

# Can a Divorced Person Remarry When their Former Spouse Dies?

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- What is clear and unclear from the Bible on this subject?
- Does a divorced person have a spouse?
- What makes remarriage of a divorced person sinful?

## What the Bible Says — Clearly

The Bible clearly says that a divorced person should not remarry (Matthew 5:31; 19:9; Mark 10:11-12; Luke 16: 18; Romans 7:2-3; 1 Corinthians 7:10-11). If a woman is divorced, she should *remain unmarried or else be reconciled to her husband* (1 Corinthians 7:11). The Bible also clearly says that if our spouse dies, we are free to remarry (Romans 7: 2-3; 1 Corinthians 7:39). But the Bible does not clearly say whether a person is free to remarry after divorce when their former spouse dies. So we must decide, based on what the Bible does say, and apply it to this special case. [Although some differences can be supported, here I will assume all commands for men and women are the same.]

## Looking Closely at Romans 7

Paul wrote this: *For the married woman is bound by law to her husband while he is living; but if her husband dies, she is released from the law concerning the husband (7:2). So then, if while her husband is living she is joined to another man, she shall be called an adulteress; but if her husband dies, she is free from the law, so that she is not an adulteress though she is joined to another man (7:3; this is repeated in 1 Corinthians 7:39).*

The main thing to notice here is that the woman in question is a married woman, not a divorced woman. She has a husband and her husband dies. This is a legitimate, normal, regular widow (in 1 Timothy 5:9, Paul describes a *widow indeed* as *having been the wife of one man*).

The second half of verse 3 *if her husband dies, she, is free...* refers to the same woman as verse 2. This is a woman who has a husband, not one who is divorced from a husband. Some say: “This **could be** a woman who has been divorced, whose former husband died.” Well, it **could be** a woman from Mars, but that is not what Paul is talking about. The author is simply not addressing that subject. **The interpretation of any passage must be based on the author’s intended meaning, not what it could possibly mean if I read into it what I want to know.**

Also, the context here is about the ending of the Old Testament Mosaic Law. The next verse reads: *Therefore, my brethren, you also were made to die to the Law through the body of Christ, so that you might be joined to another, to Him who was raised from the dead in order that we might bear fruit for God (Romans 7:4).* Christ’s death ended the Law (Romans 10:4; Galatians 3:23–4:11). Since the Law has died, we are free to be under the Age of Grace, or if you will, *the law of Christ* (1 Corinthians 9:21). Paul is certainly not suggesting one of the Old Testament believers, say, Saul or David or one of the prophets, could divorce themselves from the Mosaic Law and wait around for the Law to die so that they could keep some other law. The Mosaic Law is like the husband. The Law died, so we are free to be under Christ. So was have to say:

**Romans 7:2-3, and 1 Corinthians 7:39 contribute nothing toward answering the question: Can a divorced person remarry when their former spouse dies. But that’s huge because they are the only passages that speak of legitimate remarriage.**

## Does a Divorced Woman Have a Husband?

It doesn't seem so. In John 4:16-18, Jesus is talking to the woman at the well. *He said to her, "Go, call your husband and come here." The woman answered and said, "I have no husband." Jesus said to her, "You have correctly said, 'I have no husband'; for you have had five husbands, and the one whom you now have is not your husband; this you have said truly."* The most likely way to understand this passage is that the woman was married and divorced five times and was now living with a man she was not married to. It is very unlikely that anyone would outlive five husbands, and even more unlikely, she would still be young enough to attract another live-in man. If she was indeed divorced, the fact that she does not now have a husband would indicate that a divorced woman does not have a husband. In that case, the statement which says: "if her husband is dead, she is free to be married" would not apply to a woman who was divorced, since a divorced woman does not have a husband. So, once again, we see that the permission for a widow/widower to remarry in Romans 7 and 1 Corinthians 7 does not give the same permission to a divorced person whose spouse dies.

## Is Divorce an Act or a Condition or Both?

Let's put it in a way more relevant to our question. Why is a divorced person not free to remarry? Is it because their marital status is "divorced" or is it that they have at some time in the past been divorced? Is it the act of divorce or the state of being divorced that prevents remarriage?

Here the Greek text is helpful. In **Luke 16:18**, it says; ... *he who marries one who is divorced from a husband commits adultery*. The word divorced (ἀπολελυμένην) is a perfect, passive, participle. The perfect tense indicates past action with future consequences. The passive voice means the action was done by someone else. So the word means *having been divorced* by someone. This sounds like it is the act of having been divorced which makes the remarriage sinful. So it actually reads: *he who marries one **having been divorced** by a husband commits adultery*.

Also, notice that the situation would not change if the woman was the innocent party and did not pursue the divorce. The passive voice tells us that the woman in Luke 16 was divorced **by** someone. So it seems that remarriage would be sinful whether the husband or the wife initiated the divorce, and it would not matter whether the former spouse were living or dead. What prevents remarriage is the act of having been divorced.

In **Mark 10:12** it says ... *and if she herself divorces her husband and marries another man, she is committing adultery.*" Here the word for *divorces* (ἀπολύσασα) is an aorist active participle. The aorist seems a bit strange because we have no aorist tense in English. The aorist tense is action without reference to time. It's usually translated as a past tense (like "uncle Louie died," meaning he is in the state of being dead). The active voice is the subject doing the action. So it would translate: *and if she herself **has committed an act of divorce** and marries another man, she is committing adultery*.

As in Luke 16:18, it seems that divorce is an act, not just a marital status. In both cases, if the author had meant to say that divorce was a condition rather than an act, we would expect him to use a present tense. The present tense indicates present or ongoing action, as it does, for example, in the last word of Mark 10:12 (*committing adultery*).

So once again, we must conclude that the death of the husband would not allow a divorced woman to remarry because it is the act of getting a divorce, not the condition of being divorced, which prevents the remarriage. [The same thing is true of Matthew 5:31 and 19:9. *Divorced* in 5:31 is a **perfect**, passive, participle. In 19:9 *divorces* is an **aorist** active subjunctive.]

## A Simple Conclusion

Okay, so let's say you don't want to look at the Greek text and you just want to look at it as simply as possible. We have two kinds of passages. We have the passages which say a widow can remarry, but those passages do not deal with our question. So there is no passage that says anything about a divorced person whose former husband dies (or visa versa). We got zilch! Nothing! On the other hand, we have a bunch of passages which tell us that it is sinful for a divorced person to remarry. So the only reasonable conclusion is to go with what we have and not make up something we don't have. Therefore, we must conclude that the preponderance of evidence favors a divorced person not remarrying, no matter what their former spouse does – lives, dies, remarries, stays single ... whatever.

## Why Does the Bible Make Life So Hard for Divorced People?

Many think the Bible is too harsh, so they say something like: “My God wouldn’t want me to live like this.” Please understand that the purpose of the passages we’ve read here is not to punish divorced people. The purpose is to please God and preserve marriage. Marriage is the foundation of all human society—that includes both Israel and the Church. Once divorce and remarriage are allowed, it spreads like cancer (the biblical illustration is leaven). The divorced person is often just collateral damage. The consequences of sin almost always affect everyone around the sinner.

## Questions and Answers

**Q:** *What is clear and unclear from the Bible on this subject?*

**A:** The Bible says marrying a divorced person is sinful. It also says a widow/widower can remarry. It does not specifically say anything about the remarriage of a divorced person whose spouse dies.

**Q:** *Does a divorced person have a spouse?*

**A:** It doesn’t seem so. The woman at the well had five husbands but had none when Jesus spoke with her. If she was divorced from any of them, the answer would be “no.”

**Q:** *What makes remarriage of a divorced person sinful?*

**A:** From the perfect and aorist tenses used of the word for divorce, it seems that it is the act of divorce which prevents remarriage. But even without that, the preponderance of the evidence weighs the scales against the remarriage of a divorced person whose spouse has died.