

Marriage, Divorce, and *Economia*

Why the Orthodox Permit Remarriage, Why Rome Refuses, and What Each Side Owes the Other

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I. The Hardest Pastoral Question

Rome and the Orthodox East agree on more about marriage than either agrees with almost anyone else: that it is a sacrament, that it images Christ and His Church, that divorce wounds what God has joined. Yet they part ways at the hardest pastoral question either communion faces: what does the Church do for the man or woman whose marriage has died? The Orthodox Church permits a second, and even a third, marriage after divorce—by *economia*, the Church's merciful stewardship, with a rite deliberately stripped of its crowns and colored by penance. The Catholic Church holds that a valid, consummated sacramental marriage cannot be dissolved by any power on earth, and answers hard cases not with dispensation but with the tribunal question of whether a true bond existed at all. Each side finds the other's solution troubling; this essay sets out both from their sources.

II. The Orthodox Practice at Full Strength

The Orthodox position is not a defense of divorce; it is an account of what a mother does when her child's marriage has died. Orthodoxy holds the ideal as high as Rome: marriage is a sacrament, crowned into the Kingdom, in its fullness eternal. But the Lord Himself allowed one tear in the fabric: "whoever divorces his wife, except for unchastity, and marries another, commits adultery" (Matt. 19:9; likewise 5:32). A marriage, the East concludes, is a living union, and like all living things it can be killed—by adultery, by abandonment, by violence. When it has died, the Church buries what is dead and asks what mercy owes the survivor.¹

The answer is *economia*—the pastoral stewardship by which the Church applies the full rigor of the canons (*akribeia*) or tempers them for the salvation of a soul. A second marriage is not celebrated; it is conceded, and the rite says so out loud: the crowning is muted or omitted, and the prayers ask forgiveness. The discipline is ancient—Basil the Great's canons impose years of penance on those entering second unions, yet receive them—and it has run without interruption since the fathers.² Against Rome the East presses one charge above all: the annulment system, issuing tens of thousands of declarations that decades-long unions never sacramentally existed, looks like divorce wearing a legal disguise. Rome keeps the principle by denying the facts of particular marriages, the East keeps the facts and tempers the principle—and the Orthodox ask which is closer to honesty.

III. The Words Themselves

The Catholic reply begins where every reply on this site begins: with the words. Three of the four New Testament statements of the rule have no exception at all. Mark: "Whoever divorces his wife and marries another, commits adultery against her" (Mark 10:11–12). Luke: the same, without qualification (Luke 16:18). And Paul, expressly passing on the Lord's own charge: "the wife should not separate from her husband (but if she does, let her remain single or else be reconciled to her husband)—and that the husband should not divorce his wife" (1 Cor. 7:10–11).³

Weigh what Paul's silence means. He is writing to Greek converts in Corinth who could divorce and remarry under Roman law with a signature; if the Lord had left a lawful third door—remarriage after a spouse's adultery—this was the letter in which to mention it. Instead Paul knows exactly two lawful states for the separated: single, or reconciled. The earliest Church read him literally; the shepherd of Hermas and the second-century apologists know separation for adultery, but not remarriage while the spouse lives.⁴

IV. The Exception Clause

That leaves Matthew's clause—"except for unchastity" (*porneia*, Matt. 19:9; 5:32). The Catholic reading takes the word in its restrictive sense: unions unlawful from the start, the incestuous "marriages" of Leviticus 18 that Gentile converts brought with them—the same sense *porneia* plausibly carries in the apostolic decree of Acts 15:20, where it sits in a list of Levitical purity matters. Such unions are not dissolved but exposed; no true bond ever formed—which is, notice, precisely the logic of the annulment.⁵

Read the other way, as licensing remarriage after adultery, the clause must carry impossible freight. It makes Matthew contradict Mark, Luke, and Paul. It makes the disciples' shocked reply inexplicable—"If such is the case of a man with his wife, it is not expedient to marry" (Matt. 19:10)—for nobody is staggered by a rule Moses already allowed; their shock is the reaction of men who have just heard something stricter than any rabbi taught. And it must explain why the Greek fathers of the first centuries, reading Matthew in their own tongue, did not discover a general permission in it. The permissive reading entered church practice with the civil law of the Christian empire, not with the text.⁶

V. What the Sacrament Is For

Behind the rule stands the reason. Marriage, Paul says, is a great mystery referring "to Christ and the church" (Eph. 5:32): the husband loves as Christ loved, and the union signs the union no infidelity can dissolve. That is what indissolubility *is*—not a legal rigor imposed on love, but the shape of the love being signed. Christ does not take a second bride when the first proves faithless; He goes to the cross for her. A church that dissolves the sign, however mercifully, has quietly changed what the sign says—and it is precisely at the point of failure, where fidelity costs everything, that the sign says its one irreplaceable word.⁷

VI. Annulment, Honestly

The Orthodox charge against the tribunals deserves an honest answer, and part of the answer is a concession: where declarations of nullity are granted loosely, the process is abused, and the abuse scandalizes East and West alike. But the distinction the process rests on is real. A declaration of nullity does not end a marriage; it examines its beginning—whether free consent, capacity, and canonical form were ever present—and answers a question of fact, rightly or wrongly. Divorce ends what existed; nullity finds what did not.⁸

And the Church that runs the tribunals has proved, at the highest imaginable price, that they are not divorce in disguise. When Henry VIII demanded that his valid marriage to

Catherine of Aragon be dissolved, Rome refused—and lost England. A church operating annulments as convenient divorces would have found Henry his annulment; kings had been accommodated before, and the political cost of refusal was obvious to everyone. An institution willing to lose a kingdom over the principle has earned the presumption that the principle is real.⁹

VII. Trent's Careful Sentence

The Orthodox are right about Trent, and the fact deserves to be told straight. When the council defined its doctrine on marriage in 1563, the seventh canon was framed with deliberate care: “If any one saith, that the Church has erred, in that she hath taught, and doth teach ... that the bond of matrimony cannot be dissolved on account of the adultery of one of the married parties ... let him be anathema.”¹⁰ The anathema falls on saying *the Church has erred*—not, directly, on the contrary practice. The wording was adopted at the request of the Venetian ambassadors, on behalf of the Greek Christians of their territories, whose discipline was centuries old and well known to the council.

That restraint cuts both ways. The East reads it as an admission that Rome would not call the Orthodox practice heresy; Catholics may read it as the precision of a council that condemned exactly what it meant to condemn and no more. Both readings agree on the useful conclusion: the dispute, though real, has never been prosecuted at maximum severity by the Catholic Church against the East—which leaves the two communions room to talk that the polemics rarely notice.

VIII. What Best Explains the Whole

Set the evidence in one place. The dominical words run without exception in Mark and Luke; Paul, with every occasion to mention an exception, knows only single or reconciled; Matthew's clause reads most naturally of unions void from the start; Ephesians grounds the rule in the sign of Christ's own unbreakable fidelity; and the Catholic Church kept the rule when keeping it cost her England. That record best supports the Catholic claim that absolute indissolubility is not Latin rigorism but the Lord's own gift, guarded.

And the East's own rite, read closely, concedes the premise. The second marriage is penitential; the prayers ask forgiveness; the crowns are withheld. One does not repent of receiving a blessing. The *economia* discipline testifies, in its own liturgical voice, that remarriage is a wound tolerated and not an ideal blessed—which is the Catholic principle, paused one step short of its conclusion. What the two communions might yet say together belongs to the dialogue traced in this essay's companions; the deeper question—who may settle such things for the whole Church—is the question of the first millennium and the councils, treated in their own essays.¹¹

Endnotes

1. Matt. 5:32; 19:9 (RSV). Scripture quotations, unless noted, are from the Revised Standard Version. For the Orthodox account, Timothy Ware (Kallistos), *The Orthodox Church*, on marriage, divorce, and remarriage.
2. Basil, canons 4 and 87, in his canonical epistles; the second-marriage rite in the Euchologion.
3. Mark 10:11–12; Luke 16:18; 1 Cor. 7:10–11 (RSV).
4. Hermas, *Mandate* 4.1, on receiving back a repentant spouse and not remarriage; Justin, *First Apology* 15, on remarriage after divorce as adultery.
5. Matt. 19:9; 5:32; Acts 15:20; Lev. 18.
6. Matt. 19:10 (RSV).
7. Eph. 5:21–33 (RSV); *Catechism of the Catholic Church* §§1638–1651.
8. *Code of Canon Law*, canons 1095–1107, on consent and its defects.
9. On Clement VII and Henry VIII, the standard histories of the English Reformation.
10. Council of Trent, Session XXIV (11 November 1563), canon 7, with the drafting history of the Venetian request on behalf of the Greeks.
11. John Paul II, *Familiaris Consortio* (1981), §§19–20, 83–84, on indissolubility and the pastoral care of the divorced.

For Further Reading

Council of Trent, Session XXIV (1563)—the doctrine and canons on matrimony, canon 7 included. Free online at <https://www.papalencyclicals.net/councils/trent/twenty-fourth-session.htm>.

Familiaris Consortio, by Pope St. John Paul II (1981)—marriage, indissolubility, and the care of the divorced. Free online at <https://www.vatican.va>.

The Orthodox Church, by Timothy Ware (Kallistos)—the Orthodox account of marriage, divorce, and economia.

Catechism of the Catholic Church, esp. §§1601–1666 on the sacrament of matrimony.

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“What therefore God has joined together, let not man put asunder.”

—*Matthew 19:6*

Ad maiorem Dei gloriam
To the greater glory of God

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A Note on Authority

This essay represents the author's articulation of *the Catholic doctrine of the indissolubility of marriage and the assessment of the Orthodox economia discipline*, drawing on Scripture, the *Catechism of the Catholic Church*, the Church Fathers, and the major theological tradition. It is offered as a personal defense, not as an official statement of the Church's teaching. Where this defense is fortunate enough to align with the magisterial teaching of the Church, the credit belongs to the tradition that formed it. Where it falls short, the responsibility is the author's alone.