

Marriage, Disposable Spouses, and the Gender Binary
in Mark 10:1–12 and Matt 19:3–12

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How did a teaching tradition squarely aimed at hard-hearted husbands who used scripture to justify dismissing their wives on a whim become a weapon against same-sex marriage? How did a teaching scene that one of the gospel writers quickly followed with a saying that extolled eunuchs become evidence for rigid enforcement of the male-female gender binary? The legacy of exegesis that produced this interpretive twist will not concern us here. The irony of it will.

Before turning to the passages from Mark and Matthew, a brief consideration of a sampling of interpretations that oppose same-sex marriage and uphold a rigid definition of the gender binary will be helpful.¹ Some basic assumptions consistently appear even in a small sampling of such interpretations.

One assumption is the exclusive divine endorsement of heterosexual marriage. Other forms of marriage common in biblical narratives, including polygamy, are viewed as “man-made” and not “God’s ideal.”² Closely related to this view of heterosexual marriage is a notion of the “complementarity” of male and female that emphasizes the biological or “physical fittedness” of male and female.³ A firm gender binary is assumed. When the biological fact that people are born who do not fit the binary is addressed, non-binary people are considered as “products of the fall.”⁴

¹ Peterson, “Does Genesis”; Talley, “Gender and Stratification”; and Wright, “N T Wright on Gay Marriage,” a video interview transcribed as Schmitz, “N. T. Wright.”

² Peterson, “Does Genesis,” 693. In the conclusion of the article, he also mentions the pastoral issue in mission settings where people in polygamous marriages convert but does not state a position.

³ Peterson, “Does Genesis” 681; Wright, “N T Wright on Gay Marriage,” a video interview transcribed as Schmitz, “N. T. Wright.” Wright sees the male-female binary as part of a series of natural binary oppositions.

⁴ Peterson addresses this factor quite curtly in paraphrasing and countering Megan DeFranza’s affirming argument that “intersexed persons and eunuchs are a part of God’s good creation ... instead of being products of the fall.” Peterson, “Does Genesis,” 693 citing DeFranza, “Journeying,” 70-1, 90.

Most notable even in this small sampling is a reliance on the marriage metaphor of Christ as the bridegroom and the Church as his bride found in Eph 5:22–33, using here the translation these interpreters assume. Most scholars identify this passage in Ephesians as part of a household code, a form that described the hierarchical ordering of the household, from the viewpoint of its male head.⁵ This aspect of the Ephesians text is not mentioned by the interpreters sampled, but the metaphor it contains is key. Same-sex marriage is identified as a threat to this core concept. For one interpreter, the notion of complementarity, implicitly the gender binary, is at stake.⁶ For another, the threat perceived is the metaphorical procreation of the Church in her marriage to Christ because “Same-sex unions can never reflect this important aspect of the marriage metaphor.”⁷ A third interpreter more clearly elaborates the importance of male domination and female submission in the metaphor, a hierarchical relationship he and others see same-sex marriage threatening.⁸

The perspective for biblical interpretation represented in this sampling becomes clearer when one of these interpreters affirms another as “on the right track when he concludes that the purpose of the Scriptures is to discipline, condemn, and judge human sin.”⁹ These interpreters assume, then, that if “the Bible says,” then certain people can be negated. While they might distinguish between condemnation of the behavior and condemnation of the person, what they see as chosen behaviors many LGBTQIA+ people experience as inherent to their born identity.¹⁰

Here we can approach the same texts with an unapologetic choice for a different perspective centered not in the condemnation of human sin but in an affirmation of the full human dignity of all people, an affirmation that is deeply rooted in faith and values derived from the same scriptures. No apology need be made for interpreting these texts

⁵ See the section on household codes below.

⁶ Wright, “N T Wright on Gay Marriage,” a video interview transcribed as Schmitz, “N. T. Wright.”

⁷ The “natural” heterosexual relationship as the metaphor is also of import. Peterson, “Does Genesis,” 691.

⁸ Talley, “Gender and Sanctification.” He acknowledges a primal equality in the Genesis creation narratives, as if they are from one source, but present the major issue in the Fall as a disordering of divinely ordained gender roles because Adam followed the lead of Eve. For Talley, the Ephesians passage presents divinely sanctified gender roles. Hisako Kinukawa refers to this metaphor with the assumption that it is pivotal for the interpretation of Mark 10:1-12 in the context of Japanese forms of patriarchy and that it expresses a dominant-subordinate relationship. See Kinukawa, “Sexuality and Household,” 169.

⁹ Peterson, “Does Genesis,” 695. He cites Grindheim, “Biblical Authority,” 803. Peterson also says, holding the line on “sin” is important because, if they do not, “evangelicals might just as well forget our distinctives and join the world, for certainly, sooner or later there will be no difference between us and them.” (695-6) We should read his statement as speaking to other evangelicals, not for them, since the evangelicals hold a variety of views.

¹⁰ The growing acronym used here stands for: Lesbian, Gay (Men), Bisexual, Transgender, Queer, Intersex and Asexual. The plus indicates that there are other non-normative identities as well.

with concern for the ethic of love and mutual respect for those with whom we share the planet, an ethic of unassuming care for those who need it most. We also approach these texts in respect for and learning from people who no longer ask permission from religious communities or from scripture to be who they are and to love whom they love. These values override concern for the proper denunciation of sin.

I. What texts are in view?

Let us turn, then, to our focus texts, starting with some clarification of the content of relevant texts. (See Appendix I.)¹¹

- Focus passages: Mark 10:2–12¹² = Matt 19:3–9

Mark 10:2–12 and the parallel passage in Matt 19:3–9 offer remarkably little support for opposition to same-sex marriage or the notion of a rigid gender binary.¹³ These controversy dialogues portray Jesus in a public setting responding to a provocative question, “whether a husband is permitted to divorce his wife” (Mark 10:2) or “‘Is <a man> permitted to divorce his wife for any reason?’” (Matt 19:3).¹⁴

The topic is clearly divorce. Or is it? The term translated “divorce” (*apolyô*) indicates something more like “throw away,” “discharge,” or “discard.”¹⁵ The central problem addressed in these passages is that of one partner discarding the other to marry someone else, as Hisako Kinukawa points out in interpreting this text in the context of Japanese forms of patriarchy.¹⁶

¹¹ Dewey and Miller, *The Complete Gospel Parallels*, 145, nos. 193 and 194.

¹² On textual variants in the passage in Mark, see Collins, *Mark*, 457-8; Fitzmyer, “The Matthean,” 204-5.

¹³ These passages will be treated here as parallel passages. Scholars have questioned and discussed whether Matthew is dependent on Mark here or whether this is an exception to the commonly accepted Two Source Theory. See Fitzmyer, “The Matthean,” 206-7. The issue is also mentioned by Herron, “Mark’s Jesus,” 274-5.

¹⁴ Translations from Dewey and Miller, *The Complete Gospel Parallels*, 145. The NRSV does not indicate the difference in the Greek.

¹⁵ LSJ, s.v. “ἀπολύω,” cites two instances of the use of the term as “divorce.” One is from the Matthew passage and another if from Diodorus Siculus (12.18) in a passage that describes laws established in early Greek colonies in Sicily. The issue is a younger wife discarding her older husband for a younger one, and the law established that the second spouse in such cases must be older than the first one.

¹⁶ Interpreting this text in the context of the Japanese forms of patriarchy, Hisako Kinukawa focuses on the term translated “divorce” and the relational issue indicated in the text in Mark. The term ἀπολύω indicates “throwing away.” Kinukawa points to the issue that is central for Mark’s Jesus as the problem of one partner discarding the other to marry someone else. Kinukawa, “Sexuality and

The question in view is a specific use of divorce that indicates a form of marriage relationship in which a spouse is seen as disposable. The ensuing dialogs portray Jesus citing from the Creation narratives in Genesis to argue for the permanence of marriage and against the discarding of spouses. He depicts remarriage as adulterous and adultery as an offense against the spouse.

In Mark 10:10–12, a scene in the house follows the public dialogue where Jesus is portrayed as explaining to his disciples that remarriage is adultery and is an offense that can be committed by either spouse. In a similar scene in Matt 19:10–12, to be discussed below, Jesus talks about eunuchs.

- Other Jesus teachings on discarding spouses: Matt 5:31–32; Luke 16:18; 1 Cor 7:10–11

Early teachings against the discarding of spouses attributed to Jesus are well-attested in canonical texts although not entirely consistent.¹⁷ A brief review, with the term for “divorce” retranslated as “dismiss” will be helpful. The translations otherwise follow the NRSV.

In Matthew, in addition to the Markan parallel, a teaching on divorce appears at 5:31–32 framed as a teaching superior to the tradition, following the rhetorical pattern of the Sermon on the Mount. Here, as in Matt 19:9, the wife’s unchastity or immorality (*porneia*)¹⁸ is an exception to the prohibition:

³¹It was also said, “Whoever [dismisses] his wife, let him give her a certificate of [dismissal].” ³²But I say to you that anyone who [dismisses] his wife, except on the ground of unchastity, causes her to commit adultery; and whoever marries a [dismissed] woman commits adultery.

A single saying on remarriage is included in Luke 16:18:

Household” 164-8. For other discussions of the Greek term ἀπολύω, see Fitzmyer, “The Matthean,” 212-13.

¹⁷ This listing is limited to canonical texts of the New Testament. Investigation of non-canonical texts on divorce and marriage from the early Jesus movement is beyond the scope of this project.

¹⁸ The Greek word translated “immorality” or “unchastity” is the much discussed and imprecise term πορνεία. For an extensive discussion, see Rousselle, *Porneia*. For example, on translation of the term in this context, see Fitzmyer, “The Matthean,” 208-10. He settles on a meaning that indicates “illicit marital unions within the degrees of kinship proscribed by Lv 18:6–18,” a meaning he cites from Acts 15:20, 29.

¹⁸Anyone who [dismisses] his wife and marries another commits adultery, and whoever marries a woman [dismissed] from her husband commits adultery.

This saying found in Luke and in Matt 5:32 and 19:9 where Matthew includes the exception for the wife's immorality probably originates in the Q source.¹⁹ In addition, Paul's comments in 1 Cor 7:10–11 attest to the early circulation of a tradition of Jesus's teaching against dismissal of spouses, here beginning with instruction to the wife rather than the husband:

¹⁰To the married I give this command — not I but the Lord — that the wife should not separate from her husband ¹¹(but if she does separate, let her remain unmarried or else be reconciled to her husband), and that the husband should not [dismiss] his wife.²⁰

In deliberations focused on the question of which of these sayings in the gospels can be attributed to a historical Jesus, the Jesus Seminar pointed more to the variations in these passages than to the consistency of the teaching for the communities' practices. In *The Five Gospels*, the major publication of the results of their work, these sayings are displayed in black or gray, indicating that the seminar members evaluated them as unlikely to have been Jesus's own words. The explanation indicates that the vote of the seminar was almost evenly divided on the sayings on divorce in Mark 10. The result shows as gray although there was substantial support for showing them as authentic (red).²¹

However, we can see from these passages that, whatever a historical Jesus's own words or teaching may have been, the early movements that shared his teachings consistently reported both his opposition to discharging one's spouse to remarry and his emphasis on the permanence of marriage. These teachings on dismissal, marriage, and remarriage may well reflect their own group-defining marriage practices. They

¹⁹ See Dewey and Miller, *The Complete Gospel Parallels*, 322, no. 403. Fitzmyer, "The Matthean," 202-3.

²⁰ The word used for the wife's action is χωρίζω, which means "separate" or "divide." LSJ, s.v. χωρίζω. Paul continues in vv. 12-16 to offer what he specifies as his own teaching ("I and not the Lord") regarding those who are married to unbelieving partners. The vocabulary corresponds to Latin terms for the man's initiative, *repudiare* (reject or repudiate) or *dimittere* (send away or dismiss), and for the woman's initiative, *divertere* (separate or divorce). See D'Angelo, "Roman Imperial," 74.

²¹ For a discussion of the vote and the arguments for and against authenticity of the Markan sayings, see Funk et al., *The Five Gospels*, 88-9. On the other passages, see 142-3 (Matt 5:31–32); 219–20 (Matt 19:1-9); and 360 (Luke 16:18).

appear to have upheld an ideal of marriage as permanent. They thus discouraged dismissal, but when it happened, they opposed remarriage and viewed it as adultery.

➤ Contending with tradition: Deut 24:1

The male Pharisees portrayed in both Mark and Matthew use Deut 24:1 as a proof-text for the practice of a husband dismissing his wife using a writ of dismissal although the order of the dialogue differs in each gospel. Their use of the text may reflect a commonly accepted practice of husbands dismissing wives.²² The citation as quoted in the gospel passages uses the term *apolúō*, usually translated as “divorce,” already discussed. The LXX, however, uses a term that more emphatically expresses casting off, *exaposteleĩ*. Joseph Fitzmyer indicates that this translates the Hebrew term accurately as “he shall send (her) away.”²³

In the narratives in Mark and Matthew, Jesus does not dispute the Pharisees’ interpretation of this text but instead cites other scriptural texts to articulate a different view of marriage and dismissal of spouses.

➤ Use of Gen 1:27 and 2:24

In the gospel passages, Jesus quotes from the creation stories of Genesis. The creation narratives convey authority that precedes the laws, showing the original intent and design of the Creator as a prior claim to authority. Jesus is seen to overturn what one group of traditionalist community leaders assumes as “what scripture says” about husbands dismissing wives by appealing to the original intent for marriage expressed in the creation stories.²⁴

In the passages in Mark and Matthew, Jesus refers to selected quotations from the creation narratives in Genesis to present marriage as permanent. These are passages often used to oppose same-sex marriage and to impose an absolutist male-female gender binary as seen in examples above.

The reference “male and female he created them” from Gen 1:27 figures in both gospels. The full verse reads:

²⁷So God created humankind in his image, in the image of God he created them; male and female he created them.

²² In the context in Deut 24:1-4, the passage presents not a prescriptive law but a case study about sequential divorce and remarriage.

²³ Fitzmyer, “The Matthean,” 213.

²⁴ For a discussion of interpretation of words attributed to Moses and the discussion of their authority as origination with God, see Collins, *Mark*, 466-7.

Here as in other uses of the text, “male and female he created them” indicates that “the man and the woman form a unit, ‘the human being,’” [*adam*] understood by some rabbinical interpreters to be an intersex or androgynous being in the image of God as male and female.²⁵ The passages in Mark and Matthew do not refer to the context in vv. 26–28 of their creation in the image of God, their multiplication as a species and their subjugation of earth and its creatures. In the context of a response to the question of the male husband’s privilege to dismiss his female wife, the quotation is a reminder that human beings were created female as well as male. The quotation briefly introduces a proof-text from the second creation narrative in Gen 2:24 that states a vision of marriage:

²⁴Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh.

The man’s exclamation about the woman in v. 23 is not included,²⁶ only v. 24 which is used as a description of the permanence of marriage and the new partnership in marriage as taking precedence over the parent-child relationship. Both gospels follow the quotation of this text with an emphasis on the notion of “one flesh” and an explanation that closes with a statement familiar to those who have attended conventional Christian marriage ceremonies:

So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.” (Mark 10:8b–9=Matt 19:6)

As a response to the proof text for the husband’s right to dismiss his wife, the emphasis here is on the oneness of the coupled bodies of the male and female and on the husband viewing the wife as his partner and the marriage as his primary relationship. The images from Creation remind the man that his wife is the other human being with whom he is joined together in the partnership, not a disposable commodity. Notions of “complementarity” and the duality of the gender binary are not the emphasis in the text. The emphasis is on the permanence and primacy of the partnership.

²⁵ Collins, *Mark*, 467. She lists CD 4:19–5:1; *Jub.* 2:14; 3:8; and *b. Yeb* 63a. For more on the male and female human as the image of God, see Reid, *Wisdom’s Feast*, 16-17. On interpretations of the creation of the human being as male and female as an androgynous or intersex being in the image of a “male and female” God, see Kateusz, “The Jesus Woman,” 81

²⁶ Then the man said, “This at last is bone of my bones and flesh of my flesh; this one shall be called Woman, for out of Man this one was taken.” (NRSV)

Nor is the emphasis on a relationship of male dominance and female submission. In her helpful summary of several decades of feminist biblical interpretation, Barbara E. Reid points out that the implication of the language translated “a helper as his partner” (NRSV) is not the subordinate relationship but that the Hebrew *‘ezer kǝnegdô* means “a help corresponding to himself” or “equal and adequate to himself” and describes an equal partnership.²⁷ This interpretation places a different emphasis on the marriage depicted than physical “complementarity.” The emphasis is on relationship and mutuality in the relationship. This relationship is the element at issue in the passages in the gospels, the dismissal of one member of the partnership by the other, most specifically the husband’s dismissal of his wife.

In addition to the content of the passages that Jesus is portrayed as selecting for his argument, his strategy of interpretation is noteworthy. Further discussion below will indicate the purpose of this strategy in expressing counter-cultural values. In showing his use of the Creation narratives to counter the passage from Deuteronomy, however, the gospel writers portrayed Jesus as challenging the supposed commands of scripture using more fundamental values. For those who recognize scripture as in some way authoritative, this portrayal of Jesus’s strategic use of scripture to counter scripture provides an example to emulate.²⁸ What would Jesus do? In this case, as we will see, he would interpret scripture to uphold and affirm the less powerful.

➤ Matt 19:10–12 as an affirmation of eunuchs

Often overlooked in the use of these passages is the portrayal of Jesus presenting eunuchs as positive figures in the continuation of the passage in Matt 19:10–12. We will see that the Matthean addendum is a substantive challenge to the use of this discussion of divorce to uphold a rigid gender binary.²⁹

²⁷ Reid, *Wisdom’s Feast*, 19-20.

²⁸ This is an example within the text of a mode of interpretation Luke Timothy Johnson offers for those who interpret scriptures in community contexts that recognize scripture’s authority. Those familiar with his longstanding criticisms of the Jesus Seminar may find this surprising. Rather than trying to reinterpret passages that do, in fact, clobber, Johnson makes a case for reading them in light of transformative narratives that, for him, express the continuing presence of a living God, what Jesus is portrayed as doing in these passages. See Johnson, “Homosexuality.”

²⁹ Consideration of “no longer male and female” in Galatians 3:28 as a statement of the overcoming of the gender binary and the dissolution of gender in Christ is merited as well although it is usually taken to mean the equality of men and women. This could well indicate androgyny in Christ given both the language of “male and female” where “man or woman” would logically be expected. For a summaries and further references, see Boyarin, “Paul and the Genealogy of Gender,” 9-13 and Kateusz, “The Jesus Woman,” who provides examples of images of the intersex or androgynous Jesus as well as a discussion of Gospel of Thomas, Logion 22 and 2 Clement 12:2–6. The context of the letter where the *galli*

¹⁰His disciples said to him, "If such is the case of a man with his wife, it is better not to marry." ¹¹But he said to them, "Not everyone can accept this teaching, but only those to whom it is given. ¹²For there are eunuchs who have been so from birth, and there are eunuchs who have been made eunuchs by others, and there are eunuchs who have made themselves eunuchs for the sake of the kingdom of heaven. Let anyone accept this who can."

After the interchange between Jesus and the Pharisee men, the disciples express their preference to remain unmarried rather than commit to a lifelong partnership with a woman. They indicate that the injunction against men divorcing their wives is too onerous. Jesus responds with comments about eunuchs as those for whom the unmarried state is intended, and he delineates three types of eunuchs who, we will see below, corresponded with actual eunuchs in the Greco-Roman era. Eunuchs were well-known as people who did not fit the gender binary. Here, the Matthean Jesus clearly affirms them.

With this overview of the collection of texts in view, we turn to the cultural contexts in which these teachings circulated.

II. What are the texts assuming in their cultural contexts?

Several aspects of the context of the first century CE can inform our reading of the passages from Mark and Matthew. We will first consider views of marriage, ending marriage, and adultery in both Jewish and Greco-Roman cultural contexts. Then we will review the household codes like the one in Ephesians already mentioned. Finally, we will appreciate the position of eunuchs as a group of people who did not conform to the gender binary.

➤ Marriage, ending marriage, and adultery

The topic of these passages is the dismissal of spouses. Some understanding of both Jewish and Greco-Roman contexts of marriage and divorce will be helpful.

of the Anatolian Mountain Mothers were prominent also indicates reading this as androgyny in Christ but that remains to receive full argumentation. See Elliott, *Cutting*, 346-7, 353.

- Dismissal of wives in Jewish discussion

Some scholars interpret the controversy dialogue in Mark in the context of a public event at the time of Jesus's ministry that led to the execution of John the Baptist.³⁰ Herodias and Herod Antipas divorced their spouses to marry one another, and John's denunciation of this action cost him his head, as Mark 6:17–29 relates. Stakes are thus high in the narrative when the Pharisees approach Jesus with a question about divorce and remarriage in the scene in Mark 10.³¹ While John's denunciation is directed specifically at Herod's remarriage, the statement suggests what may be a broader community opinion on divorce (dismissal of spouses) and remarriage. Mark's narrative strongly associates Jesus with John the Baptist and indicates a relationship between their communities.³² It would be reasonable that they shared a viewpoint on this issue. John's reported criticism of Herod's divorce and remarriage and Jesus's response to the question of divorce may reflect an opinion and practice in the communities from which Jesus movements emerged as well as ferment in the broader Palestinian milieu.

The texts in view here and the teaching traditions behind them originate in Jewish communities. We should note that the controversy depicted between Jesus and the leaders who approach him, named as Pharisees, was not a conflict between "Jews" and "Christians" but an intra-Jewish debate.³³ The Pharisees in the narrative reveal that the conditions under which a man could dismiss his wife was a topic of discussion among Jewish interpreters, and the dialog portrayed is such a discussion. Other Jewish writings from a little later in the era indicate the debate. For example, a rabbinical writing indicates the differing opinions of the School of Shammai that restricts divorce to cases of the wife's unchastity, the School of Hillel that permits the husband to divorce his wife for any reason, "even if she spoiled a dish for him," and the comment of Akiba who indicates that finding "another fairer than she" is sufficient reason.³⁴ While

³⁰ On Bultmann's categorization of Mark 10:2–9 as a controversy dialogue and indications of its "artificiality," see Collins, *Mark*, 459. For an example of an interpreter who emphasizes the context of Herodias's divorce and remarriage, see Herron, "Mark's Jesus," 276–9.

³¹ Josephus (*Antiquities*, 18) provides an account that includes the geopolitical ramifications and notes that a military defeat was widely understood to be divine retribution for Herod's execution of John the Baptist.

³² The association starts with Jesus coming to John to be baptized and continues in the reported rumors were reaching Herod of Jesus being John the Baptizer raised from the dead (Mark 6:14; Matthew 14:1–2; Luke 9:7). The explanation of John's execution follows to inform readers of John's importance. Mark also mentions a conspiracy of Pharisees and Herodians against Jesus (Mark 12:13).

³³ Collins notes that the earliest manuscript evidence does not name the Pharisees. See Collins, *Mark*, 457, 465.

³⁴ For discussions of the rabbinical debates and references to the texts, see Beavis, *Mark*, 150–1 citing Catchpole, "The Synoptic," 93; Carter, *Matthew*, 378–9; Funk et al., *The Five Gospels*, 219–20; and Herron, "Mark's Jesus," 273, 275–6.

Shammai is closer to the perspective of the Matthean Jesus, Hillel and Akiba indicate total domination by the husband. Not much imagination is required to understand the position of wives when their entire livelihood is at stake at the whim of their husbands.

No mention is made in the rabbinical writings of a prohibition of divorce itself, but some scholars argue that documents from Qumran include prohibitions related to divorce, remarriage, and polygamy. The degree to which they indicate the outright prohibition of divorce within the Qumran community is debated.³⁵ As a prophetic leader in a community with some affinities to the one based at Qumran, John the Baptist's denunciation of Herod Antipas for his remarriage to his brother's divorced wife suggests an opinion consistent with the prohibition of divorce but does not make it explicit.³⁶

The practice of husbands dismissing their wives by a writ of dismissal appears to have been accepted in Jewish communities, then, with some indication that some groups may have opposed it. Instances of wives divorcing husbands are also not unknown.³⁷

- Marriage, divorce, adultery and Greco-Roman sexual mores

Divorce was also widely practiced in the Greco-Roman era and among Roman elites. A variety of reasons were considered legitimate for divorce, including stealing, adultery, drunkenness, arguments with one's mother-in-law, unpleasant temperament, sickness and more.³⁸ Marriages were also alliances between households as well as the husband and wife, however, making both marriage and divorce a complex relationship.³⁹

Societal changes in the Roman empire were bringing questions of marriage, divorce, and adultery more into public discourse in the first century CE. At the time of

³⁵ For an extended discussion of the texts and issues, see Collins, *Mark*, 460-3. She argues that divorce was not prohibited by any Jewish groups at the time of the writing of Mark. For an early argument that two of these passages (11 QT 57:17-19 and CD 4:19-5:2) prohibit divorce, see Fitzmyer, "The Matthean," 214-221. For other references, see Beavis, *Mark*, 151; and Herron, "Mark's Jesus," 275. Two conditions under which divorce is prohibited are listed in Deut 22:13-19 and 28-29. A man who makes a false accusation of the lack of evidence of virginity on the wedding night may not divorce, and a man who rapes a virgin must pay her father, marry her, and may never divorce.

³⁶ Whether John the Baptist or the Qumran community were Essenes or related to one another is disputed.

³⁷ Collins, *Mark*, 459, 463-4; For references of collections along with contrary citations from Josephus, see Catchpole, "The Synoptic," 111.

³⁸ For this listing and citations from ancient sources, see Carter, *Matthew*, 379.

³⁹ More than one form of legal marriage existed among the Romans, and there were others among other cultures in the empire. In one that was common among Romans, the wife continued to be a member of her father's household. This afforded her some protection in the event of either abuse or divorce.

Jesus's ministry, family legislation had recently been enacted at the initiative of Caesar Augustus as part of his program of transforming the empire to his one-man rule. That transformation shaped the empire more firmly as a Roman household modeled after the households of the Roman elites. Augustus as the "father of the fatherland" acquired the monarchical powers of the father-owner of the Roman household (*paterfamilias*) without requiring the title of king that the Romans loathed.⁴⁰

The Augustan family legislation was part of a larger public moral discourse that continued into the next centuries.⁴¹ While the legislation itself may have affected Roman elites most directly, the overall program codified a form of sexual morality that physically expressed hierarchical relationships in the household form that the empire was becoming, the same form described in the household codes to be discussed below. The legislation enforced the ideology of a propaganda campaign that derided Rome's state of moral decline and heralded the supposed "return" under the rule of Augustus to Roman family values of a bygone era. The family legislation and its intrusion into domestic life was not popular, but nevertheless it became the law and created societal changes.⁴² The legislation made what had been primarily domestic matters public legal concerns.

Laws on adultery codified the double standard of Greco-Roman sexual mores.⁴³ The laws on adultery applied disproportionately to women. Men committed adultery only in intercourse with another man's wife. Wives committed adultery in sexual activity with anyone other than their husbands, and the stakes were high for them as well as their partners.⁴⁴ While divorce was common, initiated by either party, the Augustan legislation made it more difficult for a wife to initiate divorce, however, as she risked charges of adultery due to some of the legislative provisions.⁴⁵ Criminalizing adultery and providing financial incentives for reporting on illicit activities also created a climate of fear of the neighbors' scrutiny and an increased pressure for households to

⁴⁰ For a fuller description, see Elliott, *Family Empires*, 43-146. D'Angelo shows the importance of this legislation and the discourse surrounding it for Mark and Philo as well. See D'Angelo, "Roman Imperial," 62-68. She also summarizes the Augustan family legislation with some variants in emphasis from the summary here and some additional aspects of the legislation. Her discussion of the legislation follows Treggiari, *Roman Marriage*. For another summary that sets the legislation in the context of the imperial ideology of Augustus, see Wheeler-Reed, *Regulating Sex*, 1-37. He also discusses the issue of how widespread beyond the city of Rome knowledge of the legislation itself extended (77-78).

⁴¹ On the extended influence of the legislation and for additional references, see D'Angelo, "Roman Imperial," 63-4.

⁴² See Elliott, *Family Empires*, 125-7.

⁴³ The laws are not available in an existing Roman code but have been reassembled from references to them at the time. The laws on adultery were *Lex Julia de adulteriis coercendis* and *Lex Poppaea*. See Elliott, *Family Empires*, 127-8.

⁴⁴ Elliott, *Family Empires*, 128.

⁴⁵ D'Angelo, "Roman Imperial," 75, citing Treggiari, *Roman Marriage*, 294.

make a display of their household's virtue, especially the sexual purity of the wives and daughters.⁴⁶ Elite women's virtue was also a state religious issue, part of keeping the Romans in the good graces of their deities and thus maintaining the empire's peace and prosperity.⁴⁷ Adultery was defined as a broad societal concern, not a personal matter.

Another law brought marriage and procreation into the public sphere in the courts and provided significant benefits for freeborn and freedpersons who had children, including greater autonomy for women who had more children.⁴⁸ New restrictions were imposed on the single and the childless, and marriage and remarriage after divorce or widowhood became mandatory.⁴⁹ Childbearing was encouraged by the state.⁵⁰ The legislation also encoded two categories of women, women who could legally be married and those who could not. Women who could marry were subject to the laws of adultery. Men could have sexual relations with the women who could not legally marry without committing a sexual offence.⁵¹

In this context, marriage was a privilege. Married women, especially, not only displayed the virtue of their modesty (*pudicitia*) but also experienced the benefit of not being sexually used as slave women could be, for example.⁵² Slaves who were manumitted and could marry made a display of the moral propriety of their marriages as some of their grave monuments attest.⁵³ The Augustan legislation provided incentives "for disadvantaged citizens (freedpersons) to present lives of the strictest marital correctness."⁵⁴ Such marital correctness became an aspiration for many at all levels of society.

The Augustan laws assumed a more pervasive double standard of Greco-Roman sexual mores and presupposed what can be described as a hierarchy of penetration.⁵⁵ Today questions of sexual morality focus concern on the gender, age, and mutual respect of the partners. Roman sexual morality focused on whether the partners assumed the appropriate position of dominance and penetration in sexual acts. Moral sexual behavior meant that positions of penetrator and penetrated in sexual activity

⁴⁶ Elliott, *Family Empires*, 131. For a description of the architectural changes that made the houses more open to public view as a stage for performance of the household's virtue, see 43-107.

⁴⁷ Elliott, *Family Empires*, 131-2.

⁴⁸ On the *Lex Julia de maritandis ordinibus*, see Elliott, *Family Empires*, 128-9.

⁴⁹ Elliott, *Family Empires*, 129.

⁵⁰ Elliott, *Family Empires*, 129-30.

⁵¹ Elliott, *Family Empires*, 132.

⁵² Elliott, *Family Empires*, 105-6, 131-2.

⁵³ Elliott, *Family Empires*, 104.

⁵⁴ D'Angelo, "Roman Imperial," 81 summarizing effects of the laws according to Treggiari, *Roman Marriage*.

⁵⁵ This term is used as a simplified version of what has been described more fully as the "teratogenic grid" using an axis of active and passive. See Parker, "The Teratogenic Grid."

matched positions of dominance and obedience in the household and society. The issue was less the gender of the partners than their relative positions of power.

➤ Households and household codes

The Augustan family legislation that reshaped public moral discourse in the first century CE was part of a broader shift that solidified one-man rule in the Roman empire, as has been mentioned. The transformation remade the empire as the household of Augustus and his successors as the “father of the fatherland.” Relationships in the household that provided the model for the shift to one-man rule were often described in Greek and Roman writings of the elites in passages identified as “household codes.”⁵⁶ Several examples appear in New Testament texts as well.⁵⁷

Household codes described, from the point of view of elite males, the proper and orderly relationships of the major members of the household to the household’s head. He was the father-owner-master known in Latin as the *paterfamilias* and in Greek as the *kurios*, the term usually translated as Lord. The codes usually provide instructions for three basic relationships: husband-wife, parent-child, and master-slave. Slaves were also part of the property, an element of the household. Such orderly relationships are generally defined by obedience of those in lower roles to those in higher roles in the hierarchical order of the household, centering power on the *paterfamilias/kurios* at the head. The household was also described as the foundation of the state.

Several texts from the early Christ communities include household codes. The key passage for interpreters who oppose same-sex marriage mentioned above is in Ephesians, a pseudonymous letter attributed to Paul.⁵⁸ The household code in Eph 5:21–6:9 instructs wives to “be subject to your husbands as you are to the Lord” (5:22) and husbands to “love your wives, just as Christ loved the church” (5:25). The household relationships are entwined with the metaphor of Christ as husband and the church(assembly) as wife. Christ and the husband are both heads, and the church(assembly) and wife are both obedient as his body. The code also instructs children to obey their parents and fathers not to provoke their children (6:1–4). Slaves

⁵⁶ For an overview of the household codes with citations from ancient sources, see Carter, *Matthew*, 376-77. A prominent example is found in Aristotle, *Politics* I 1253b (or I.2.1–2), where the household is considered as a component part of the state.

⁵⁷ For prominent examples, see Col 3:18–4:1; Eph 5:21–6:9; 1 Tim 6:1–2; 1 Pet 2:18–3:7.

⁵⁸ Most academic scholars of early Christian texts agree that Ephesians was not written by Paul himself but by another author in the late first century CE.

are to “obey your earthly masters with fear and trembling, in singleness of heart, as you obey Christ” and masters are to stop threatening their slaves. (6:5–9).⁵⁹

We will see that the focus passages in Mark and Matthew are part of larger passages that offer an opposing image of power relationships in the household, alternative household codes.

➤ Eunuchs and the male-female gender binary

We should not too readily take for granted that the male-female gender binary was a given in the ancient world. Even in a society based on a strictly ordered household model under the rule of its male head, recognized social locations existed for people whose gender was neither male nor female. While role definitions based on gender, age, and status were conceived as firmly defined, they were not precisely binary.

In a system of sexual mores based on a hierarchy of penetration that physically expressed the social hierarchy, many forms of sexual coupling expressed gender in power relationships. These were binary to the extent that the penetrator was masculinized and the penetrated, whether female, male or non-binary, was feminized. Legally recognized marriage was a privilege, especially for women. The wife was understood to couple only with her husband while the husband might sexually penetrate other individuals without regard to their age or gender but rather with regard to their subordinate power position.⁶⁰ While roles in the household and in society were strictly defined, gender was only one element of those roles.

The eunuchs mentioned in Matt 19:10–12 were not metaphorical figures but real people with roles in the Greco-Roman world. As slaves, especially in prominent roles, eunuchs were valued for their complete loyalty due to their lack of their own progeny. They formed an intimate administrative and intermediary buffer around emperors and high-level officials and were simultaneously power brokers and despised figures.⁶¹

Each of the three ways that men become eunuchs cited in the saying in Matthew acknowledges real people who became eunuchs as a non-binary gender. The congenital state of nonbinary gender was acknowledged and feared in the ancient world.⁶² Males

⁵⁹ The code in Ephesians can be read as an alternative imperial household as well, one that substitutes Christ for the emperor and the Church for the empire. This will be discussed in the second volume of *Family Empires*.

⁶⁰ See Elliott, *Family Empires*, 103–4 and references, including Parker, “The Teratogenic Grid.”

⁶¹ On eunuchs and “ultimate slaves,” see Patterson, *Slavery and Social Death*, 299–333 and DeFranza, *Sex Difference*, 74.

⁶² For a summary description with some additional references, see Cosgrave, “Ancient Rome.”

castrated by others were primarily slave boys castrated for sexual use, and their status as slaves to be penetrated by free men gendered them outside the binary.⁶³

While men who “castrate themselves because of the empire of Heaven” in a voluntary act are well-attested later in the practice of Christ communities,⁶⁴ the practice of self-castration to serve a deity was already well-known in the Greco-Roman world in the form of the *galli* of the Mother of the Gods. The *galli* castrated themselves and entered her service as a non-binary gender, cultic figures whose garb was not that of women of the time but nevertheless seen as female. As the Roman empire’s “family values” became more dominant, the *galli*’s non-binary gender became a notable aspect of their identity as well as their cultic role. They projected themselves and their gender identity more assertively, apparently as a form of resistance against Roman hyper-masculinity.⁶⁵ Attis, the deity to whom the *galli* assimilated, was also portrayed as non-binary, and was hardly the only non-binary deity in the Greco-Roman pantheon.⁶⁶

Just as we should not simply assume an absolute gender binary in the ancient world, we should also not too readily assume that even the eunuchs who castrated themselves to serve a deity were celibate and not in committed relationships. For example, in an inscription from Cyzicus dated 46 BCE, a *gallus* named Soterides makes a dedication to the local mountain mother, the Meter Kotianê, on behalf of his own spouse or cohabitor (*symbios*), a soldier taken captive in Libya.⁶⁷ While this is one instance, the inscription indicates that their spousal relationship was publicly displayed and not a secretive affair. Marriages of men to eunuchs were known, and the practice was not outlawed until the fourth century CE due to Christian influence.⁶⁸

More generally, eunuchs were perceived as quite the opposite of celibate and sexually abstinent. They were viewed as gender-ambiguous due not only to their bodily androgyny but also to their roles in sexual activity with both women and men.⁶⁹

Without considering evidence from the ancient world, the gender binary could be mistakenly assumed as a firmly defined dichotomy. The evidence does not support such an assumption.

⁶³ Elliott, *Family Empires*, 92 and references 282, n. 28.

⁶⁴ For a fuller discussion that indicates that this practice was more common and not limited to the “lunatic fringe,” see Caner, “The Practice,” 396-397. Caner also comments on interpretations of Matt 19:12 as part of the support or prohibition of the practice. This will be discussed further below.

⁶⁵ For a discussion of the *galli* of the cult of Cybele and Attis and the development of their identity as an example of resistance, see Elliott, *Family Empires*, 202-7.

⁶⁶ Hermaphroditus is an obvious example, but others such as Dionysus, Hermes and others are portrayed as with gender traits that are non-binary.

⁶⁷ Elliott, *Cutting*, 160, 178, citing Vermaseren, *CCCA* I, no. 287 = SIG 763.3. The term (τοῦ ἰδίου συμβίου) and its cognates indicate a spouse and life partner. LSJ, s.v. “σύμβιος.”

⁶⁸ DeFranza, *Sex Difference*, 75.

⁶⁹ On this see Hester, “Eunuchs,” 18-24,

➤ Summary

In Jewish and Greco-Roman cultural contexts, then, matters of divorce or dismissal of spouses and of adultery were topics of public moral discourse. The prevailing patterns enforced a double standard that required sexual continence from women but not from men. Husbands were to be dominant and wives subservient, and divorce customs made wives economically and socially vulnerable. Marriage was also a privilege that non-elites aspired to achieve and to emulate with a display of marital virtues. Household codes found in a variety of texts from the Greco-Roman era, including texts from the early Christ groups, defined the well-ordered household from the viewpoint of its elite male head in terms of the subordination of wives to husbands, children to parents, and slaves to masters. The dominance and subservience in these roles were also expressed in sexual coupling according to accepted mores in a hierarchy of penetration that corresponded to the social hierarchy. This meant that gender as it was expressed in sexual relationships was not a simple male-female binary. Gender non-binary eunuchs were also present in several different defined roles and were despised in many cases but not invisible. Eunuchs were assumed to be sexually active.

III. What are the texts trying (and not trying) to communicate?

We have had an initial view of the parallel passages in Mark 10 and Matthew 19 and some related texts, and we have seen some relevant elements of the cultural context of the texts. Now we return to the question of what these texts were trying to communicate in their own time and context, and, as importantly, what they were not trying to communicate.

➤ Marriage as a lifelong partnership

The passages in view open with the question of whether (Mark) and under what conditions (Matthew) a husband may dismiss his wife. This is a clobber passage, to be sure, but one squarely aimed at men who throw away their wives. A corollary also appears in Mark 10:12 aimed at women who throw away their husbands. The issue in the passage, as has been mentioned above, is the relationship of marriage and the view of a spouse as disposable.

Many things are not in view in these passages. Even the situation of a mutually agreed upon divorce settlement is not clearly in view.⁷⁰ Neither is leaving a battering

⁷⁰ Even in the private discussion with the disciples portrayed in Mark 10:10–12, when the possibility of a wife discarding her husband and marrying another is mentioned, no situation of mutual divorce is described. See Kinukawa, “Sexuality and Household” 164-8.

spouse. Neither is same-sex marriage. Neither is any suggestion of marriage as a metaphor for a community's relationship with a divine figure.

The view of marriage presented differs significantly from the prevailing understandings in the context of both Jewish and Greco-Roman customs. While the ethical teachings attributed to Jesus in these texts were not entirely exceptional, the teachings differed from those of the dominating cultures.⁷¹ Jesus in these passages teaches a view of marriage as a relationship between partners who are not disposable commodities. This assertion of marriage and defense of its permanence fits well in a climate in which marriage was a privilege to be displayed by exhibiting rectitude.

The gospel passages explicitly articulate the contrast between the view attributed to the Pharisees that wives are disposable, whether under narrow conditions or for any reason, and the view that wives are lifelong partners.⁷² As has been pointed out, Jesus is seen to shift the question from the passage in Deuteronomy that the Pharisees cite to short quotations from Genesis. These are to remind husbands who would unilaterally dismiss their wives that God created human beings as female as well as male and that their unions with their wives are intended as a lifelong partnership not an acquisition.

Various versions of a saying attributed to Jesus discussed above also express concern about dismissal of a wife causing her to commit adultery when she remarries.⁷³ A husband, whether the first or second, is held accountable for her adultery in the sayings in Matthew and Luke. The view of adultery articulated in Mark 10:10–12 departs significantly from prevailing views of adultery at the time. In response to his disciples' question in the conversation in the house, Jesus teaches first that the husband who dismisses his wife and remarries commits adultery against his first wife. The teaching puts the wife on a more equal footing by understanding adultery as an offense that a husband can commit against his wife rather than as an offense against another husband, as was common, or against the state, as in the Augustan legislation. As a corollary, the Markan Jesus teaches that a wife who dismisses her husband and remarries likewise commits adultery. While wives divorcing husbands is hardly unknown, the wife is recognized as having the same agency as a husband to dismiss her

⁷¹ Musonius Rufus, for example, advocates for marriage as a partnership (*Discourses* 13) and against libertine sexual mores with some indication of opposition to the double standard. He mostly advocates that men cultivate self-control as a means to superior character and for sexual activity being confined solely to married partners for the purpose of procreation (*Discourses* 12).

⁷² While Matthew conditions the permanence of the partnership on the wife's behavior, the view of the permanent partnership remains.

⁷³ See the discussion above of Matt 6:31–32; Luke 16:18, and 1st Corinthians 7:10–11.

spouse and remarry.⁷⁴ The equal treatment of women and men in this passage is notable.⁷⁵

Viewing marriage as a lifelong relationship of partners joined as one flesh would also provide protection especially for women, due to the double standard that caused them to be disproportionately viewed as increasingly disposable as they aged.⁷⁶ Thus the teaching invokes the Genesis passages to characterize marriage as a permanent relationship to address the “hard-heartedness” specifically of the husbands who sought to dismiss their wives at whim rather than recognize them as lifelong partners.

Rather than focusing on the gender of the partners in the marriage, the two parallel gospel passages on dismissal of spouses focus on marriage as a lifelong union characterized as a joining of the flesh and as a partnership.⁷⁷ The passage in Mark clearly indicates equality of the spouses, and all of the teachings present an alternative view of marriage as a permanent partnership.

➤ Alternative household codes and anti-family teachings

The alternative view of marriage in these passages also needs to be considered in the context of the views of family and household expressed in the gospels in which they are found, especially views considered anti-family. Many sayings attributed to Jesus present an unfavorable view of family and family loyalty. These include Jesus’s instructions to followers to hate other family members before committing to discipleship;⁷⁸ scenes in which Jesus disowns his own mother and brothers;⁷⁹ a call to put discipleship before the family obligation of burying a dead family member;⁸⁰ a proclamation about bringing conflict to the household rather than peace;⁸¹ and an injunction against addressing anyone on earth as “father.”⁸² Kinukawa also notes that

⁷⁴ As has been noted, such advocacy for a more equal standard was not unknown among philosophers in the first century CE., particularly Musonius Rufus. See D’Angelo, “Roman Imperial,” 75-6. She cites Musonius Rufus, *Discourses* 12.

⁷⁵ See, for example, Collins, *Mark*, 469-70; Dewey, “The Gospel of Mark,” 491; Beavis, *Mark*, 151; Carter, *Mark*, 269; Kinukawa, “Sexuality and Household,” 168; and Fitzmyer, “The Matthean,” 202, who notes, “What is new is the branding of the man’s action as adulterous.”

⁷⁶ Wives, who were customarily considerably younger than their husbands when they married, could also see aging or infirm husbands as disposable as well, but they had more limited options if they divorced.

⁷⁷ Carter characterizes this as “power with” rather than “power over.” Carter, *Mark*, 268.

⁷⁸ Luke 14:26 and parallels: Mark 3:31–35; Matt 12:46–50; Luke 8:19–21; Gospel of Thomas 99; Gospel of the Ebionites 5,

⁷⁹ Mark 3:31–35 (= Matt 12:46–50; Luke 8:19–21; Gospel of Thomas, *Logion* 99)

⁸⁰ Matt 8:21–22; Luke 9:59–62.

⁸¹ Luke 12:51–53

⁸² Matt 23:9

conventional family relationships are relatively rare in the narrative of Mark. Married couples are almost entirely absent, and most of the women who appear are not married. Jesus himself is conventionally understood to have been single as well.⁸³

Commentators have also noted that the longer passages introduced by our focus texts provide alternative views of household relationships. Household topics appear in succession in what Mary Rose D'Angelo characterizes in Mark 10:2–31 as “a pocket-sized treatment of household management.”⁸⁴ Warren Carter goes further to describe the passages in Mark and Matthew as alternative household codes.⁸⁵ While the passages do not precisely follow the format of household codes, they portray Jesus's teaching as a reimagining of household relationships in ways that reverse their traditional power relationships.⁸⁶

Carter's assessment of the collected household teachings in Matthew applies as well to Mark, that for each topic the comments “do not endorse the cultural norm” but “subvert this hierarchical and patriarchal structure by instructing disciples in a more egalitarian pattern.”⁸⁷ These collected teachings about household relationships also run counter to the household code in Ephesians discussed above. Marriage is a partnership, even an equal one, not a subordination of wife to husband. Children are greeted as owners of God's empire rather than silenced as obedient subordinates of their parents. (Mark 10:13–16; Matt 19:13–15). Slaves are not even mentioned.⁸⁸ Property and wealth, not mentioned in the code in Ephesians but nevertheless an aspect of household management, is to be disbursed to the poor rather than accumulated by the household. (Mark 10:17–31; Matt 19:16–30) The passages in view in Mark and Matthew, then, do not support the view of marriage or other household relationships present in the household code in Ephesians.

➤ The gender binary, the eunuchs, and the household codes: Matt 19:10–12

This intriguing and oft-ignored passage indicates that use of the passage that precedes it to uphold the gender binary is inconsistent with what the Matthean

⁸³ Kinukawa, “Sexuality and Household,” 153-5.

⁸⁴ D'Angelo, “Roman Imperial,” 77 and 70-1. On the passage as a collection of teachings under the topos of household management, see Collins, *Mark*, 458.

⁸⁵ Carter, *Mark*, 264; Carter, *Matthew*, 376-7.

⁸⁶ Carter, *Mark*, 265.

⁸⁷ Carter, *Matthew*, 377.

⁸⁸ In Matthew, day laborers are mentioned with vision of a more egalitarian pay structure although no change of power relationship is indicated. (Matt 20:1–16)

community, at least, proclaimed as the teachings of Jesus.⁸⁹ We have seen that eunuchs were prominent as gender non-binary people in the Greco-Roman world. Gender as a male-female dichotomy was also complicated by sexual mores and practices defined by social status as well as gender and age. In its context, this explicit affirmation of eunuchs challenged the vision articulated in the household codes at several levels.

We have seen that the three forms of eunuchs mentioned in the saying were not metaphorical but real people who were marginalized. Consistent with other teachings of the early Jesus movements that uplift marginalized groups, here the eunuchs are lifted up.⁹⁰ The saying recognizes and affirms those born as non-binary who were often feared and despised. Without explicit identification, the saying also affirms those castrated by others. The slave boys and youths who were castrated to preserve their youthful appearance would be included. To be such a person, castrated for such use, was to be an object of high monetary value, but degraded as a human being to a slave of low status. The saying affirms these individuals who were created as gender non-binary for others' use. Finally, the saying affirms those who have castrated themselves for the sake of the imperial rule of Heaven. The eunuchs most similar to this description in the broader social context were the *galli* of the Mother of the Gods who were not as despised as the first two categories but were mocked as well as revered. The affirmation of all three forms of eunuchs thus upset the hierarchical order expressed in the household codes.

The saying is consistent not only with the uplifting of other marginalized groups found in other teachings attributed to Jesus but with the anti-family passages as well. This is seen in the saying's affirmation of the single, unmarried state of the eunuchs it assumes. The context of the saying about eunuchs presents them as exemplary unmarried celibate men, special men to whom it is given not to marry. To be unmarried was to be a challenge to the household order. Jesus's frequently assumed single status modeled such a challenge.⁹¹ Megan K. DeFranza points out that over time this aspect of the eunuchs affirmed in the saying became central, and their full identity "was tamed so that the eunuch came to represent nonmarried men: a partial but much less radical challenge to social structures and personal identity based on sex, gender, and sexuality."⁹²

⁸⁹ Fellows of the Jesus Seminar voted this saying as pink, as having some probability of being a saying of Jesus himself, partly because they saw indications that it had circulated independently and partly because of its counter-cultural content. Funk et al., *The Five Gospels* 220.

⁹⁰ This is pointed out in Funk et al., *The Five Gospels*, 220. Carter offers a more extended treatment of the eunuchs' marginalized status as analogous to that of unmarried disciples. See Carter, *Matthew*, 383-4.

⁹¹ For a brief discussion of interpretations of Jesus's single status in the early Christ movement, including his marriage to the Church, see Kinukawa, "Sexuality and Household" 153-5.

⁹² DeFranza, *Sex Difference*, 70.

The figure of the eunuch, even in this tamed image as an unmarried man, posed a challenge to the hyper-masculinity and male dominance assumed in the household codes. Scholars have pointed to the critiques that the eunuch brings to household and kinship systems.⁹³ The eunuch offers a challenging counter-image to that of the male head of that household, the manly *paterfamilias*. To emulate the eunuch would, as Robert T. Fortna points out, mean “renouncing a culturally endemic masculine dominance in order to become worthy of God's empire,” an action that “would be seen by others as self-emasculation.”⁹⁴ For the eunuchs who were emulated, however, the emasculation was quite literal.

Eunuchs became identified with the negation of sexuality as not only unmarried but celibate. Celibacy was another challenge because it prevented procreation and thus threatened the traditional household's continuation.⁹⁵ The third status mentioned in the saying, those who castrated themselves for the sake of the “kingdom,” became quite a literal reality in some early Christ groups and was mostly associated with sexual abstinence. Origen's self-castration is well-known but hardly exceptional.⁹⁶ Daniel F. Caner shows that these self-castrated devotees were not just aberrant individuals or fringe groups as has been assumed, and that in early Christ group sources the eunuch appeared as “an emblem of extreme chastity, highlighting a sharp contrast in sexual conduct between Christians and pagans.”⁹⁷ He also indicates that the practice was more prevalent in Phrygia where the *gallis'* cult originated.⁹⁸ Self-castration was also taken as a license to live with women, presumably chastely, but their chastity and the women's was held in no small amount of suspicion.⁹⁹ Whatever their activity, procreation was avoided.

J. David Hester challenges the continued view of this saying as “an instruction favoring celibacy.”¹⁰⁰ To understand the saying in context requires the recognition, as

⁹³ See Hester, “Eunuchs,” 16-7 and n. 6 for references.

⁹⁴ Fortna, *The Gospel of Matthew*, 163, n. 19:12. Perhaps unaware of the prevalence of the literal practices of castration at the time, he entertains the possibility that the references to eunuchs in the saying are not literal. He assumes that disciples are called in this saying to a metaphorical castration.

⁹⁵ Scholarship on this topic is voluminous. A foundational work is Brown, *The Body and Society*.

⁹⁶ Origen (c. 184 – c. 253) was a biblical scholar and theologian considered one of the founders of philosophical theology, although he was later considered a heretic. According to Eusebius, he made himself a eunuch for the kingdom of heaven (6.8.2). See Edwards, “Origen,” and DeFranza, *Sex Difference in Christian Theology* 72-3.

⁹⁷ Caner, “The Practice,” 398–408. The association of eunuchs and the choice of an ascetic and especially a celibate lifestyle is a common assumption among scholarly commentators on this text. See, for example, Funk et al., *The Five Gospels*, 220-1.

⁹⁸ Caner, “The Practice,” 399, n. 16. He says that Basil of Ancyra notes the connection. See also 403, n. 32.

⁹⁹ Caner, “The Practice,” 409.

¹⁰⁰ Hester, “Eunuchs,” 13

Hester says, of “one single fact: eunuchs were not celibate. Indeed, they were not even viewed as chaste. In fact, eunuchs were universally characterized by the frequency, ease and adeptness with which they performed sex acts with both men and women.”¹⁰¹ He points to a deeper interrogation that recognizes the call to become a eunuch as “a literal act of religious devotion with profound social-gender consequences.”¹⁰² While the emphasis in the saying in Matt 19:12 appears to be related to sexual continence, this must be held in tension with the eunuchs’ sexual activity. Active or continent, however, the eunuch exemplifies a challenge to both the gender binary and the hierarchy of penetration.

More than affirming the eunuchs in order to include them as people who have been marginalized, more than elevating them as symbols of unmarried men who exercise self-control, the saying elevates the eunuch as a figure to emulate, a figure who embodies gender ambiguity. Raised from the bottom of the hierarchy of penetration, the gender non-binary eunuchs are elevated as models to follow. This praise for gender non-binary people is consistent with the regard for gender transformation found in other texts from the early Jesus movements.¹⁰³ Ally Kateusz has also assembled visual portrayals from the early centuries of Jesus as gender non-conforming, with both male and female attributes. For some early followers, Jesus was also a gender non-binary figure held up for emulation.¹⁰⁴ The saying thus makes a radical challenge, as Hester says, by indicating “that sex-gender transgression is a biblically sanctioned identity practice” and presenting the eunuch as “a figure that stands outside of the binary sex paradigm.”¹⁰⁵ Hester goes another step to suggest that the eunuch’s embodiment of the transgressed boundary between male and female symbolized the “kingdom” itself.¹⁰⁶ Their castration and consequent gender transformation embody the alternative imperial rule, the alternative imperial household, that Jesus groups proclaimed.¹⁰⁷

¹⁰¹ Hester, “Eunuchs,” 18.

¹⁰² Hester, “Eunuchs,” 15. Hester also provides a survey of interpretations of the saying (15-16),

¹⁰³ For example, the erasure of “male and female” in Christ praised in Galatians 3:28, and the gender transformation described in *Gospel of Thomas*, Logion 22 and exegeted in 2 Clement 12:2-6 have been noted in Kateusz, “The Jesus Woman,” 79-80. Many non-canonical texts from the early Jesus movement include descriptions of and references to gender transformations.

¹⁰⁴ Kateusz, “The Jesus Woman,” 93-96. Tertullian also points to the image of Jesus as a eunuch (*spado*) in *De Monogamia* 3. On this see Hester, “Eunuchs” 30, n. 69.

¹⁰⁵ Hester, “Eunuchs,” 37.

¹⁰⁶ Hester, “Eunuchs,” 38.

¹⁰⁷ For a more extended and eloquent statement, see DeFranza, *Sex Difference*, 104-5.

IV. Conclusion: What are affirming interpretations of these texts for today?

We should note, first of all, the irony with which we began. The controversy dialogues in Mark 10 and Matthew 19 are aimed not at same sex marriage or at gender non-binary people but at husbands who view their wives as disposable. Using these passages to impose heterosexual marriage as the exclusive form of marriage simply misses the intended point.

Secondly, reading these passages through the lens of the hierarchical marriage relationship described in the household code in Ephesians ignores the view of marriage as an egalitarian partnership indicated in Mark 10:10–12. The specter of equality in marriage that same-sex marriage raises may well be the reason that interpreters who oppose it turn to the endorsement of male domination in Ephesians. Mutuality and partnership, however, are the image of marriage found in Mark 10 and echoed in Matthew 19. Both gospels present a series of teachings that counter the hierarchical relationships of the household codes with reversals of the hierarchy or images of mutuality.

Reading the passages to enforce a strict male-female gender binary, thirdly, ignores the verses that follow the controversy dialogue in Matthew. The saying included in Matthew explicitly affirms eunuchs, people whose gender was ambiguous and not binary.

Fourth, the controversy dialogues offer a model for texts that are more directly negating. The portrayal of Jesus appealing to a deeper value than the proof text for husbands to negate their wives offers an approach to scripture citations that, unlike this one, negate categories of people for whatever reason.

Finally, the figure of the eunuch opens new possibilities for understanding. At the outset of this paper, we saw that interpreters who oppose same-sex marriage and emphasize a rigid gender binary frequently mention the metaphor in Ephesians 5 of Christ as the husband and head of the Church as his body and subordinate bride.¹⁰⁸ They use this metaphor as their lens to interpret other passages pertaining to marriage and gender relations. What if, as affirming interpreters, we chose a different passage as our lens, or more accurately as our refractive prism. Rather than the marriage metaphor of the “bride of Christ” from the hierarchical household code of Ephesians, what if we were to take the saying in Matthew as the key text for interpretation?¹⁰⁹ What if we based our interpretations on understanding the gender non-binary identity of eunuchs

¹⁰⁸ The metaphor also appears in a more complicated context in 1st Corinthians 11:3–16 as part of advice on head coverings.

¹⁰⁹ Hester notes the tension between this and other New Testament texts that uphold the relationships expressed in the household codes. Hester, “Eunuchs and the Postgender Jesus,” 39.

as the model of discipleship as upheld in this saying in Matthew? What if we considered their gender ambiguity as embodying the liminal space where the alternative imperial household Jesus proclaimed emerges? What could this mean? This opens questions most appropriately answered in conversation with people who understand what it means to be gender non-binary today.

V. Bibliography

- Achtemeier, Mark. *The Bible's Yes to Same-Sex Marriage: An Evangelical's Change of Heart*. Louisville, Kentucky: Westminster John Knox Press, 2015.
- Beavis, Mary Ann. *Mark*. Paideia. Grand Rapids MI: Baker Academic, 2011.
- Boyarin, Daniel. "Paul and the Genealogy of Gender." *Representations* 41, Winter (1993): 1–33.
- Brown, Peter Robert Lamont. *The Body and Society: Men, Women and Sexual Renunciation in Early Christianity*. 13th paperpack ed., repr. Lectures on the History of Religions N.S., 13. New York: Columbia Univ. Press, 2005.
- Caner, Daniel F. "The Practice and Prohibition of Self-Castration in Early Christianity." *Vigiliae Christianae* 51, no. 4 (1997): 396–415.
- Carter, Warren. *Matthew and the Margins: A Sociopolitical and Religious Reading*. Bible & Liberation Series. Maryknoll, N.Y.: Orbis Books, 2000.
- _____. *Mark*. Edited by Sarah Tanzer. Wisdom Commentary Volume 42. Collegeville: Liturgical Press, 2019.
- Catchpole, David R. "The Synoptic Divorce Material as a Traditio-Historical Problem." *Bulletin of the John Rylands Library* 57, no. 1 (1974): 92–127.
- Collins, Adela Yarbro. *Mark: A Commentary*. With the assistance of Harold W. Attridge. Hermeneia. Minneapolis: Fortress Press, 2007.
- Cosgrave, Elinor. "Ancient Rome and Intersex People, Those Known to the Romans as Hermaphrodites." <https://classicallytrainedblog.wordpress.com/2015/10/03/ancient-rome-and-intersex-people-those-known-to-the-romans-as-hermaphrodites/>.
- D'Angelo, Mary Rose. "Roman Imperial Family Values and the Gospel of Mark: The Divorce Sayings (Mark 10:2-12)." In *Women and Gender in Ancient Religions: Interdisciplinary Approaches*. Edited by Stephen P. Ahearne-Kroll et al., 59–83. Wissenschaftliche Untersuchungen zum Neuen Testament 263. Tübingen: Mohr Siebeck, 2010.
- DeFranza, Megan K. *Sex Difference in Christian Theology: Male, Female, and Intersex in the Image of God*. Grand Rapids, Michigan: William B. Eerdmans Publishing Company, 2015.

- _____. "Journeying from the Bible to Christian Ethics in Search of Common Ground." In *Two Views on Homosexuality, the Bible, and the Church*, 69–101. Counterpoints: Bible & Theology. Grand Rapids, Michigan: Zondervan, 2016.
- Dewey, Arthur J., and Robert J. Miller. *The Complete Gospel Parallels*. Salem Or.: Polebridge Press, 2012.
- Dewey, Joanna. "The Gospel of Mark." In *Searching the Scriptures: Volume Two: A Feminist Commentary*. Edited by Elisabeth Schüssler Fiorenza, Shelly Matthews and Ann G. Brock, 470–509. New York: Crossroad, 1994.
- Edwards, Mark J. "Origen." In *The Stanford Encyclopedia of Philosophy*. (Summer 2018 Edition),, 2018. <https://plato.stanford.edu/archives/sum2018/entries/origen/>.
- Elliott, Susan. *Cutting Too Close for Comfort: Paul's Letter to the Galatians in Its Anatolian Cultic Context*. Library of New Testament Studies 248. London, New York: T & T Clark International, 2003.
- _____. *Family Empires, Roman and Christian: Volume 1, Roman Family Empires: Household, Empire, Resistance*. Salem, Oregon: Polebridge Press, 2018.
- Fitzmyer, Joseph A. "The Matthean Divorce Texts and Some New Palestinian Evidence." *Theological Studies* 37, no. 2 (1976): 197–226.
- Fortna, Robert Tomson. *The Gospel of Matthew: The Scholars Version Annotated with Introduction and Greek Text*. Santa Rosa CA: Polebridge Press, 2005.
- Funk, Robert W., Roy W. Hoover, and The Jesus Seminar. *The Five Gospels: The Search for the Authentic Words of Jesus New Translation and Commentary*. New York: Scribner, 1996.
- Grindheim, Sigurd. "Biblical Authority: What Is It Good for? Why the Apostles Insisted on a High View of Scripture." *Journal of the Evangelical Theological Society* 59 (2016): 791–803.
- Herron, Robert W., JR. "Mark's Jesus on Divorce: Mark 10:1-12 Reconsidered." *Journal of the Evangelical Theological Society* 25, no. 3 (1982): 273–81.
- Hester, J. David. "Eunuchs and the Postgender Jesus: Matthew 19.12 and Transgressive Sexualities." *Journal for the Study of the New Testament* 28, no. 1 (2005): 13–40.
- Johnson, Luke Timothy. "Homosexuality & the Church." *Commonweal*, June 11 (2007).
- Kateusz, Ally. "The Jesus Woman and the Jesus Women." In *Seminar Papers*, 79–103., 2019.
- Kinukawa, Hisako. "Sexuality and Household: When 'Cultural Reading' Supersedes and Skews the Meaning of Texts." In *Mark*. Edited by Nicole W. Duran, Teresa Okure and Daniel Patte, 147–70. Texts @ contexts. Minneapolis: Fortress Press, 2011.
- La Torre, Miguel A. de. *Genesis*. 1st ed. Belief. Louisville Ky.: Westminster John Knox Press, 2011.
- Martin, Colby. *Unclobber: Rethinking Our Misuse of the Bible on Homosexuality*. First edition. Louisville, Kentucky: Westminster John Knox Press, 2016.

- Musonius Rufus, Gaius, and Cynthia King. *Musonius Rufus: Lectures & Sayings*. Rev. ed. [Scotts Valley, California]: CreateSpace, 2011.
- Parker, Holt N. "The Teratogenic Grid." In *Roman Sexualities*. Edited by Judith P. Hallett and Marilyn B. Skinner, 47–65. Princeton, N.J., Chichester: Princeton University Press, 1997.
- Patterson, Orlando. *Slavery and Social Death: A Comparative Study*. Cambridge, Mass., London: Harvard University Press, 1982.
- Peterson, Brian Neil. "Does Genesis 2 Support Same-Sex Marriage? An Evangelical Response." *Journal of the Evangelical Theological Society* 60, no. 4 (2017): 681–96.
- Reid, Barbara E. *Wisdom's Feast: An Invitation to Feminist Interpretation of the Scriptures*. Grand Rapids: William B. Eerdmans Publishing Company, 2016.
- Rousselle, Aline. *Porneia: On Desire and the Body in Antiquity*. With the assistance of Pheasant, Felicia, trans. Family, Sexuality and Social Relations in Past Times. Oxford: Basil Blackwell, 1988.
- Schmitz, Matthew. "N. T. Wright on Gay Marriage: Nature and Narrative Point to Complementarity." *First Things (Online Articles)*, June 11, 2014. <https://www.firstthings.com/blogs/firstthoughts/2014/06/n-t-wrights-argument-against-same-sex-marriage>.
- Talley, David Lee. "Gender and Sanctification: From Creation to Transformation." *Journal for Biblical Manhood & Womanhood* 8, no. 1 (2003): 6–16.
- Treggiari, Susan. *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian*. New ed., 1993.
- Vermaseren, Maarten Jozef. *Corpus Cultus Cybelae Attidisque: I. Asia Minor*. Études préliminaires aux religions orientales dans l'Empire romain 50. Leiden: Brill, 1977-.
- Wheeler-Reed, David. *Regulating Sex in the Roman Empire: Ideology, the Bible, and the Early Christians*. Synkrisis: Comparative Approaches to Early Christianity in Greco-Roman Culture. New Haven, Conn.: Yale University Press, 2017.
- Wright, N. T. "N T Wright on Gay Marriage." <https://youtu.be/xKxvOMOmHeI>.