in this passage.

iv. The restrictions on a divorce included:

1. The man must give his wife a written certificate of divorce.

2. She was then free to remarry.

3. After remarrying, if the second husband also were to divorce her (if he were to die), she was prohibited from returning to her first husband, "after she was defiled".

v. I assume that these provisions offered some protection to vulnerable women. It would leave them an option to find another husband after a divorce. It would also discourage a husband from hastily ejecting his wife (since if she married another man, her first husband would be unable to take her back later).

b. This passage in the Law of Moses is referred to by Jesus in three places in the New Testament (in **Matthew 5**, **Matthew 19** and **Mark 10**). We will look at all three.

IV. Jesus on Divorce and Remarriage

a. Consider the structure of Jesus' Sermon on the Mount.

i. Jesus said He came to *fulfill* the Law of Moses.

1. "Do not think that I came to destroy the Law or the Prophets. I did not come to destroy but to fulfill." (**Matthew 5:17**, NKJV)

ii. He was "the prophet like Moses" who had been promised (**Deuteronomy 18:15-19**). As Eusebius explained in *Proof of the Gospel*, book 3, to be "like Moses" meant that, among other things, He would be bringing *new laws*.

1. None of the prophets after Moses brought in new laws. They just called people back to follow the laws that Moses had handed down. Jesus was unique among the prophets who came after Moses in that he alone brought new laws.

iii. The format of **Matthew 5:21-47** consists of six cases where Jesus introduces new teachings pertaining to His kingdom. In each case, He follows this format:

1. Jesus first refers to something in the Law of Moses, introducing it with the phrase: "*You have heard that it was said*…".

2. That is followed by Jesus' revision to or expansion of what Moses had handed down. Jesus introduces His new teaching with the phrase: "…*but I tell you*…".

a. Jesus' teachings are radical, challenging, counter-cultural, and generally go well beyond what Moses had taught on the same subject.

b. Jesus concludes the Sermon on the Mount by insisting that His followers *must obey the teachings He had just given them*.

i. "Therefore *whoever hears these sayings of Mine, and does them*, I will liken him to a wise man who built his house on the rock: and the rain descended, the floods came, and the winds blew and beat on that house; and it did not fall, for it was founded on the rock.

ii. "But *everyone who hears these sayings of Mine, and does not do them*, will be like a foolish man who built his house on the sand: and the rain descended, the floods came, and the winds blew and beat on that house; and it fell. And great was its fall." (**Matthew 7:24–27**, NKJV)

b. Let's read the third in a series of six teachings in **Matthew 5**.

i. Read **Matthew 5:31-32**.

1. "Furthermore it has been said, 'Whoever divorces his wife, let him give her a certificate of divorce.' 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." (**Matthew 5:31–32**, NKJV)

ii. Jesus starts with the passage in **Deuteronomy 24:1-4**, but goes in a shockingly different direction. He supersedes what Moses had taught in the Law, and calls His followers to a much higher standard.

1. I am not aware of any ancient culture that held to the restrictions on divorce and remarriage that Jesus laid out in **Matthew 5:31-32**.

a. This was countercultural not only to the Jews, Greeks and Romans, but to every culture on the face of the earth in the ancient world.

b. Divorce was rampant in the Roman Empire, and it was assumed that either husband or wife could remarry after a divorce.

c. Also, polygamy was widely practiced in many ancient cultures.

2. Two extraordinary restrictions regarding divorce (compared to what Moses had handed down) are contained in **Matthew 5:32**.

a. First: according to Jesus, the only grounds for divorce is the adultery of one's spouse.

i. Jesus is *not* saying that you *must* divorce your erring spouse on this account, but rather that you CANNOT divorce on any other account. To do so would be to cause your spouse to commit adultery (presumably when she was tempted to remarry afterward).

b. Second: Jesus says, "whoever marries a divorced woman commits adultery".

i. There is no distinction in this directive between the treatment of an innocent party (the person whose spouse committed adultery against them) versus a guilty party (the spouse who committed adultery). *Anyone* who marries a divorced woman is committing adultery.

ii. **Question:** If a man marries a divorced woman, *against whom* is he committing adultery? (Keep in mind that '*adultery'* is by definition an act that *violates an existing marriage covenant*.)

iii. **Obvious Answer:** The adultery committed is against her *former husband*.

1. **A Common Objection:** "But I thought you said she was *divorced*. Doesn't the act of divorcing her original marriage partner *completely invalidate* the prior marriage? Don't you get a new, 'clean slate' after a divorce?"

iv. Jesus significantly revised the rules handed down by Moses regarding marriage and divorce. According to Him, if anyone marries a person who was previously married and divorced, they would thereby be guilty of committing adultery.

1. Note that Jesus did not say that the person doing this would be committing adultery "in his heart". The person would be *committing adultery*.

2. Jesus alone had the authority to go further than what Moses had handed down, because:

a. He was the Son of God, AND…

b. He was the promised prophet who would be "like Moses", indicating that He would bring new laws.

iii. **Question:** *How serious* a sin is adultery?

1. "Do you not know that *the unrighteous will not inherit the kingdom of God*? Do not be deceived. Neither fornicators, nor idolaters, *nor adulterers*, nor homosexuals, nor sodomites, nor

thieves, nor covetous, nor drunkards, nor revilers, nor extortioners will inherit the kingdom of God." (**1 Corinthians 6:9–10**, NKJV)

2. "But the cowardly, unbelieving, abominable, murderers, *sexually immoral*, sorcerers, idolaters, and all liars shall have their part in the lake which burns with fire and brimstone, which is the second death." (**Revelation 21:8**, NKJV)

3. "Marriage is honorable among all, and the bed undefiled; but *fornicators and adulterers God will judge*." (**Hebrews 13:4**, NKJV)

iv. Keep in mind that what Jesus said regarding divorce and remarriage is not some obscure teaching. This is right in the Sermon on the Mount. At the conclusion of that sermon, Jesus insisted that *we must follow the teachings He had just given* if we want to be his true disciples and be saved from destruction in the end.

c. Read **Mark 10:1-12**.

i. The Pharisees try to test Jesus, to trap Him into contradicting the Law of Moses (regarding **Deuteronomy 24:1-4**).

ii. Jesus explained that Moses had *permitted divorce* in the Law "because of the hardness of your hearts".

1. Over the centuries, that statement has been understood as implying that if Moses had allowed death as the only escape from an unhappy marriage, there would have been *many Jewish wives killed* due to the barbarity of their husbands.

2. Moses' restrictions on divorce were therefore a part-way measure, tolerated only for a period of time (until Jesus came). It appears that prior to the coming of Jesus, the Israelites were too hard-hearted to be able to follow God's ultimate plan regarding the permanence of marriage.

iii. Jesus defended His teaching by going back to the Creation account given by Moses in **Genesis 1** and **2**.

1. The two (the original man and woman) became "*one flesh*".

2. A husband and wife are *no longer two*, but rather in marriage they have become "*one flesh*".

3. The implications of Jesus' teachings here on marriage also *eliminated the possibility of polygamy* among His followers.

Again, this provided constraints beyond what Moses had allowed.

a. Here, Jesus is restoring the original plan of God for marriage, before man's Fall into sin: one man and one woman; one rib; becoming *one flesh*.

i. Also, under the new covenant, there was another related positive change to the lives of married women, compared to what Moses had handed down. As Paul stated, the husband and wife *each* would now have mutual, exclusive authority over one another's body. (**1 Corinthians 7:4**)

b. While polygamy was not permitted in general in the Roman Empire…

i. Herod the Great (the king who tried to kill the infant Jesus) had about 10 wives.

ii. Polygamy was practiced in other places in the nearby ancient world (for example, in Arabia when it was not under Roman rule).

iii. Mohammad would later permit polygamy in Islam (up to 4 wives).

iv. In addition to Islam, polygamy continues to be accepted in certain other cultures as well, including in parts of West and Central Africa.

v. Joseph Smith, founder of the Mormon (Latter Day Saints) religion in the U.S., practiced polygamy and permitted it among his followers. The LDS church officially discontinued the practice in the 1890s.

vi. Polygamy is currently illegal in all 50 states here in the U.S. However, let's not be surprised if we see this old practice re-emerge in our own country within our lifetimes!

4. What God has joined together, man must not separate.

a. This is the law underpinning Jesus' radical teaching on marriage. While His teaching appeared to be new compared to the Law of Moses, it was actually restoring the more ancient, original plan, going back to **Genesis 2**.

iv. In private, Jesus gives further instruction to His disciples. He focuses on the remarriage part of His teaching.

1. "So He said to them, '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**, NKJV)

a. A man who divorces his wife and marries another woman is committing adultery "against her", meaning against his first wife. Since the divorce did not sever the link between the man and his first wife.

b. Note that here in **Mark** (unlike in the parallel passage in **Matthew 19**) Jesus also addresses the case of *a wife divorcing her husband*. While that was not discussed in the Law of Moses, at that time, women were permitted to divorce their husbands under Roman law. Divorce was common in Roman society at the time of the early church.

i. Early Christian writer Tertullian said that there was no divorce among the Romans for about the first 600 years since the founding of the City of Rome; however, he lamented that after that time, divorce became common in Roman society. Note that the traditional date for the founding of Rome was 753 BC, and Tertullian was writing c. 197 AD. (Source: Tertullian, *The Apology*, chapter 6; found in Ante-Nicene Fathers vol. 3, p. 23)

ii. The widespread acceptance of divorce in Greco-Roman society at the time of the early church is summarized (with primary source footnotes) by A. Andrew Das in his book, *Remarriage in Early Christianity*, pp. 29-33.

iii. Recall that Herodias, wife of Herod Antipas (who had John the Baptist killed), had divorced her first husband. (**Matthew 14:3-4**; see also Flavius Josephus, *Antiquities of the Jews*, book 18, chapter 5, section 4)

d. Read **Luke 16:18**.

i. The teaching in this passage is in the context of Jesus' teaching on the subject of *the high cost of discipleship*.

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

1. Here, Jesus says that *anyone divorcing his wife and marrying another woman is committing adultery*. Note that Jesus makes *no distinction here* between the guilty and innocent party in a divorce, regarding the prohibition of remarriage afterward.

a. That is because the teaching is based on the principle that a *marriage is indissolubile* (ending only in death; see **Romans 7:3**).

i. "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." (**Romans 7:3**, NKJV)

ii. Note that the "law" Paul speaks of in **Romans 7:3** (that a woman cannot remarry while her husband is still alive) is *a specifically Christian law*. At the time Paul wrote, there was no such "law" in the Jewish (under the law of Moses), Roman or Greek societies, all of which allowed divorced women to remarry while their prior husbands were alive. (See: A. Andrew Das, *Remarriage in Early Christianity*, pp. 225-228)

2. Here, Jesus also says that anyone marrying a woman who has been divorced by her husband is committing adultery.

iii. Note that the restrictions on divorce and remarriage found in **Luke 16:18** are completely consistent with those addressed in the other gospel passages we have read thus far.

V. Matthew 19 and the Controversial 'Exception Clause'

a. Read **Matthew 19:1-12**.

i. "Now it came to pass, when Jesus had finished these sayings, that He departed from Galilee and came to the region of Judea beyond the Jordan. And great multitudes followed Him, and He healed them there. The Pharisees also came to Him, testing Him, and saying to Him, 'Is it lawful for a man to divorce his wife for just any reason?'

ii. "And He answered and said to them, 'Have you not read that He who made them at the beginning "made them male and female," and said,

> ““For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh”? So then, they are no longer two but one flesh. Therefore what God has joined together, let not man separate.’
>
> iii. “They said to Him, ‘Why then did Moses command to give a certificate of divorce, and to put her away?’ He said to them, ‘Moses, because of the hardness of your hearts, permitted you to divorce your wives, but from the beginning it was not so. 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.’
>
> iv. “His disciples said to Him, ‘If such is the case of the man with his wife, it is better not to marry.’ But He said to them, ‘All cannot accept this saying, but only those to whom it has been given: 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. He who is able to accept it, let him accept it.’” (**Matthew 19:1–12**, NKJV)

b. Again, as in **Mark 10**, Jesus is being questioned by the Pharisees regarding His teaching on divorce, in this case pertaining to the acceptable grounds for divorce, and to why Moses permitted divorce while Jesus does not.

c. The verse that has generated a lot of discussion is **Matthew 19:9**, sometimes referred to as the ‘exception clause’.

> i. “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.” (**Matthew 19:9**, NKJV)
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> ii. For many years, I read this as providing an exception, wherein if a man divorced his wife *for the reason of sexual immorality*, he (as the innocent party) is permitted to remarry after divorce. However, there are a few problems with that position.
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> 1. **First Problem** with that interpretation of **Matthew 19:9: That was not how early Christians understood the passage.** In reading the early Christians, I was surprised to find that none of them understood it that way. No writer before Nicaea (the first 300 years of the church) understood Jesus to be allowing remarriage for the innocent husband after divorce. And only one (Ambrosiaster) in the first 500 years.

a. *For the first 300 years* of Christianity, it appears that all Christian writers understood Jesus as teaching the indissolubility of marriage (until death do you part).

    i. In his scholarly work, *Remarriage in Early Christianity*, A. Andrew Das provides an exhaustive review of early church writers commenting on this topic. From the closing chapter of that book, entitled 'The Witness of the Early Church', Das draws the following conclusions based on all the evidence presented:

        1. "One searches in vain for an ante-Nicene source that cites the Matthean exception clauses as justifying remarriage after divorce *for anyone.* …The ante-Nicene authors never even raise the possibility that the innocent parties in a legitimate divorce are allowed to remarry."

        2. "…To marry a woman after divorce is to commit adultery. The Ante-Nicene authors simply never countenance *any* party of divorce – whether innocent or not, whether the divorce was legitimate or not – marrying again unless the former spouse has died.'

        3. (Source: A. Andrew Das, *Remarriage in Early Christianity*, chapter 6 'The Witness of the Early Church', pp. 279-281)

        4. The author cites primary sources in that chapter, with quotes, from the following ante-Nicene Christian writers:

            a. Shepherd of Hermas,

            b. Justin Martyr

            c. Athenagoras

            d. Theophilus of Antioch

            e. Irenaeus

            f. Tertullian

g. Clement of Alexandria

h. Origen

i. Lactantius

b. *For the first 500 years* of Christianity, according to Catholic scholar Henri Crouzel, S.J., essentially all Christian writers who addressed this topic maintained that while divorce was permissible in the case of adultery was permitted, remarriage was not.

i. According to Crouzel, *only one relatively late writer* during this period (an anonymous writer who today is referred to as 'Ambrosiaster', or 'Pseudo-Ambrose', writing c. 366-384 AD) unambiguously taught that a divorced Christian man was permitted to remarry.

ii. Crouzel identified additional Christian writers prior to 500 AD who opposed remarriage after divorce on Scriptural grounds, including 4th and 5th century writers: Theodore of Mopsuestia, John Chrysostom, Theodoret of Cyrus, Hilary of Poitiers, Ambrose of Milan, Augustine, and the author of the *Opus Imperfectum*.

iii. (Source: *Communio – International Catholic Review*, vol. 41.2, summer 2014, pp. 482-486; article by Henri Crouzel, translated by Michelle K. Borras, 'Divorce and Remarriage in the Early Church: Some Reflections on Historical Methodology')

iv. For serious students seeking further documentation of relatively early Christian writings on this subject, see Crouzel's work (mostly in French), including *The Primitive Church on Divorce in the First Five Centuries* (1971).

2. **Second Problem: That interpretation is inconsistent with the *strong reaction* of the disciples.** In response to what Jesus taught in Matthew 19, they announced that in light of this new teaching, *it would be better to never marry*!

a. It seems that such a reaction would have been unwarranted if they understood Jesus to allow divorce followed by remarriage if a man's wife was unfaithful. (That would not have been much different from what Moses taught.)

3. **Third Problem: This understanding** (allowing remarriage for the innocent husband) **contradicts Jesus' other teachings on this subject**, including **Luke 16:18**. *All of* the Scriptures must be true. Interpreting one passage in a way that results in Jesus' teaching being contradictory is automatically a red flag!

iii. That started me on a quest to try to understand how Christians before me understood this passage in **Matthew 19**. I was looking for an explanation that had a historical track record (as opposed to something that sounded good but that no one in ancient times believed).

1. **Bottom Line:** The historic understanding was that the "except" that occurs after the phrase about divorce but before the phrase on remarriage, only pertains to the first part regarding divorce, not the second part regarding remarriage.

2. Grammatically, in New Testament Greek, the statement could be understood *either way*. However, Christians in centuries long before us, in light of the other statements by Jesus, understood **Matthew 19:9** as follows:

a. Anyone who divorces his wife except for immorality is guilty of adultery; and

b. Anyone marrying a divorced woman is committing adultery.

3. This explanation of **Matthew 19:9** has a long history, which I was able to trace back through Cornelius á Lapide (1600s), Thomas Aquinas (1200s), and Augustine (early 400s).

a. Over the centuries, the question of how to understand this verse has been raised and addressed multiple times, with the resulting explanation aligning with the early church's understanding.

i. Á Lapide explained that in his day, some of the Roman Catholics (influenced by Erasmus, a Catholic priest), as well as the Protestant Reformers, Anabaptists, and the Greek Orthodox, had adopted a different understanding of

Matthew 19 from what was originally held. Those groups had rejected the idea of the indissolubility of marriage and permitted Christians to remarry following a divorce. (Source: *Great Commentary of Cornelius á Lapide*, likely written c. 1616-1637; Commentary on Matthew 19, pp. 326-329)

1. Note that it was not until the early 1900s that many conservative Anabaptists (Mennonites) returned to a more strict policy regarding the permanence of marriage.

ii. Thomas Aquinas, writing c. 1265-1273 AD, gave an explanation of the **Matthew 19:9** 'exception clause' in his *Supplement to the Third Part of the Summa Theologica, Question No. 62, Article 5*. His conclusions were consistent with the understanding of the earliest Christian writers on this topic.

iii. Augustine, writing c. 420 AD in his work *Concerning Adulterous Marriages*, book 1, explained that neither party in a divorce would be allowed to remarry. That conclusion was addressing a question regarding **Matthew 19:9**. (See the appendix of these notes for a longer discussion of Augustine's defense.)

b. Also, the Eastern Orthodox had abandoned the historic position, going back to Justinian's laws (542) and a disputed council decision (692 AD). By the 1400s, they accepted 18 (today 21 in Byzantine and 10 in Russian) rationales for divorce. Also, these churches have a longstanding practice of tolerating remarriages (up to two times) following divorces.

i. (Sources re. Eastern Orthodox practice: Leverage, Matthew*, Indissolubility of Marriage*, pp. 30-35; and Armstrong, David, *Orthodoxy and Catholicism: A Comparison*, chapter 8)

iv. There are *two ways* to read **Matthew 19:9**. I will use an analogy to illustrate this.

1. Imagine the case where there are three traffic signs on a highway, one after the other, as follows:

    a. **The First Sign:** "Anyone going over the speed limit, except for drivers of emergency vehicles, is subject to arrest."

    b. **The Second Sign:** "Anyone driving while drunk is subject to arrest."

    c. **The Third Sign:** "Anyone going over the speed limit except for drivers of emergency vehicles and driving drunk is subject to arrest."

2. Imagine that a man is driving an ambulance down the highway. The posted speed limit is 55 miles per hour. However, he is drinking alcohol while driving, to the point where he becomes drunk. Although he is driving below the speed limit, he is swerving all over the highway and obviously is drunk.

    a. The driver has passed all three of the signs noted above.

    b. A policeman who sees the ambulance swerving on the road pulls the driver over for drunk driving. The policeman plans to arrest the ambulance driver after a breathalyzer test confirms his high blood alcohol level.

    c. The ambulance driver responds, in slurred speech, "Yes, officer, I admit that I am drunk. However, *according to the third sign, there is an exception*. On the third sign, it said, "except for those driving emergency vehicles."

    d. Of course, the policeman was undeterred and responded: "The *exception* (for those driving emergency vehicles) pertains only to *speeding*. It does not apply to drunk driving."

        a. While it would have been clearer on the third sign if they had added another "and anyone" before "driving drunk will be subject to arrest", the meaning should be clear enough.

        b. Besides, it *is absolutely clearly stated on the second sign* that *anyone* driving drunk (no exceptions) is subject to arrest!

v. The application of the driving analogy to understanding **Matthew 19:9** is as follows:

1. It would have been clearer if Jesus added a second "anyone" to his statement in **Matthew 19:9**.

2. However, what Jesus said in **Matthew 5:32**, **Mark 10:11-12**, and **Luke 16:18** regarding divorce and remarriage *also has to be true*. That leads one to conclude that the **Matthew 19:9** statement, like the 'third sign on the highway' in the allegory above, must be understood in a way that does not invalidate the prior two 'signs on the highway'. Therefore:

    a. Anyone who divorces his wife except for immorality is guilty of adultery; and

    b. Anyone marrying a divorced woman is committing adultery.

vi. I have included in the appendix to these notes an extended explanation of the **Matthew 19:9** passage by Augustine, undoubtedly the most detailed exposition of that passage in the first 500 years of the church.

1. In it, he shows how the passage should be understood in harmony with the other statements by Jesus in the gospels.

2. That understanding is also in harmony with what Paul wrote in his letters, and with the widespread understanding of the indissolubility of marriage as understood and taught during the first 300 years.

VI. Other Relevant New Testament Passages on This Topic

a. Consider what Paul wrote in **Romans 7**.

i. "Or do you not know, brethren (for I speak to those who know the law), that the law has dominion over a man as long as he lives? 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." (**Romans 7:1–3**, NKJV)

ii. **Question:** What "law" is Paul referring to that says that if a woman marries another man while her husband is still alive, she is an adulteress?

1. Clearly, he was not referring to the Law of Moses. Moses permitted divorce and remarriage after divorce.

2. Paul also could not have been referring to the laws of the Roman Empire (where divorce was permitted and rampant).

3. This could only refer to the *Christian laws* regarding marriage, the new laws handed down by Jesus, which Christians were bound to follow. Under the laws of marriage established by Jesus, a married person would not be free to remarry until their former spouse died.

    a. Note that only in death is a spouse permitted to remarry.

b. Now let us consider what Paul wrote in **1 Corinthians 7**.

i. Read **1 Corinthians 7:1-11**.

1. In the face of marriage challenges, Paul lays out only two options for a wife who is married to a Christian: EITHER

    a. To remain separate from her husband, OR

    b. To reconcile and return to him.

        i. (Note that getting divorced and finding another husband is not one of the options!)

        ii. What Paul teaches here is fully consistent with what Jesus taught in the gospels regarding the indissolubility of marriage (except in the case of the death of one's spouse).

ii. Keep in mind that Paul taught that those who are already Christians can only marry other Christians.

1. See **1 Corinthians 7:39** and **2 Corinthians 6:14-18**.

iii. Read **1 Corinthians 7:12-16**.

1. In this passage, Paul addresses "the rest", presumably referring to those who came to the faith when they were already married to an unbeliever (who has not followed them in the faith).

2. Here, Paul says that in this situation, it is better for them to remain married.

3. However, if the unbeliever chooses to depart, the Christian is to allow their spouse to depart.

4. Note that this passage allows for a separation or perhaps a divorce. It says the Christian is "not bound" should their spouse refuse to continue in marriage with them. They should be at peace. (**1 Corinthians 7:15**).

    a. Some have pointed to this statement by Paul to assert that if a Christian has an unbelieving spouse who departs, they are therefore free to remarry.

    b. However, the passage says nothing about remarriage. And we cannot interpret this statement from Paul in a way that would contradict what Jesus taught regarding remarriage after divorce. Furthermore, such an interpretation would also contradict what Paul said in the same chapter (in **1 Corinthians 7:30**) and in **Romans 7:2-3**. In those passages, Paul clearly states that remarriage is permitted only after the death of one's spouse.

    c. For further discussion of the meaning of the "not under bondage" statement by Paul in **1 Corinthians 7:15**, see A. Andrew Das, *Remarriage in Early Christianity*, pp. 206-213.

VII. Early Christian Witnesses

a. The following quotes are taken from *Dictionary of Early Christian Beliefs,* ed. David Bercot, entries on 'Divorce' and 'Remarriage'. References to the source of each quote in the Ante-Nicene Fathers (ANF) set are noted.

    i. From Justin Martyr, writing c. 160 AD:

        1. "All who have been twice married by human law, are sinners in the eye of our Master." (ANF 1.167)

    ii. From Clement of Alexandria, writing c. 195 AD:

        1. "That the Scripture counsels marriage and allows no release from the union is expressly contained in the law, 'You will not put away your wife, except for the cause of fornication.' And it regards as fornication the marriage of those separated while the other is alive…. 'He who takes a woman who has been put away commits adultery.'" (ANF 2.379)

    iii. From Mark Minucius Felix, writing c. 200 AD:

1. "We gladly abide by the bond of a single marriage. In the desire of procreating, we know either one wife, or none at all." (ANF 4.192)

2. Keep in mind that Mark Felix was writing to a Roman audience, in a context where polygamy had been abolished, but divorce (and remarriage afterward) were commonplace.

iv. From Tertullian, writing c. 207 AD:

1. "Christ prohibits divorce, saying, 'Whoever puts away his wife and marries another, commits adultery. And whoever marries her who is put away from her husband also commits adultery.' In order to forbid divorce, He makes it unlawful to marry a woman who has been put away." (ANF 3.404)

v. From Origen, writing c. 245 AD:

1. "But now, contrary to what was written, even some of the rulers of the church have permitted a woman to marry—even when her husband was living, doing contrary to what was written. For it is said, 'A wife is bound so long as her husband lives.'" (ANF 9.510)

2. "A woman is an adulteress—even though she seems to be married to a man—if the former husband is still living. Likewise, also, the man who seems to marry the woman who has been put away, does not so much marry her as commit adultery with her—according to the declaration of our Savior." (ANF 9.511)

vi. From Cyprian, writing c. 250 AD:

1. "A wife must not depart from her husband. Or, if she should depart, she must remain unmarried." (ANF 5.553)

vii. From Lactantius, c. 304-313 AD:

1. "He who marries a woman divorced from her husband is an adulterer. So is he who divorced a wife for any cause other than adultery, in order to marry another." (ANF 7.190)

b. For additional quotes from early Christians (before 325 AD) on this topic, see *Dictionary of Early Christian Beliefs*, ed. David Bercot, entries on 'Divorce' and 'Remarriage'. See also *Remarriage in Early Christianity*, by A. Andrew Das, chapter 6: The Witness of the Early Church.

VIII. Conclusion: Summary and Challenge Going Forward

a. Moses permitted divorce and remarriage afterward. However, Jesus changed that radically. Jesus taught:

   i. Marriage is dissolved (and remarriage permitted) only by the death of one's spouse.

      1. It is, indeed, as was said in the traditional wedding vows, "until death do you part".

   ii. Divorce is permitted only in the case where a spouse has committed adultery.

   iii. Remarriage after a divorce is not allowed until the death of one's spouse (and then only to another Christian).

      1. That prohibition on remarriage *applies to both parties* in a divorce. It applies to the one who committed adultery that led to the divorce, as well as to the innocent party.

      2. Anyone who marries a divorced person (while the original spouse is still living) is committing adultery, according to Jesus.

b. The above is what Jesus established, and Paul confirmed in his letters. The early church followed this for several hundred years. However, today, hardly any churches still follow this straightforward but challenging teaching. The current situation calls to mind what Jesus said near the end of His Sermon on the Mount.

   i. "Enter by the narrow gate; for wide is the gate and broad is the way that leads to destruction, and there are many who go in by it. Because narrow is the gate and difficult is the way which leads to life, and there are few who find it." (**Matthew 7:13–14**, NKJV)

      1. Keep in mind that one of the things Jesus had just taught to his audience, in that sermon, was His new rules regarding divorce and remarriage.

         a. "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." (**Matthew 5:32**, NKJV)

   ii. Today, most church leaders are trying to "help Jesus out" by regrading the "narrow road" to make it broader and easier to travel than Jesus did.

1. But we must never forget that it is His church! *No one*, including no body of church leaders, has the authority to change the original faith handed down by Jesus and His apostles.

2. "But even if we, or an angel from heaven, preach any other gospel to you than what we have preached to you, let him be accursed. As we have said before, so now I say again, if anyone preaches any other gospel to you than what you have received, let him be accursed." (**Galatians 1:8–9**, NKJV)

iii. Paul warned that in the future, problems like this would appear in the church. So we should not be surprised at the situation in which Christians now find themselves.

1. "For the time will come when they will not endure sound doctrine, but according to their own desires, because they have itching ears, they will heap up for themselves teachers; and they will turn their ears away from the truth, and be turned aside to fables." (**2 Timothy 4:3–4**, NKJV)

2. Churches are filled with people who want to hear a comfortable message that their "itching ears want to hear".

3. Too many church leaders are more concerned about keeping paying customers happy than about warning people that they are headed for destruction. They teach that God just wants you to be happy in this life. They teach that Jesus took up His cross *so that you don't have to* take up yours!

4. Also, if you teach this today, you are liable to be accused of "being legalistic", "judging people", "not understanding the grace of God", "being heartless", or worse!

c. **Challenges for Us**

i. Understand this hard teaching of Jesus. Study this out to develop or strengthen your own convictions.

1. This is of huge importance. Marrying a divorced person is called "adultery" by Jesus, and we all know that adulterers will not inherit the kingdom of God (**1 Corinthians 6:9-10**, **Galatians 5:19-21**, **Revelation 21:8**).

ii. You may find yourself in a fellowship where very few hold to this teaching of Jesus. Persevere and be faithful, even when it seems you are alone.

1. We have been promised that the Lord will not let us be tempted beyond what we can bear. He will provide a way out, if we are willing to accept it. (**1 Corinthians 10:13**)

iii. Never be arrogant about this. Help others by showing genuine compassion for the extremely difficult situations people find themselves in. Teach those good-hearted people who do not know or understand this teaching. Pray for those facing these challenges, practice wisdom and love, but do not give in to cowardice!

1. I have lost quite a few friends over the past ten years, as a result of sharing my convictions on this.

2. However, I have also been blessed by new friends, people who have inspired me by their faith and their willingness to take up their crosses, following Jesus even where that way led to great personal sacrifice and suffering.

IX. Postscript: For Further Study

a. Recommended resources for those who wish to pursue this topic further include the following.

i. For quotes providing early Christian (pre-Nicene) understanding of divorce/remarriage teachings of Jesus, with primary source references provided*: Dictionary of Early Christian Beliefs*, ed. David Bercot (Hendrickson Publishers, 1998), entries on 'Divorce' and 'Remarriage'.

ii. Best general basic treatment of the topic: Ebook in downloadable pdf format by Dean Taylor, *Marriage, Divorce and Remarriage*, available for free via the Scroll Publishing website.

1. https://www.scrollpublishing.com/store/divorce-remarriage-dean-taylor.html

iii. For perhaps the most comprehensive (scholarly) modern treatment of the subject from multiple angles (textual tradition, Greek words, early Christian understanding, historical context, comparison of various interpretations, etc.), see the book: *Remarriage in Early Christianity*, by A. Andrew Das (Eerdmans Publishing, 2024).

iv. For a brief overview of the contrast between historic teaching of the Western (Roman Catholic) vs. Eastern (Orthodox) churches on the subject of divorce and remarriage, see '*East vs. West: Divorce, Remarriage*', an article in Catholic Answers online magazine by Ben Bollinger, January 30, 2025.

1. https://www.catholic.com/magazine/online-edition/east-vs-west-divorce-remarriage
2. Note that the author, Bollinger, a convert to Catholicism from Orthodoxy, provides references to several Orthodox sources in his article.

X. Appendix: Augustine on Permanence of Marriage and Matthew 19:9

a. Some readers may find it odd that the author of this lesson [Chuck Pike), who is interested in pursuing and restoring the faith as handed down by the apostles, is adding an appendix to this lesson on divorce/remarriage that is devoted to what Augustine taught on this.

   i. After all, Augustine is famous for introducing several teachings that many of us would consider departures from the original faith. Augustine's teachings on matters such as election for salvation, the depravity of man, original sin and the roles of grace and works in salvation provided the foundation for Martin Luther and the Protestant Reformers.

   ii. Likewise, Augustine is famous for advancing formal 'just war' theory, which again represented a departure from the faith of the first three centuries.

b. Augustine is best known for areas where he brought innovations (or corruptions) to what was originally handed down. Both Roman Catholics and Protestants tend to hold him in very high esteem. However, there were some areas where Augustine was an eloquent defender of the faith as originally handed down. One of those areas was regarding the indissolubility of marriage.

c. As previously stated in the notes, *during the first three hundred years of Christianity, all of the writers who touched on the subject* of divorce held that Jesus had taught His followers:

   i. The only legitimate ground for divorce was adultery.

   ii. Someone who was divorced could not remarry while their original spouse was still living. In the eyes of the Lord, remarrying under those conditions would be *committing adultery*.

   iii. The prohibition on a divorced person getting remarried applied to the one who had been guilty of committing adultery, <u>as well as to the 'innocent party'</u>.

d. Many today, even among 'conservative Christians', struggle with the third point above, particularly the underlined part. As we read **Matthew 19:9**, it strikes many of us that Jesus is permitting the innocent party to remarry.

e. For many years, I wondered:

   i. "Why didn't the early Christians allow the innocent party to remarry, since (I mistakenly thought) Jesus seems to allow it in **Matthew 19:9**?"

ii. "…Or am I missing something here?"

f. That started me on a long search to find out how **Matthew 19:9** has been understood historically, in the churches that have held firm on the indissolubility of marriage, going back through the centuries. I wanted to understand HOW this critical passage was understood in the past.

i. I was able to trace back one interpretation of this passage, that harmonized with the early church teaching on indissolubility of marriage, going all the way back to the early 400s. There were significant figures who understood **Matthew 19:9** in a way that harmonized with the other New Testament teachings of Jesus on this, and were also consistent with what the pre-Nicene church concluded. These included:

1. Richard Challoner (1700s),

2. Cornelius á Lapide (1600s).

3. Thomas Aquinas (1200s), and

4. Augustine (early 400s).

g. To the best of my knowledge, the first thorough explanation of the **Matthew 19:9** "exception clause" was provided by Augustine, writing c. 419 AD, in *Concerning Adulterous Marriage*s (original Latin title: *De Adulterinis Coniugiis, ad Pollentium*). That work was written by Augustine to address this very question raised by a Christian named Pollentius.

i. Apparently, Pollentius was aware of the teaching that all Christians (regardless of whether they were the innocent or guilty party in the adultery that preceded a divorce) were prohibited from remarrying after a divorce.

ii. Pollentius had objected by pointing out to Augustine what Jesus said in **Matthew 19:9**. Pollentius (like many today) apparently believed that passage contained an exception that would permit the innocent party in a divorce to remarry.

h. Augustine's response to Pollentius was a detailed defense of the indissolubility of marriage. What Augustine wrote in *Concerning Adulterous Marriages* was consistent with what he had written elsewhere (including in: *On the Sermon on the Mount*, book 1, chapter 14, written c. 393 AD; *Of the Good of Marriage*, ch. 6-7, 32; *Sermons on the Liturgical Season*, Sermon No. 260*; On Marriage and Concupiscence*, book 1, chapter 11). Augustine's position was in harmony with the conclusions of earlier, pre-Nicene Christian writers (even though those writers had not specifically explained

how **Matthew 19:9** was to be understood). Below is a summary of Augustine's response to Pollentius' question regarding **Matthew 19:9**.

i. Augustine stated, "For us, a woman may lawfully separate from an adulterous husband (**1 Corinthians 7:10**), although not for any future remarriage (**Mark 10:12**); but absent his fornication, she may not separate from him in the first place (**Matthew 5:32**)."

ii. Augustine made the case that the restrictions regarding divorce and remarriage applied equally to women and men, reasoning as follows.

1. "Our Lord said this: 'Whosoever puts away his wife (except for fornication), and then marries another, commits adultery.' (**Matthew 19:9**) Some may read this too literally as applying to men only, and yet we know that should a woman put away her husband for the same cause, and marry another, she would commit adultery (**Mark 10:11-12**).

2. "Thus unless we claim that the case applies to men differently from women, we must say that for anyone, should he or she separate on the grounds of fornication, and marry another, then he or she becomes an adulterer. That this indeed applies likewise for both the man and the wife, may be seen from the apostle who, saying, 'the wife does have power over her own body, but the man', proceeded to add, and said likewise, 'the man does not have power of his own body, but the woman.' (**1 Corinthians 7:4**)"

iii. Augustine insisted that in **Matthew 19:9**, Jesus was addressing more than one type of adultery. Consider that passage:

1. "And I say to you, whoever divorces his wife, except for sexual immorality…

a. [= *first type of adultery* a man can commit, by divorcing his wife with no legitimate basis for doing so, (since she had not committed adultery)]

2. … and marries another commits adultery;

a. [= *second type of adultery* a man can commit, by remarrying after divorcing his first wife],

3. …and whoever marries her who is divorced commits adultery

a. [= third type of adultery, where a man marries a previously divorced woman]

iv. Augustine acknowledged that the way this passage is worded, it is not easy to understand. Thus, the confusion of Pollentius (as well as many others, extending to our own day).

1. "The words on this in the gospel are indeed obscure and darkly put, and I do not marvel if the reader struggles to understand them."

v. Augustine cautioned Pollentius not to assume, based on reading **Matthew 19:9** alone, that a wife's adultery would free her husband to remarry another woman. It is an axiom of proper interpretation that ALL of the passages of Scripture must be true. So Pollentius must check his reading of **Matthew 19:9** against other passages where Jesus speaks on the same topic.

1. "First, let us not jump to the conclusion that the presence of the wife's fornication shall erase the husband's ensuing adultery. And let us consult the gospel of other evangelists who wrote on this matter. If not everything that pertains to this matter be written by Mathew, yet a portion may be so written that the whole may be understood within it.

2. "Furthermore, **Mark** and **Luke** make it more plain, describing the full whole, so that the full sentence may appear."

vi. After comparing with what Jesus said in **Mark** and **Luke**, we can get a more complete picture. Pollentius' interpretation of **Matthew 19:9** cannot be reconciled with those other passages.

1. "The answer we seek be found straight in Mark's gospel. Why do you need to ask further ? The words in that gospel are : 'Whoever puts away his wife and marries another commits adultery.' (**Mark 10:11**)

2. "Shall it not also be said to us by Luke's gospel ? And yet you still doubt. The words in that gospel are, 'Every man that puts away his wife and marries another, is an adulterer.' (**Luke 16:18**) As it is not lawful to say the evangelists do not agree upon a single sense and a single understanding, it is clear that they spake of the same thing in varying words. We must understand that it pleased Mathew to mention a partial point, but imply the whole case, remaining of the same mind with the other writers of the gospel: that every man who puts away his wife and marries another, should not be doubted, but that he is an adulterer."

vii. Augustine brought the conclusion to its practical implications. While divorce is permitted in the case of adultery, *it does not dissolve a marriage*. Jesus and the apostles taught that marriage is dissolved *only by death*.

1. "As we read in **Luke**, He who married a woman put away from her husband, is an adulterer. How can it be that he is an adulterer, if not that she whom he married is still someone else's wife? For if he have carnal copulation with his own wife, then he is not committing adultery; but we are told he *does* commit adultery.

2. "Therefore she is another man's wife; even though she be put away for fornication, yet she does not cease to be her husband's wife. Similarly if any woman marries him, she becomes an adulteress, because she joined with someone else's husband. How can it be that he should not be an adulterer, when it is certain that the woman he marries committed adultery ?

viii. Continuing his explanation to Pollentius, Augustine reinforces his conclusion (that a divorced person is not permitted to remarry while their original spouse is still living) by pointing to the implications of what Paul wrote in his letters regarding marriages lasting until death.

1. "If we permit for the bond of matrimony to be broken by adultery, then after a second marriage the woman shall not be an adulteress with an adulteror, but simply a wife with her husband..

2. "In that case how can we maintain the saying of the apostle, that 'a woman is bound so long as her husband lives'? Behold: her present husband lives; he has neither departed from his body, nor yet committed adultery which you would consider the same as his death; and yet [*Pollentius claims*] the woman, simply by her adultery, is now not bound to him anymore.

3. "Do you not mark how directly your statement opposes the teaching of the apostle, that 'a woman is bound so long as her husband lives?' (**Romans 7:2**, **1 Corinthians 7:39**) Or will you perchance say, that he still lives but yet had ceased to be her husband, when she dissolved the bond of marriage through her fornication? Then why should we call her an adulteress, saying now that her husband is not her husband?

4. "During his life she is to be called an adulteress if with another man; but if he cease to be her husband, then she properly shall not be called an adulteress, and having no husband, she may proceed and get married. Do you not see how much he who is of this mind thinks against the mind of the apostle?

5. "All this may not be your opinion, and yet logically follows out of it; change the antecedent, if you will strive to avoid the consequent. And do not say that committing adultery may equate to being dead, for the purposes of procuring a second marriage."

6. "If we follow the wholesome doctrine and teaching, 'the woman is bound to her husband for so long as he lives.' She is joined to the man for as long as he remains alive. 'If he should depart from life, she becomes free from her husband's law; but with him being yet alive, should she join with another man, her title shall be that of *an adulteress*.' (**Romans 7:2-3**)

7. "May these words of the apostle be frequently repeated, often taught, and always be taken as true, pertinent, reasonable, and wholesome. No woman may take up a second husband, unless the first one had deceased, after which point she ceases to be the first man's wife, and shall no longer be considered as fornicating. While it may be allowed to separate on account of adultery, yet the bond of matrimony remains, despite the adulterous party; even on account of fornication."

i. For a good summary of Augustine's teaching on the indissolubility of marriage, see a two-part series of articles by Ronald Camenga: 'Augustine's View on the Indissolubility of the Marriage Bond' in online journal *The Standard Bearer*.

   i. Part 1: in vol. 91, no. 2 (10/15/2014); and

   ii. Part 2: in vol. 91, no. 4 (11/15/2014)