

## Retroactive “Grounds for Divorce”

Some observations and questions about marriage and divorce that merit our attention have come from Joe Hall of the USAF, a reader whom I have not met.

“If an individual is divorced from a guilty party because of fornication and then has sex (with a person who is also outside of marriage) after the marriage has been dissolved, then it would be considered *fornication* because the individual is no longer married to the former spouse and, therefore, could not commit adultery against the former spouse. However, if the guilty divorced spouse has sex outside of marriage, then the traditional position would be that they committed adultery even though they aren’t married to anyone anymore. Doesn’t a person have to be married in order to commit adultery? And if the divorced guilty party isn’t married, how can it be considered adultery if he or she remarries? This seems to be an inconsistency with the traditional approach, yet I’ve never heard it discussed.”

The point is well taken, in my opinion. No, a person, or persons, cannot adulterate a non-existing marriage. We have been inclined to think of adultery as a sexual act. However, the sexual action is adultery only when it adulterates a marriage. To adulterate means to corrupt, debase, or make impure by addition of a foreign or inferior substance. That is what a sexual act with a third party does to a marriage, but sexual relations between two spouses does not adulterate their marriage. The contention that the marriage of divorce persons is not really a marriage in God’s sight is a groundless and hurtful assumption.

A husband and wife may divorce because of incompatibility. Later, she may have illicit sexual relations with another man. Does that give her former husband “grounds for divorce,” thus making him an innocent party to the divorce? By her action subsequent to her divorce, she sinned, but not against her former husband. He cannot claim retroactive grounds for divorce, as some have done. If she remarries, neither does that adulterate her former marriage which no longer exists, giving her former husband grounds for divorce retroactively.

Commenting further on the state of the guilty party who has been divorced because of infidelity, Joe correctly affirms, “They aren’t destined to a life of loneliness and sexual unfulfillment (which puts them in even greater endangerment of sin) because they strayed and have been divorced by their spouse.” He points to Paul’s supportive declaration, continuing, “Paul said in 1 *Corinthians* 7:27-28 that the loosed are free to marry without qualifying it in regards to why they were loosed.” Correct again. Paul advised, “Are you bound to a wife? Do not seek to be released. Are you released from a wife? Do not seek a wife. But if you should marry, you have not sinned; and if a virgin marry, she has not sinned” (NASV).

We miss the impact of that passage because of pre-set ideas and vague translations. The word that Paul uses is not *free*, but the Greek *luo* which Vine defines as *to loose, unbind, release*. In order for a man to be loosed, unbound, or released from a wife, he must necessarily have been bound to one previously and then loosed by divorce or her death. Paul did not exclude the divorced person in this passage.

Is the adulteration of a marriage an unpardonable sin? If a person adulterates a marriage by sexual violation, is that person an adulterer for the rest of his or her life? No! Leaving no doubt, as Paul approaches his discourse on marriage, he declares, “Do not be deceived; neither the immoral, nor idolaters, nor **adulterers**, (etc).. will inherit the kingdom of God. And such **were** some of you. But you were **washed**, you were **sanctified**, you were **justified** ..” (1 Cor. 6:9-11). After repentance and forgiveness, a person is no longer guilty of any sin on Paul’s list!

Paul did not sentence the penitent adulterer to a life of celibacy declaring, “You have made your bed; now lie in it!” like some of us have been known to do.

Neither Joe nor I have been divorced nor are we contemplating one! So we are not trying to justify ourselves by these explanations.

(For a fuller discussion, please read my FREE AS SONS, Ch. 16; *Let The Unmarried Marry.*) []