

# Vicious and Good-Virtuous Relationships in the Teachings of the Church Fathers

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*Christ brought a rebellion to human life according to the religious and ethical orders that people should put into practice in their daily life. Christian ethics emphasized that morality should be united with Christ and Church's sacred mysteries, otherwise it was not worthy. A central feature of Byzantine culture was Orthodox Christianity. Ethics in Byzantine Empire was not a systematic philosophical discipline, but an occasional response to particular problems posed in everyday life or in interpreting the Scripture. The law and the commandments were set within the context of devotion to God but were deontological standards defining what this morality was. The highest ethical duty of a Christian was the same as the greatest commandment: love God and love your neighbour. In this paper, we are going to search vicious and good/virtuous relationships in the teachings of the Church Fathers based on the social structure and gender relations in the Byzantine state and mainly on spouses' relations. Which was the attitude of the Church Fathers to the specific topic in the Byzantine era? Did they dare to criticize vicious actions among people like adultery, homosexuality, prostitution and concubinage? Which was their influence on the laws of the Byzantine Empire about the status of marriage? How did they present the virtuous relations as religious attitudes against vicious actions which help the social life of married and unmarried Christians and their sexual life?*

**Keywords:** Church Fathers, adultery, prostitution, concubinage homosexuality, Christianity, Byzantine Empire.

## **Introduction: Ethics and Ethos during the centuries from ancient Greece to Byzantine Empire**

Ethics and ethos are etymologically linked words. Moreover, ethics can be identified as being derived from the Greek word ethos. Nevertheless, the difference

between ethics and ethos is that ethics refer to a set of moral principles while ethos refers to the character or customs or a set of attitudes and values. Morality was most often used in connection with the ways in

*“which individuals conduct their personal, private lives, often concerning personal financial probity, lawful conduct and acceptable standards of interpersonal behaviour (including truthfulness, honesty, and sexual propriety)”<sup>1</sup>.*

Aristotle (born 384BCE in Stagira of Chalcidice in Greece and died 322BCE, in Chalcis of Euboea) was the first who structured and systematized ethics, as a philosophical discipline in ancient Greece. This Greek Macedonian Philosopher wrote that *“moral or ethical virtue is the product of habit (ethos), and has indeed derived its name, with a slight variation of form, from that word”<sup>2</sup>*. The first testimonies about the Greek ethos and ethics were found in the Homeric epic poems. There, the ethics of the virtue of excellence prevailed, that was the distinction, the superiority and the perfection, the noble harmony of body and soul<sup>3</sup>. On the other hand, the Greek ideal about ethics and ethos had to do with the good or virtuous life according to the laws and customs of Homeric society. So this ethics related to the virtuous life of Homeric people was temporary and it was changed from time to time or from city to city<sup>4</sup>.

On the other hand, Heraclitus supported that ethics and morality for the human being was the divine power that resided within him. Only the divine ethos was true. The human ethics was created by the relationship of man with God. This opinion was quite close to the context of Christian ethics and morality. Heraclitus was deeply interested in ethical questions, construed broadly as questions about how human beings should live. Furthermore, these concerns were not peripheral to his philosophical project but were instead central to his thought<sup>5</sup>. In this way, Heraclitus developed into Greek ethical thought, perhaps for the first time, the opinion that men should consider ethics and morality as a way of adopting the divine wisdom and becoming like God<sup>6</sup>.

<sup>1</sup> J. R. Engel, J. G. Engel, Ethics of environment and development, (United States, 1990, Web.), p. 12, (Accessed 1 July 2021)

<sup>2</sup> Aristotle, Nicomachean Ethics, 2.1.1, 1103a H. Rackham, Ed., <http://www.perseus.tufts.edu/hopper/text?doc=Perseus%3Atext%3A1999.01.0054%3Abook%3D2%3Achapter%3D1%3Asection%3D1>

<sup>3</sup> M. Gagarin, “Morality in Homer”, Classical Philology 82. 4 (1987): 285-306. (Accessed 1 July 2021), <http://www.jstor.org/stable/269650>

<sup>4</sup> *Ibid.* p. 287-289.

<sup>5</sup> M. A. Johnstone, “On the Ethical Dimension of Heraclitus’ Thought” in Early Greek Ethics, ed. by D. Wolfsdorf, Oxford University Press, 2020, 37–53, esp. p. 52.

<sup>6</sup> *Ibid.* p. 53

Most important were the moral norms and ethical teachings in Bible. They had a catalytic role in the life of people and had to do with the daily life of Jews and not with theoretical dogmatic ideas. They were attached to explicit moral problems such as adultery, murder, homosexuality, punishment, parent-child relations, prostitution, concubinage and many other problems of social life. The prophets had spoken about many of these topics and taught about moral norms and general ethical principles or values in mind. The Ten Commandments of God to Moses created an ethical and moral form in Jews' relations with God and with each other. The Ten Commandments<sup>7</sup> were the measure of conduct in Old Testament times. Through Pentateuch, Jews learned that God was normally the supreme practitioner of morality whom humans must follow. Characteristic examples were Abraham, Job, Jonah, etc.

In the New Testament, Christ did not abolish the moral and ethical laws that were existing from the time of Moses. He affirmed and expanded on those principles, but what matters most to God is our inner lives, attitudes and motives, rather than any outward show of holiness. Christ taught that we should put into practice two great principles: i) humble obedience to God above all else and ii) sincere respect and kindness for all people of the world<sup>8</sup>. Not only must people not commit adultery<sup>9</sup>, but they should avoid even the thought of it<sup>10</sup>. They should focus their lives on God, living in morality that was united with God's teaching and attributes. All these ethics and moral teaching were based on the golden rule of Jesus' teachings: *"In everything do to others as you would have them do to you; for this is the law and the prophets"*<sup>11</sup>.

In Paul's epistles, the apostle referred to topics that concerned the morality and ethical life of Christians. He spoke about sex<sup>12</sup>, marriage<sup>13</sup>, divorce<sup>14</sup>, homosexual-

<sup>7</sup> Ex. 20:1-17.

<sup>8</sup> Matt. 22:34-40, Mrk. 12:28-31, Lk. 10:25-28, Jn. 13:34-35.

<sup>9</sup> Ex. 20:14

<sup>10</sup> Matt. 5:27-28

<sup>11</sup> Matt. 7:12, transl. New Revised Standard Version, Anglicised (NRSVA)

<sup>12</sup> Rom. 1:26-27, transl. NRSVA: *"For this reason God gave them up to degrading passions. Their women exchanged natural intercourse for unnatural, and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another. Men committed shameless acts with men and received in their own persons the due penalty for their error"*; 1 Cor. 6:9, transl. NRSVA: *"Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes, sodomites"*; 1 Cor 6:15-20; 1 Cor. 6:9, 15-20.

<sup>13</sup> Hebr. 13:4 transl. NRSVA: *"Let marriage be held in honour by all, and let the marriage bed be kept undefiled; for God will judge fornicators and adulterers"*; 1 Cor. 11:11, transl. NRSVA: *"Nevertheless, in the Lord woman is not independent of man or man independent of woman"*.

<sup>14</sup> Rom. 7:2-3 transl. NRSVA: *"Thus a married woman is bound by the law to her husband as long as he lives; but if her husband dies, she is discharged from the law concerning the husband. Accordingly,*

ity<sup>15</sup>, adultery<sup>16</sup>, prostitution<sup>17</sup>, and many other social problems<sup>18</sup>. He denounced all this immorality. However, he did not write his epistles with the goal of moral perfection, because *"For God did not call us to impurity but in holiness"*<sup>19</sup> so that through these words, Paul taught the real significance of moral probity demanded of the persons faithful toward God. The duty of Christians through the New Testament was found in the words of Paul: *"therefore glorify God in your body"*<sup>20</sup> The Holy Spirit's deed was to indwell and empower the believer in Christ and to provide for victory over iniquity and to reveal the way toward redemption<sup>21</sup>.

After Christ's and apostles' teaching about ethics and morality, most of the Church Fathers defined the ethical values of human life in terms of Christian religious doctrine, which considered man's existence on earth a brief episode on the threshold of eternal life and deemed the basic task of his life to be prepared for death, regarded as the beginning of eternal life. In this way, the Church Fathers tried to preach about ethos and ethics in the daily life of Christians in the Byzantine Empire connected it with the Church and real spiritual life in Christ.

In Byzantium, the Orthodox Christian Tradition with its ascetic teachings and hesychastic tradition accepted man, not in the tight limits of his earthly life, but his eschatological glory. Church evaluates man's life not only with the biological criteria but with his ecclesiological existence, his whole behaviour is enlightened by the Holy Spirit and his every action acquires a new meaning. The ascetic struggle of the person does not have as an aim the individual security and happiness or social decency. It implies the dynamic confrontation with the existential problem of human truth. Through people's daily life, the goal is to struggle against their passions and to succeed to be united with God. Their deification becomes the purpose of human life in the present with the eschatological light, which means his realization as a person in the image of the Trinitarian way of life.

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*she will be called an adulteress if she lives with another man while her husband is alive. But if her husband dies, she is free from that law, and if she marries another man, she is not an adulteress".*

<sup>15</sup> Rom. 1:18, 26-27; 1 Cor. 6:9-10; 1 Tim. 1:10.

<sup>16</sup> Gal. 5:19, transl. NRSVA: *"Now the works of the flesh are manifest, which are these; Adultery, fornication, uncleanness, lasciviousness".*

<sup>17</sup> 1 Cor. 6:12-20; 1 Cor. 5:7.

<sup>18</sup> M. Hall, "A Historical and Hermeneutical Approach to the Vice-Lists: A Pauline Perspective", *Spiritus: ORU Journal of Theology*, 3.1.1(2018):27-46, <http://digitalshowcase.oru.edu/spiritus/vol3/iss1/5>

<sup>19</sup> 1 Thess. 4:7, transl. NRSVA.

<sup>20</sup> 1 Cor. 6: 20, transl. NRSVA.

<sup>21</sup> M. Hall, «A Historical and Hermeneutical Approach to the Vice-Lists: A Pauline Perspective», *Spiritus: ORU Journal of Theology*. 3.1 1 (2018): 41. <http://digitalshowcase.oru.edu/spiritus/vol3/iss1/5>

In this paper, we will analyze the opinion of the Church Fathers about crucial ethical problems. Did the laws in the Byzantine Empire and Church deal with adultery? What is the meaning of the phrase “let the wife see that she fear her husband”<sup>22</sup>? Were there homosexuals in this Christian society? What was the attitude of the Church Fathers about transgenderism? Why some Eunuchs were accepted by the society of the Byzantine Empire and others are condemned?

Church Fathers’ goal was not to condemn any sinner, but only sin. This teaching influenced the laws of the Byzantine Empire and created an ethical norm for the daily life of Christians. Christian morality expressed an inseparable link between the morality of the believer and the person of the Lord. Christ is the model of the morality of every believer and whoever lives in Christ achieves the «likeness». Consequently, there is a discussion highlighting the Christ-centered character of the ethics of Christianity. The incarnate Word, Jesus Christ, is the eternal model to be imitated by every Christian. Christ considers the safe moral true example for every Christian. After all, he called his disciples and consequently the Christians to follow and imitate Him. Therefore, throughout the New Testament and the Church Fathers’ teaching Christ was projected as a model of imitation<sup>23</sup>.

Our paper will examine all these vicious relationships in Byzantium according to the laws, and Orthodox Christian teaching.

## 1. The status of marriage in the Byzantine Empire

According to the Late Roman Empire, the family was a simple unity. Early Roman law recognized three kinds of marriage: *confarreatio*<sup>24</sup>, symbolized by the sharing of Spelt bread (*panis farreus*); *coemptio*<sup>25</sup>; and by *usus* (habitual cohabitation)<sup>26</sup>.

<sup>22</sup> Eph. 5:33, transl. American Standard Version (ASV).

<sup>23</sup> Basilus of Caesarea, Ascetical works 1, PG 31, 132SAB.

<sup>24</sup> *Confarreatio* was an elaborate religious ceremony with ten witnesses, the *flamen dialis* (himself married *confarreatio*), and *pontifex maximus* in attendance. Only the children of parents, who are married *confarreatio*were eligible. The grain *far* was baked into a special wedding cake (*farreum*) for the occasion, hence the name *confarreatio*.

<sup>25</sup> In *coemptio*, the wife carried a dowry into the marriage but was ceremoniously bought by her husband in front of at least five witnesses. She and her possessions then belonged to her husband. This was the type of marriage in which, according to Cicero, it is thought the wife declared *ubi tu gaius, ego gaia*, usually thought to mean “where you [are] Gaius, I [am] Gaia”, although *gaius* and *gaia* need not be *praenomina* or *nomina*.

<sup>26</sup> *Usus* - After a year’s cohabitation, the woman came under her husband’s *manum*, unless she stayed away for three nights (*trinoctium abesse*). Since she wasn’t living with her *paterfamilias*, and since she wasn’t under the hand of her husband, she acquired some freedom.

Patricians always married by *confarreatio*, while plebeians married by *coemptio* or *usus*: in the latter, a woman could avoid her husband's legal control simply by being absent from their shared home for three consecutive nights, once a year. Among upper-class families of the early Roman Republic, this kind of marriage was the norm; the bride passed from the family of her father to the family of her husband, remaining under one or another form of male *potestas* (power).

Generally, in the Roman period, marriage was a social relationship - a relationship between a man and a woman, which was guaranteed by law for these people to live together applying some moral rules<sup>27</sup>. The basis of marriage was in *affectio maritalis*, marital desire, and honor *matrimonii*, which presupposed a system of moral obligations that had to be applied<sup>28</sup>. The lack of marital desire was because marriage could not take place if one of the two spouses was socially or financially inferior to the other. As a result of this, instead of legitimizing the relationship through the legal and institutional framework of marriage, the institution of concubinage existed<sup>29</sup>. The marriage took place, following all the positive conditions as the consent of *pater familias*<sup>30</sup> and of spouses, which were required by the *Ius Civile*<sup>31</sup>, Roman Civil Law. If according to the law, there were no obstacles, such as a previous marriage, adultery, blood relations of the spouses, then there was a called legal marriage, *iustae nuptiae*, *iustum matrimo-*

<sup>27</sup> A. P. Kazdan, «The Byzantine Family and its problems», (in greek) *Mnimon*, 12 (1989), (195-209), p. 196, <http://dx.doi.org/10.12681/mnimon.414>

<sup>28</sup> *Ibid.*

<sup>29</sup> The term comes from Latin *concubinatus*, the institution in ancient Rome that regulated the cohabitation of free citizens who did not want to enter into a marriage, similar to modern-day civil unions. From this traditional meaning found in Roman law comes the contemporary usage of concubinage as a synonym for civil union, used in legal contexts. The institution was often found in unbalanced couples, where one of the members belonged to a higher social class or where one of the two was freed and the other one was freeborn. However, it differed from a *contubernium*, where at least one of the partners was a slave. Cf. S. Treggiari, «Contubernales», *Phoenix. CAC*, 35 (1) (1981): 42-69, esp. p. 42-43, doi:10.2307/1087137. B. Rawson, «Roman Concubinage and Other: De Facto Marriages», *Transactions of the American Philological Association: Johns Hopkins University Press*, 104(1974). 279-305, esp. p. 288, doi:10.2307/2936094.

<sup>30</sup> B. Severy, *Augustus and the family at the birth of the Roman Empire*, (New York: Routledge, 2003), p. 9-10. T. Parkin & A. Pomeroy, *Roman Social History. A Sourcebook*, (New York: Routledge, 2007), p. 72-80.

<sup>31</sup> H. J. Wolff, *Roman Law. A Historical Introduction*, (Red Rivers Books-University of Oklahoma Press, 1951), p. 61-70. G. Moussourakis, *Roman Law and the Origins of the Civil Law Tradition*, Springer International Publishing, Switzerland 2015, p. 27, ref.1 & 2, DOI 10.1007/978-3-319-12268-7

nium, legitimum matrimonium<sup>32</sup> by the Romans. Any other form of marriage was considered iniustum matrimonium<sup>33</sup>.

During the last period of the Roman Empire, which coincided with the appearance of time in the Early Byzantine period and, in particular, in the time of Constantine the Great, things were changed socially and morally for concubinage. This was due to Christian teaching and Church's influence, both on emperors and the population. At that time, the legislation was rather distinct from the strictness of the institution of concubinage. Thus, the legislation did not recognize heritage rights in the property of the prominent victim in favour of her non-married children and, most likely, not in favour of the departed spouse<sup>34</sup>.

In Byzantine Period, the influence of Christianity has as a result the religious character of marriage. At the same time, the marriage was converted from a formal legitimating of a relationship between man and woman into an institution that was set up by God Himself. In Byzantine society due to Christian teaching, although the woman was equated with a man, her position was limited to the house. The family structure had the father as the absolute regulator of the family issues, as it happened in Roman times. Therefore the woman could not decide about the man that she could marry. Although, as a daughter, she did not always have the right to act in any way, as a married woman, things were changed. The Christian principles that defined the functions of Byzantine Society ensured a dignified life for the married woman. Regardless of her social level, she was the hostess and the lady of the house. Giving birth to a child helped her to improve her status in society and her own family.

The influence of Christian teaching forced the Byzantine legislation to be interested in extramarital affairs and at the same time in the rights of concubines and of children who were born without their parents being married. It was referred above that those children who were born out of a marriage of their parents did not inherit anything from the property of their father. This changed after some centuries. The emperors, who succeeded Constantine to the throne, gradually recognized basic and limited inheritance rights for these illegitimate children, *Naturales Liberi*<sup>35</sup>.

<sup>32</sup> M. Jonaitis & E. Kosaitė-Čypienė, "Conception of roman marriage: historical experience in the context of national family policy concept", *Jurisprudencija/Jurisprudence of Mykolas Romeris universitetas*, 2. 116 (2009): 295–316.

<sup>33</sup> B. Rawson, "Spurii and the Roman View of Illegitimacy", *The Australian National University: Antichthon* 23 (1989):10–41.

<sup>34</sup> K. Harper, *Slavery in the Late Roman Mediterranean, AD 275–425: an Economic, Social, and Institutional Study*, (Cambridge 2011: Cambridge University Press), p. 443.

<sup>35</sup> "If a man and a woman entered into a permanent connection without marriage (*concubinatus*), their children were *naturales liberi*, and were so far favoured by the later law as to be capable of being



## 2. Christian Marriage as a Holy Sacrament of the Church

Christian teaching converted the status of marriage from a simple unity to a church mystery, a sacrament. Many Church Fathers spoke about the sanctity and beauty of the sacrament of marriage, using arguments based on passages of the Holy Scriptures. John Chrysostom underlined the importance of marriage. He restored it to its due nobility. This was an answer to those heretics<sup>36</sup> who called it evil. The Apostle Paul wrote: *“But because of cases of sexual immorality, each man should have his wife and each woman her husband”*.<sup>37</sup> Nikodemos Agiorites interprets the above passage of Paul as follows:

*“When Paul says that marriage should be allowed because of the temptations to immorality, he is exhorting married believers to practice self-control and self-restraint. This is why marriage is called honourable, because it preserves people in bodily self-restraint and because it prevents them from committing immorality and adultery”*<sup>38</sup>.

Also, Gregory Nazianzen analyses the importance of marriage for preventing man from living in immoral sexual passions:

*“It is good for one to be tied in marriage, temperately though, rendering more to God than to sexual relations. It is better to be free of these bonds, rendering everything to God and the things above. . . Marriage is concerned about the spouse and loved ones. Whereas virginity exists, it is the presence of Christ”*<sup>39</sup>.

According to Chrysostom, marriage was and is *“a great compensation for man’s mortality”*<sup>40</sup>, because through marriage the *“succession of offspring”*<sup>41</sup> is accomplished. With the gift of Marriage, God sought to *“soothe”*<sup>42</sup> the harshness of the

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*placed in the position of children sprung from a legal marriage, by the process of legitimatio”, T. Collett Sandars, The Institutes of Justinian: With English Introduction, Translation, and Notes, (London 1853), p. 43.*

<sup>36</sup> Such heretic sects were the Marcionites, Encratitae, Apotactitae, Saccophori, Manichaeans, etc.

<sup>37</sup> 1 Cor. 7:2, transl. NRSVA.

<sup>38</sup> Nikodemos Agiorites, *Commentary on the Fourteen Epistles of the Apostle Paul*, Vol. I, Athens: 1971, p. 253. According to this Father, self-restraint in marriage means that *“married couples should have sexual intercourse only for procreation and not for the enjoyment of pleasure”*.

<sup>39</sup> Gregory Nazianzen, *On Self-Restraint*, PG 37, 643D, transl. by E. Artemi.

<sup>40</sup> John Chrysostom, *In Genesim*, 38, PG 53, 353C, transl. by E. Artemi.

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.



penalty of death and “to remove the fierce mask of death”<sup>43</sup>, and thus prefigure the victory over death, i.e. the resurrection<sup>44</sup>.

The Bible begins with the wedding of Adam and Eve. Having created Adam and Eve, God said to them: “Be fruitful and multiply, and fill the earth and subdue it”<sup>45</sup>. This multiplication of the human race was to be achieved through marriage, “...they become one flesh”<sup>46</sup>. In the Old Testament, God, speaking through the mouth of His prophets, repeatedly invoked marriage as the pre-eminent symbol of his covenant<sup>47</sup>. In the New Testament, Jesus showed the importance of the marriage with His presence at Cana in Galilee<sup>48</sup>. There, He did His first miracle. The fact that the miracle was performed at a wedding is significant. By His attendance, Jesus placed His stamp of approval on the marriage covenant, and with His miracle, He showed from whence the blessings in a marriage spring. The love and joy inherent in a wedding ceremony were also characteristic of the ministry of Christ, who came into this world because of love and brought joy to all who believe<sup>49</sup>. Also, the Bible ends with a wedding<sup>50</sup>, the marriage supper of the Lamb.

John Chrysostom explained that marriage is both an image of baptism, where the believer is in the wedding of Christ, and an image of the Eucharist, which makes “one flesh”<sup>51</sup> of the believer and Christ. He told new Christians to “keep the marriage robe in its integrity, that with it you may enter forever into this spiritual marriage”<sup>52</sup>. Midst the Baptism and the Eucharist, we become “partakers of the divine nature”<sup>53</sup>. John advised every woman and every man to live their marriages purely. Indeed, this holy marriage is the substance of the Christian mystery. Christ’s

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Gen.1:28, transl. NRSVA.

<sup>46</sup> Gen.2:24, transl. NRSVA.

<sup>47</sup> M. Aquilina, “One flesh of purest gold. John Chrysostom’s Discovery of the Blessings & Mysteries of Marriage”, Touchstone, A journal of mere Christianity, vol. 21.1 (2008), 3-15, p. 3

<sup>48</sup> Jn 2:1-12.

<sup>49</sup> Jn 3:16; Lk 2:10.

<sup>50</sup> John Chrysostom, In epistulam ad Colossenses, PG 62, 229A

<sup>51</sup> Ibid., 12, 5, PG 62, 388B. Cf. Matt. 19:5. Gen. 2: 24. John Chrysostom, In Matthaum, PG 58, 597A,C.

<sup>52</sup> John Chrysostom, Baptismal Instructions 6, 24- 25: “And how become they one flesh? As if you should take the purest part of gold, and mingle it with the other gold; so in truth here also the women as it were receiving the richest part fused by pleasure, nourishes it and cherishes it, and throughout contributing her own share, restores it back to the man. And the child is a sort of bridge so that the three become on flesh, the child connecting, on either side, each to each. . . What then? When there is not child, will they not be two? Not so, for their coming together has this effect; it diffuse and commingles the bodies of both. And as one who has poured ointment into oil has made the whole one; so in truth is it also here”, transl.by <https://solzemli.wordpress.com/2011/07/31/saint-john-chrysostom-on-marital-sex/>

<sup>53</sup> 2 Pet. 1:4.

death is a sacred marriage<sup>54</sup>, and the Eucharist is the marriage feast, celebrating the successful nuptials of the Lamb and his bride<sup>55</sup>.

Marriage as a sacrament is a sacred and holy act. Marriage according to Orthodox Christianity goes far beyond the realm of social construct or biological evolutionary necessity and leads the couple to an experience of communion with Triune God. This communion transforms the marriage from a simple unity as a means of attaining holiness. Marriage is based on the natural bond, which is generated by the mutual consent of those, men and women, who come into communion marriage. This natural bond is proved sacred and spiritual relation when it is sanctified and exalted in the value of mystery with a church ceremony and prayers of Christ's Church. The mystery of the marriage<sup>56</sup> is great according to the apostle Paul because it is parallel to the union of Christ with the Church<sup>57</sup>. For this reason, the Apostle of Nations, Paul, commands husband *"love your wife as Christ loved the Church and gave himself up for her"*<sup>58</sup>. If it is necessary a husband should surrender his life for his wife. But even then, a husband will never do anything equal to what Christ has already done for us. A husband is called to sacrifice himself for the person to whom he willingly joined, but Jesus gives himself up for us who turned our backs on him in the hatred of sin. One's partner for life, the mother of one's children, the source of one's every joy, should never endure fear and threats, but love and kindness. *"What kind of marriage can there be when the wife is afraid of her husband on in dread that he does not love her?"*, Chrysostom wonders and adds, *"the husband who does not make his wife the loved one in the family has failed as a husband and as a man"*<sup>59</sup>. So in Ephesians 5:22-24, there is the blessing of agreement or harmony between husband and wife and of course there is not any *"fear"* of wife for her husband. The crucial verse *"and let the wife fear her*

<sup>54</sup> John Chrysostom, Baptismal Instructions 6, 23- 25. K. P. Wesche, "Reflections on the priesthood on Eastern Orthodoxy", The Theology of Priesthood, D. J. Goergen, A., Garrido (eds), New York 2000, p. 182.

<sup>55</sup> Ibid.

<sup>56</sup> John Chrysostom, In epistulam ad Colossenses, 12, PG 62, 387B. Encomium ad Maximom, PG 51, 230C. Eph. 5:25. In Ephesians 5, Paul identifies the spiritual nature of the mystery surrounding marriage and helps us understand the bigger picture. He says that marriage is a reminder of, a celebration of, and a commitment to God's plan and provision: i. to restore the relationship between Himself, the man, and the woman, and ii. to re-form His intended partnership between the man, the woman, and Himself as they navigate their life adventures together and fulfil their destiny which is their sanctification and their eternal living in the Kingdom of God.

<sup>57</sup> John Chrysostom, In epistulam ad Ephesios, PG 62, 225AB. Eph. 5:31-32, transl. NRSVA: *"For this reason, a man will leave his father and mother and be joined to his wife, and the two will become one flesh. This is a great mystery, and I am applying it to Christ and the church"*.

<sup>58</sup> Ibid. 5:25.

<sup>59</sup> Ibid.

*husband*" in Ephesians 5:33 has to do with her respect to her husband. This "fear" is fostered, according to Paul, by the boundless love of the husband for his wife. The Holy Spirit of God leads husband and wife to sanctification and glorification of God through, and with, their relationship.

At the same time, we should not forget that Christ did not only proclaim equality between woman and man but with his attitude and teaching honoured women. He characteristically emphasized the unrighteousness of the Law of Moses regarding women, noting: *"It was because you were so hard-hearted that Moses allowed you to divorce your wives, but at the beginning, it was not so"*<sup>60</sup>. The respect that the New Testament shows to the woman becomes evident through the honour that was given by the Fathers to Theotokos, the mother of Christ. They called her the new Eve<sup>61</sup>, who through her obedience managed to become the bridge through which the second person of the Holy Trinity, the divine Word, was incarnated, to save man from sin and the bonds of the death. Redeeming man from the power of the omnivorous demon, he gave to him the possibility of objective salvation and his reunion with the Triune God.

The bond between man and woman in marriage must be as tight as the bond of Christ with the Church. As Eve came from Adam's rib while he was sleeping<sup>62</sup>, so the Church came from Christ, who was dead on the cross. From the pierced side of Christ came *"blood and water"* which became the Church. It is underlined that Moses in Genesis does not use the verb *"create"* (ἐπλασεν) when he speaks of Eve, but rather the verb, *"build"* (ᾠκοδόμησεν)<sup>63</sup> wanting to show that she came from the same substance as Adam, not from some other substance. So the woman is not inferior or lacking in something, concerning Adam. She is a perfect human being, and equal in value to him. Knowing beforehand that the first-created ones would fall, God invented marriage and their need for mutual consolation.

In the sacrament of marriage Christ is present because spouses are reborn as Christians. Through the *"water"* of baptism, they are born again and we are nourished spiritually with the *"blood"* of Christ through the Eucharist. Therefore the spouses are members of Christ's body. Hence the command of the apostle Paul men should love their wives, *"even as Christ also loved the church, and gave himself for it,"*<sup>64</sup> and Paul adds that *"Even so it is right for husbands to have a love for their*

<sup>60</sup> Matt. 19:8, transl. NRSVA.

<sup>61</sup> *"Just as Eve was Adam's only helper amongst all the rest of the creatures, so the Virgin was God's only helper for the revelation of his goodness. The Virgin was to God not a mere instrument... but an assistant, a co-operator with God concerning his providence for the human race"*, Nikolas Cabasilas, *Homily on the Nativity of Holy Virgin Mother*, 6.

<sup>62</sup> *John Chrysostom*, In epistulam ad Ephesios, PG 62, 139A.

<sup>63</sup> Gen. 2:22.

<sup>64</sup> *John Chrysostom*, In epistulam ad Ephesios PG 62, 218A. Cf. Eph. 5:25, trans. by Eirini Artemi

wives as for their bodies. He who has a love for his wife has a love for himself"<sup>65</sup>. In support of what Paul said, John Chrysostom emphasized that not only the husbands must cherish their women because the latter is part of them and are created by men, but because God appointed law about this great thing, the marriage, saying the following "every man will leave his father and mother and be closely linked to the wife, and the two of them become one flesh. For this very reason and Paul reads us this law, to motivate the spouses to love each other"<sup>66</sup>.

Marriage is a mystery of love. Only in a virtuous marriage is true love found, peace, and true happiness, which accompanies temperance. When the husband sees the spiritual gifts of his wife, his love and desire for her increase and other women do not draw him away. The spouses' love will make the marriage the safe port<sup>67</sup>. There, the spouses can find a lee and they must protect it from the storms. The abstention from the carnal knowledge of the spouses should be decided by both parties. The unification of them is similar to the perfume that is mixed with ointment"<sup>68</sup>. Chrysostom underlined: "Christ ordered with the mouth of Paul not to deprive one another, but some women were removed from their men with supposedly desire continence for the sake of piety, and she pushed him in adultery and gulch loss"<sup>69</sup>. One spouse will not be deprived of another without agreement and he explains with clear words that nor does a woman stay away from the wedding bed if her husband disagrees, neither does a man if his woman does not want the same<sup>70</sup>. By this kind of temperance, great evils are born, such as adulteries, fornications and families breakdown. The inability of one spouse to respond to the marital duties with the other causes constant temptations, frustrations and conflicts. So the calm, harmony and peaceful coexistence of marriage are lost. If this happens, the assignment is pursued is useless because it banishes love: "What is the profit of fasting and abstinence when the love breaks? None". The conjugal communion does not have as its purpose only the bringing of children into the world, but also the combating of the temptation of the Devil<sup>71</sup>.

According to the teaching of the Christian Church, a couple of married people should not think of their sexual life as a sin. Paul Evdokimof explained: "Under the grace of the sacrament the sexual life is lived without causing the slightest

<sup>65</sup> John Chrysostom, In epistulam ad Ephesios, PG 62, 218AB. Cf. Eph. 5:28, trans. by Eirini Artemi

<sup>66</sup> John Chrysostom, Encomium ad Maximom, PG 51, 235C, trans. by Eirini Artemi

<sup>67</sup> John Chrysostom, In Virginitatem, Ecclesiastical Church Fathers Series, vol 29, (Thessaloniki 2000), p. 472.

<sup>68</sup> John Chrysostom, In epistulam ad Colossenses, 12, PG 62, 393B.

<sup>69</sup> John Chrysostom, In Matthaeum, PG 58, 768A-C.

<sup>70</sup> John Chrysostom, In epistulam ad 1st Corinthios, 19, PG 61, 152C.

<sup>71</sup> A. Alevisopoulos, The Orthodox Church. Its faith, its worship, its life, trans. St. Avramides, Antiairetiko egolpion, Athens 2010, <http://www.egolpion.com/Marriage.en.aspx>

*decline of the inner life*<sup>72</sup>. So the marriage preserves purity, chastity, and even virginity. Marriage as a unity of persons is not restricted to the level of matter and material sense; contrarily, matter and material sense serve the communion of the person and in this way, they acquire a spiritual content. The prayers of the marriage service address this pastoral issue; the priest prays for the bed of the couple to remain “*undefiled*”<sup>73</sup>.

In a conclusion, we could say that marriage is a small church on earth. In the marital relationship two individuals become “one flesh”; a term that means that two individuals work in concert to become one in mind and heart. They are joined together in love in a way that replicates the Three Persons of the Trinity relation of love to each other.

### 3. Adultery and adulterous in Byzantine Society

The issue of adultery was considered one of the great sins according to Jewish law<sup>74</sup>, the Ten Commandments and the preaching of Christ and the apostles. Gradually the teaching of Christ and the apostle Paul about marriage and the faith that spouses should have in their marital relation became consciousness in the whole Byzantine society and not only in the small groups of Christians of the first two centuries AD.

Specifically, there is the seventh commandment of the Mosaic Law that says “*You shall not commit adultery*”<sup>75</sup>, which is repeated in Deuteronomy “*Neither shall you commit adultery*”<sup>76</sup>. This order is repeated by Christ in the gospel of Mark<sup>77</sup>. The verb “*commit adultery*” means I create an affair with a woman and a man who are married, or a married man or a woman has an affair with another married or single person. According to Christ an indulging in adulterous feelings is equally detrimental to the soul as a real act of infidelity and both bear the same credence. He said, “*But I say to you that everyone who looks at a woman with lust has already committed adultery with her in his heart*”<sup>78</sup>. For Christ, both man and woman can

<sup>72</sup> P. Evdokimof, *The Sacrament of Love*, trans. by Anthony P. Gythiel and V. Steadman, (Crestwood: St. Vladimir's Seminary Press, 1985), p. 17.

<sup>73</sup> John Chrysostom, In epistulam ad 1st Corinthios, 19, PG 61, 155C.

<sup>74</sup> Lev. 20:10, transl. NRSVA: “*If a man commits adultery with the wife of his neighbour, both the adulterer and the adulteress shall be put to death*”

<sup>75</sup> Ex. 20:7, transl. NRSVA.

<sup>76</sup> Deut, 5:18, transl. NRSVA.

<sup>77</sup> Mrk 10:19.

<sup>78</sup> Matt 5:28, transl. NRSVA.

be considered adulterer and adulteress<sup>79</sup>. There was no discrimination in man and woman as far as the sin of adultery according to the teaching for the adultery, reminding to all the order of God in Leviticus<sup>80</sup>.

In Byzantine society, according to the law, adultery was concerned with the breach of marital fidelity, but only on the part of the wife<sup>81</sup>. During the reign of Constantine the Great as the sole Roman emperor (324-337AD), adultery was punished with the death penalty<sup>82</sup>. In the period of Justinian I (527-565AD), the adulteress could not be remarried. At the same time, any man who had sexual relations with a married woman was in danger of being sentenced to death<sup>83</sup>. Sometimes instead of the penalty of death for the adulteress, she was obliged to live as a nun in a monastery, exercising herself in repentance<sup>84</sup>. If a husband had an extramarital affair or affairs with an unmarried woman, who (she) belonged to the honourable class, he did not commit adultery, but prostitution<sup>85</sup>. On the contrary, if he had extramarital affairs with a slave woman or professional prostitute, then there was neither punishment for him, nor this affair was considered an immoral act. The reason was probably the fact that prostitution could be very lucrative occasionally and therefore beneficial to the state treasury through taxation. So in this case man who had extramarital relations, he could not be punished according to Justinian's legislation<sup>86</sup>.

These kinds of laws about the man and the presuppositions for his condemnation of adultery existed before the reign of Justinian. This flexibility of legislation about the different judgment for adulteress and adulterous became the cause for the reaction of the Church Fathers. Fathers understood the unfair legislation against women and tried with each way to underline it. Characteristically, Gregory Nazianzen defended the feminine nature that suffers injustice from the legislation. His passion, to restore this injustice, makes him analyze this prob-

<sup>79</sup> Matt 5:32, transl. NRSVA.: *"But I say to you that anyone who divorces his wife, except on the ground of unchastity, causes her to commit adultery; and whoever marries a divorced woman commits adultery"*

<sup>80</sup> Lev. 20:10

<sup>81</sup> J. Beaucamp, *Le statut de la femme a Byzance (4e-7e siecle)*. I. le droit imperial, Travaux et memoires du Centre de recherche d'histoire et civilisation de Byzance, College de France. Venographies, 5, (Paris 1990), p. 139-140.

<sup>82</sup> Justinii Codex 9.9.28.

<sup>83</sup> J. A. Evans, *The Emperor Justinian and the Byzantine Empire*, Greenwood Press, London 2005, p. 28

<sup>84</sup> Ibid.

<sup>85</sup> Σπ. Τρωιάνος, «Έρωσ και Νόμος στο Βυζάντιο», Σπ. Τρωιάνος (επιμ.), Έγκλημα και Τιμωρία στο Βυζάντιο, Αθήνα 1997, σ. 181.

<sup>86</sup> Ibid.

lematic situation in front of the emperor Theodosius the Great<sup>87</sup>. Thus Gregory emphasized that

*“Chastity, in respect of which I see that the majority of men are ill-disposed and that their laws are unequal and irregular. For what was the reason why they restrained the woman but indulged the man, and that a woman who practices evil against her husband’s bed is an adulteress, and the penalties of the law for this are very severe; but if the husband commits fornication against his wife, he has no account to give? I do not accept this legislation; I do not approve of this custom. They who made the Law were men, and therefore their legislation is hard on women”*<sup>88</sup>.

Also, he explained that God showed the equality of His legislation to man and woman and the human laws should do the same<sup>89</sup>. For Gregory, the human law about the punishments of man and woman should imitate the law of God. Triune God punished the first people for their disobedience in the same way. Both they were exiled from Paradise. Both they lost the privilege of the primordial state. And both they were saved by the Incarnate Logos. The latter became enfleshed, being total man and remaining total God. His passions, death and resurrection gave to both human beings, to man and woman the ability of objective salvation<sup>90</sup>. After all, Christ was the incarnate Word of God who came to save all of us from mortality and reunited us with God Father. Gregory continued and argued that Christ was called the seed of David<sup>91</sup> in order not to honour the man only. For this, He was born of Virgin, and this was on the Woman’s side<sup>92</sup>.

On the other hand, another Father of our Church, John Chrysostom emphasized that a man should not be married to an adulteress, because he would commit the serious sin of adultery<sup>93</sup>. At the same time, he harshly criticized the adul-

<sup>87</sup> Gregory Nazianzen, Homily 37, PG 36, 281- 308.

<sup>88</sup> Ibid. PG 36, 289A-C, transl. by Ch. G. Browne and J. E. Swallow, From Nicene and Post-Nicene Fathers, Second Series, Vol. 7, edited by Ph. Schaff and H. Wace, Buffalo, NY: Christian Literature Publishing Co., 1894. Revised and edited for New Advent by K. Knight, <http://www.newadvent.org/fathers/310237.htm>.

<sup>89</sup> Gregory Nazianzen, Homily 37, PG 36, 289A-C.

<sup>90</sup> Ibid., PG 36, 289C.

<sup>91</sup> Rom. 1:3.

<sup>92</sup> Gregory Nazianzen, Homily 37, PG 36, 289D, transl. by Ch. G. Browne and J. E. Swallow, From Nicene and Post-Nicene Fathers, Second Series, vol. 7, ed. by Ph. Schaff and H. Wace, Buffalo, NY: Christian Literature Publishing Co., 1894. Revised and edited for New Advent by K. Knight, <http://www.newadvent.org/fathers/310237.htm>

<sup>93</sup> John Chrysostom, For the “A wife is bound as long as her husband lives. But if the husband dies, she is free to marry anyone she wishes, only in the Lord. But in my judgment, she is more blessed if she remains as she is”, PG 51, 221D.



terous husband even if the infidelity of this man had to do with a prostitute and not with another married woman<sup>94</sup>. So, a man should honour the wife who was chosen by him<sup>95</sup> for the rest of his life. For this reason, “to each man God has assigned a wife, he has set bounds to nature, that intercourse with one only: therefore intercourse with another is transgression, and the taking of more than belongs to one, and robbery”<sup>96</sup>. In this case, according to Chrysostom, the marriage became a “wreck”. The Church Father asked the adulterous with an emphatic way to discipline him: “Why do you do this vicious action to your wife? Why are you insulting your member of your family? Why do you dishonour your dignity?”<sup>97</sup> Although the Patriarch of Constantinople had dedicated himself to God as a monk and priest, he clarified that there was no greater pleasure for a man than having a wife and children. In this way, he pointed out the importance of marriage<sup>98</sup>.

Also, Gregory of Nyssa spoke about adultery and prostitution in his fourth rule<sup>99</sup>. He presented prostitution as a catastrophic pleasure that does not harm a third person. On the other hand, adultery makes sad an innocent person who is the wife of the husband of the adulterous or adulteress. For this reason, Gregory of Nyssa was stricter against an adulterous than against a prostitute. For the bishop of Nyssa as adultery can be considered any sexual act that a married man or woman can have out of wedlock whether it is sexual relation with an animal; it is pederasty or another marriage without the spouses’ separation from their previous marriage<sup>100</sup>.

In the legislation of Justinian I and specifically in Pandektis there was a reference to the punishment that existed not only for the one who committed adultery but also for his wife or her husband. If one of the spouses accepted the adultery of the other spouse because of money, he/she would face very strict punishment<sup>101</sup>. These spouses were considered adulterous themselves because they concealed

<sup>94</sup> Ibid. PG 51, 222A.

<sup>95</sup> Ibid., PG 51, 219D-220A.

<sup>96</sup> John Chrysostom, on First Thessalonians, Homily 5, PG 62, 424C, transl. by J. A. Broadus, From Nicene and Post-Nicene Fathers, First Series, vol. 13, edited by Ph. Schaff, Buffalo, NY: Christian Literature Publishing Co., 1889. Revised and edited for New Advent by K. Knight, <http://www.newadvent.org/fathers/230405.htm>.

<sup>97</sup> John Chrysostom, On 43 Psalm, PG 55, 182AB.

<sup>98</sup> John Chrysostom, On the gospel of Matthew, Homily 37, PG 57, 428A

<sup>99</sup> Γ. Πάλλης & Μ. Ποτλής, Σύνταγμα των Θείων και Ιερών Κανόνων των τε Αγίων και πανευφύμων Αποστόλων, και των Ιερών και Οικουμενικών και τοπικών Συνόδων, και των κατά μέρος Αγίων Πατέρων, τ. Δ΄, (Αθήνησιν 1854), p. 308.

<sup>100</sup> Ibidem. Basilus’ the Great canons 9 and 76, vol. 4, p. 132, 225

<sup>101</sup> Digesta 48.5.34. Basilica 60.37.33.

the adultery for financial reasons<sup>102</sup>. Moreover, if someone had been married to an adulteress, he must be punished rigorously<sup>103</sup>.

At the Quinisext Council, often called the Council in Trullo (692 AD) and specifically in its 98th rule, it is said that *"He who brings to the intercourse of marriage a woman who is betrothed to another man who is still alive, is to lie under the charge of adultery"*<sup>104</sup>. The Ecloga of Leo III (717-41) supported the punishments for adulterous. It's described as fornicator a married man who has sexual relations with another woman:

- "1. A married man who commits adultery shall by way of correction be flogged with twelve lashes, and whether rich or poor he shall pay a fine.*
- 2. An unmarried man who commits fornication shall be flogged with six lashes.*
- 3. A person who has carnal knowledge of a nun shall, upon the footing that he is debauching the Church of God, have his nose slit, because he committed wicked adultery with her who belonged to the Church; and she on her side must take heed lest similar punishment is reserved for her.*
- 4. Anyone who, intending to take in marriage a woman who is his goddaughter in Salvation-bringing baptism, has carnal knowledge of her without marrying her and being found guilty of the offence shall, after being exiled, be condemned to the same punishment meted out for other adultery, that is to say, both the man and the woman shall have their noses slit.*
- 5. The husband who is cognizant of, and condones, his wife's adultery shall be flogged and exiled, and the adulterer and the adulteress shall have their noses slit.*
- 6. Persons committing incest, parents and children, children and parents, brothers and sisters, shall be punished capitally with the sword. Those in other relationships who corrupt one another carnally, that is father and daughter-in-law, son and stepmother, father-in-law and daughter-in-law, brother and his brother's wife, uncle and niece, nephew and aunt, shall have their noses slit. And likewise he who has carnal knowledge with two sisters and even cousins.*
- 7. If a woman is carnally known and, becoming pregnant, tries to produce a miscarriage [abortion], she shall be whipped and exiled.*
- 8. Those that are guilty, whether actively or passively of committing unnatural offences shall be capitally punished with the sword. If he, who commits*

<sup>102</sup> Digesta 48.5.9. Basilica 60.37.10. Ibid. 60.37.52. Justinii Codex 9.9.10.

<sup>103</sup> Digesta 25.7.1 §2-3. Basilica 60.37.1.

<sup>104</sup> Πάλλης & Ποτλής, Σύνταγμα ..., p. 538-539

*the offence passively, is found to be less than twelve years old, he shall be pardoned on the ground of youthful ignorance of the offence committed.*

*9. Those guilty of 'abominable crime' [homosexuality] shall be emasculated"<sup>105</sup>.*

In the Macedonian era in the 9th-11th centuries, the declared punishment for an adulteress was cutting off the nose, exile and confiscation of property. The same punishment existed in the 32nd Novel of Leo the Wise for the adulterous and adulteress. The only difference was that the adulterous husband would be punished by cutting off his nose, but he would continue to live with his wife. In the opposite case, the woman who betrayed the marital fidelity and was punished with the cutting off her nose, her husband could expel and prosecute her. In this case, her dowry would remain with the husband. As for the adulteress who had her nose cut off, would be isolated in a convent<sup>106</sup>.

To sum up, in the early Byzantine era the punishment for adultery remained the same in the Roman state. The Church Fathers condemned the tolerance of law and society towards men for adultery, and society's cruelty towards women for the same issue. Several centuries later, despite the interventions of the Church Fathers, the legislation of the Empire was changed and had as a base the Christian teaching<sup>107</sup>.

#### 4. Concubinage in Byzantine Society

In Byzantine times, Concubinage was something common for families. It was an interpersonal and sexual relationship between a man and a woman in which the couple did not want to have a full marriage, or cannot enter into a full marriage. Concubinage and marriage were often regarded as similar but mutually exclusive. The term "*concubine*" was generally used exclusively for the women involved in concubinage, although a cohabiting male might also be called '*concubine*'<sup>108</sup>.

Many times the man-the spouse had decided to bring the concubine into the house, claiming, that he brought her with him for the sake of child-rearing.

<sup>105</sup> E. Freshfield, transl, A Manual of Roman Law: The «Ecloga», (Cambridge, 1926], 108-12.). Reprinted in Deno Geanakoplos, Byzantium, (Chicago: 1984), p. 78.

<sup>106</sup> T. Κιουσπούλου, P. Μπενβένιστε, "Ταμήλιες στρατηγικές και «παρεκκλίσεις» στον οικογενειακό βίο: βυζάντιο και μεσαιωνική δύση», 1989, (p. 255-278) p. 273, <https://ejournals.epublishing.ekt.gr/index.php/mnimon/article/viewFile/8102/8028.pdf> (Accessed 2 October 2021). P. Noailles-A. Dain, Les Nouvelles de Leon VI le Sage, Paris 1944.

<sup>107</sup> K. Πάλλη, Ποινικόν Δίκαιον της Ορθοδόξου Ανατολικής Εκκλησίας, εκδόσεις Πουρναρά, Αθήνα 1985, p. 243.

<sup>108</sup> Π. Ι. Ακανθόπουλος, Κώδικας Ιερών Κανόνων και Εκκλησιαστικής Νομοθεσίας της Εκκλησίας της Ελλάδος, 3η έκδ., (Θεσσαλονίκη: Βάνιας, 2006), p. 686.

This phenomenon concerned slaves or free women, rich and poor women, and also noble. This is the “*unmarried marriage*”, according to its characterization<sup>109</sup>. It seems that Concubinage was about the middle and lower social levels, but the phenomenon was not unknown in the aristocracy. In the time of Justinian, because of the growing influence of Christianity, the legislation regulated a lot of things about bullying, legitimizing marriage, and recognition of children without marriage through a matrimonial relationship.

It should be underlined that until the 6th century, Church Fathers condemned concubinage as prostitution and adultery that infected a marriage and those who were taking part in this sexual relationship, the State maintained various attitudes against it. Constantine the Great dealt with the phenomenon of the concubinage strictly, because it was contrary to Christian teaching<sup>110</sup>. Thus, he abolished the concubinage as illegal marriage, 2nd and 3rd marriage into a legal marital relationship<sup>111</sup>. However, this sexual relation was completely abolished by the Macedonian Emperors<sup>112</sup>. The prohibition of concubinage by Leo VI with the 91 Novel had a catalytic factor for the honour of a woman's face, at least at a theoretical level<sup>113</sup>.

According to the Orthodox Christian teaching, the concubine differs from prostitute only in the number of lovers. The concubine has one lover and the prostitute many. Although the Greek Macedonian Dynasty had forbidden the concubinage, this sexual slavery of the women continued to exist not, only in poorer social classes but also in the highest. Specifically, Eirini from Trapezountas was the concubine of the emperor Vassilios of Trapezountas, Vassilios, the Great Komnenos, who abandoned his wife, Eirini Palaiologina<sup>114</sup>.

Although the marriage was thought of as a holy sacrament in the Byzantine Empire, people were continuing to have sexual relations with prostitutes or with concubines.

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<sup>109</sup> A.W. Hunter, *A Systematic and Historical Exposition of Roman Law in the Order of a Code*, Sweet & Maxwell, London 1803, p. 201.

<sup>110</sup> Δ. Χ. Γκόφας, «Παλλακεία και Νομιμοποίηση», στο *Ιστορία και Εισηγήσεις του Ρωμαϊκού Δικαίου Β΄*, (Αθήνα: εκδ. Αντ. Ν. Σάκκουλα, 1989), p. 128-129.

<sup>111</sup> Ibid.

<sup>112</sup> Π. Σμάγα, *Ο θεσμός της υιοθεσίας στο βυζαντινό δίκαιο*, (Θεσσαλονίκη 2007), σ. 13.

<sup>113</sup> Κ. Νικολάου, *Η γυναίκα στη μέση βυζαντινή εποχή. Κοινωνικά πρότυπα και καθημερινός βίος στα αγιολογικά κείμενα*, (Αθήνα 2005), σ. 81.

<sup>114</sup> W. Miller, Trebizond. *The Last Greek Empire*, London 1926, p. 46.

## 5. Homosexuality, Transgenderism and Orthodox Christian Teaching

John the evangelist wrote in his epistle *“let us love one another, for love is from God, and whoever loves has been born of God and knows God. Anyone who does not love does not know God, because God is love”*<sup>115</sup>. God’s love was revealed in the anthropological ordering of creation. The creation of the first people, Adam and Eve show two modes of being: male and female<sup>116</sup>. These two sexes were created to be united with each other<sup>117</sup> as the Persons of the Holy Trinity. So, Christian anthropology reveals the male as the only appropriate complement for the female and the female only for the male which involves moral boundaries of the sexual dimension of male and female intercommunion<sup>118</sup>. Homosexuality and adultery are condemned because they are sexual actions of immorality that are not included in the marriage<sup>119</sup>.

As a result of the previous opinions, Christian Church has adopted a crystal opinion of a distinct intolerance against homosexuality since the early days of its existence. In 309, the canons 39 and 81 of the Council of Elvira –today is called Granada- underlined that men who had sexual relations with other men or boys should be exiled from the Church and the Christian communion even at death.

The Orthodox Church lists homosexuality besides fornication, adultery, abortion and abusive sexual behaviour as immoral and inappropriate forms of behaviour in and of themselves, and also because they attack the institution of marriage and the family. Homosexual behaviour is a sin and is condemned by the Scripture and the Church Fathers. Many of them and many of Church Writers spoke against the immorality of homosexuality. Eusebius of Caesarea supported that the homosexuality of men and women and homosexual marriage are condemned by God. All these who are homosexuals should be in continuous repentance as the adulterers<sup>120</sup>. The same opinion is expressed by Basilus of Caesarea<sup>121</sup>.

<sup>115</sup> 1 Jn 4:7-8.

<sup>116</sup> Gen. 1:27, *“So God created man in His own image; in the image of God He created him; male and female He created them”*,

<sup>117</sup> Gen.2:18 *“Then the Lord God said, It is not good that the man should be alone; I will make him a helper fit for him”*.

<sup>118</sup> Gen. 2: 24. *“a man leaves his father and his mother and cleaves to his wife, and they become one flesh”*.

<sup>119</sup> Ibid.

<sup>120</sup> Eusebius of Caesarea, *The proof of the Gospel*, 4, 10, PG 22, 276C.

<sup>121</sup> Basilus of Caesarea, *To Amphilochius. About canons*, Epistle 217, 62, PG 32, 800A.

Based on biblical teaching<sup>122</sup>, Augustine of Hippo (c. 424) in his Epistle 211 contains the phrase “*Cum directione hominum et odio vitiorum*”<sup>123</sup>, which is translated as “*With a love for mankind and hatred of sins*”. Augustine was categorical in the combat against sodomy and similar vices. He wrote:

*“Sins against nature, therefore, as the sin of Sodom, are abominable and deserve punishment whenever and wherever they are committed. If all nations committed them, all alike would be held guilty of the same charge in God’s law, for our Maker did not prescribe that we should use each other in this way. The relationship that we ought to have with God is itself violated when our nature, of which He is Author, is desecrated by perverted lust”*<sup>124</sup>.

Further on, he reiterated:

*«Your punishments are sins which men commit against themselves, because, although they sin against You, they do wrong in their souls and their malice is self-betrayed. They corrupt and pervert their nature, which You made and for which You shaped the rules, either by making wrong use of the things which You allow or by becoming inflamed with a passion to make unnatural use of things which You do not allow”*<sup>125</sup>.

Generally, according to Orthodoxy, homosexuality and transgenderism are against the morality of Christ and biblical teaching. God created only two genders, male and female that they were given the ability to reproduce and assist in the creation of further human beings<sup>126</sup>. Sexual acts should take place between man and woman who are joined in the mystery or sacrament of marriage. All other sexual acts are thought of as fornication and are forbidden. But the worst of all is homosexuality and transgenderism, which are completely against the nature of the created man and woman.

Paul decried the sin of male homosexuality and underlines:

<sup>122</sup> There are a few biblical passages similar to this phrase. In Jude, the writer emphasizes that Christians should be known for their mercy and hatred of the effects of sin. Jude 23: “*Save others by snatching them out of the fire; and have mercy on still others with fear, hating even the tunic defiled by their bodies*”. Also, similar meaning with the phrase of Augustine can be found in biblical texts, Romans 12:9-10 “*Let love be genuine; hate what is evil, hold fast to what is good; love one another with mutual affection; outdo one another in showing honor*”; Psalm 137:9: “*Blessed shall he be who takes your little ones and dashes them against the rock*”

<sup>123</sup> Augustine of Hippo, Epistle 211, 11, PL 33, 962.

<sup>124</sup> Idem, Confessions, 3, 8, PL 32, 689-690.

<sup>125</sup> Rom. 1:26. Augustine of Hippo, Confessions, 3,8, PL 32, 689-690.

<sup>126</sup> Gen. 1:26-28.

*“and the men likewise gave up natural relations with women and were consumed with passion for one another, men committing shameless acts with men and receiving in themselves the due penalty for their error”*<sup>127</sup>.

In the 1st Corinthians, the apostle adds:

*“Or do you not know that the unrighteous will not inherit the kingdom of God? Do not be deceived: neither the sexually immoral, nor idolaters, nor adulterers, nor men who practice homosexuality ... will inherit the kingdom of God”*<sup>128</sup>.

Homosexuality is one of the passions that every Christian should struggle against it. Persons who participated in homosexual or homoerotic relations were completely maleficent to John Chrysostom. At the same time, homosexuality is the most terrible disease of the body and the worst spiritual pathology which conquers the soul. He, in his series of homilies on Romans, provides us with a detailed theological exposition on why homosexuality is one of the evil-est of sins; why it is and forever remains one of the *“four sins that cry to heaven for vengeance”*<sup>129</sup>. Every homosexual act is intrinsically evil. In his fourth homily on Romans, Chrysostom argues that homosexual acts are worse than murder and so degrading that they constitute a kind of punishment in itself, and that enjoyment of such acts makes them worse,

*“for suppose I were to see a person running naked, with his body all besmeared with mire, and yet not covering himself, but exulting in it, I should not rejoice with him, but should rather bewail that he did not even perceive that he was doing shamefully. Nothing can there be more worthless than a man who has pandered himself. For not the soul only, but the body also of one who hath been so treated, is disgraced, and deserves to be driven out everywhere”*<sup>130</sup>.

According to the Church Father homosexuality is worse than prostitution<sup>131</sup>. The same opinions with Chrysostom were expressed by his contemporary pagan rhetor Libanius<sup>132</sup>.

<sup>127</sup> Rom 1: 27.

<sup>128</sup> 1 Cor. 6: 9-10

<sup>129</sup> Gen. 4:10; Gen. 18:20-21; Gen 19:8-9; Ex. 22:21-23; Deut. 24:14-15.

<sup>130</sup> John Chrysostom, Homilies on Romans epistle, 4, PG 60, 418B, 419C.

<sup>131</sup> Ibid., PG 60, 419C.

<sup>132</sup> Libanius, Orations 28.8-11; 39.5-6; 53.6; 61.23. D. F. Greenberg and M. H. Bystryn, “Christian Intolerance of Homosexuality”, American Journal of Sociology, Vol. 88, No. 3 (Nov., 1982), 515-548, esp. 524.



Homosexuality is presented as one of the six sexual sins condemned by God Himself in the Old<sup>133</sup> and the New Testaments<sup>134</sup>. John Chrysostom compares the two vicious acts in the Old Testament, the potential dishonour of the Sodomites to the virgin daughters of Lot and his guests<sup>135</sup>; he considers that any dishonesty to men is more heinous than the other for the girls<sup>136</sup>. He compares prostitution with homosexuality and underlines that both are illegal and sins to God, but at least prostitution is a sexual act according to nature because homosexuality has to do with sexual acts against nature<sup>137</sup>. The bishop of Constantinople believes that homosexuality was the cause for the exemplary catastrophe of Sodom and Gomorrah<sup>138</sup>.

Besides homosexuality, transgenderism, the deconstruction of biological sexual identity is condemned by the Orthodoxy. Undoubtedly, there are very few cases of ambiguous genitalia or persons with a disparity between their chromosomes and the outward structure of their bodies. Generally, the characteristics of a male's or female's physical body are not irrelevant to the personal identity of each two genders. Throughout human history, the social roles of the two genders have been changed, but the physical distinctions between the anatomy of men and women have remained, based on biological sexual identity.

Although homosexuality is condemned by the Orthodox Church, homosexuals are not rejected by the Orthodoxy. Some men refuse to be part of the Orthodox Church and follow the path away from the orders of God. Some others recognize their passion and fight against this sinful addiction. In this perspective, Christians should truly compassionate people who struggle with gender identity without encouraging them to adopt self-definitions that ignore the physical realities of human personhood and to have homosexual relations. There are many examples of devout people who were homosexuals as Seraphim of Rose, but when they became Christians, they struggled against the passions of homosexuality and transgenderism and managed to gain sanctification. These people were healed in the Church, because of their hard struggle against their sexual passions, a homosexual orientation can be cured and homosexual actions can cease. In this way, they have redeemed sinners. They are human beings who have gotten rid of

<sup>133</sup> Lev. 18: 22; 20: 13

<sup>134</sup> Rom. 1:26–27; 1 Cor. 6:9, Jude 7.

<sup>135</sup> Gen.19:4-5, *“And the men of the city, the Sodomites, from young man to elder, all the people together, encircled the dwelling and they were summoning Lot and were saying to him: ‘Where are the men who came in to you tonight? Bring them out to us in order that we may have relations with them’*

<sup>136</sup> John Chrysostom, Homilies on Genesis, 43, PG 54, 400-401.

<sup>137</sup> Idem, Homilies on Romans epistle, 4, PG 60, 419D-420A.

<sup>138</sup> Gen. 18: 20. John Chrysostom, Homilies on Genesis, 43, PG 54, 400-401. Ibid. 42, PG 54, 388-389.

every carnal sickness and sin, delivered from the devil and death by God's grace through faith in Jesus by the Holy Spirit's power: "*and such were some of you*"<sup>139</sup>

The Orthodox Church doesn't exclude anyone, because it is a community of sinners who struggle with their passions and try hard to become saints, with the grace of God, to become members of the Kingdom of God. Of course, it does not bless the sin of homosexuality, which is opposite to its teachings about humanity and sexuality.

## 6. Male dormitory (homosexuality) in Byzantine Society

According to Christian Orthodox Church, as we referred above humans have a body distinguished by its nature males and females with unchanged genetic characteristics. Thus, from the years of the Old and New Testaments, homosexuality and mainly a man to have sexual relations with a man was something not only forbidden but also completely out of healthy human nature. The bishop Constantinople John Chrysostom emphasized that homosexuality is a violation of the divine law and at the same time it is a disgrace and encroachment on nature<sup>140</sup> and even he considered it the worst form of prostitution<sup>141</sup>.

Unfortunately, the existence of homosexuality in Christian Byzantium was something that no one can deny. Maybe this bad ethics came to Byzantium from the Roman Empire. But most Byzantines through the influence of Christianity considered homosexuality as a terrible sin and condemned this kind of sexual relationship as they condemned paedophilia. The male homosexuality had three different options: a. '*The one who was obliged to become homosexual by others*', which was disgusting, b. 'to make someone have behaved as a woman in sexual life, which was worse than the first, c. to behave in your sexual life as a woman and at the same time to try to make other men have feminine sexual life, which was the most disgusting of all. Gregory Nazianzen argued that these people were miserable because they behaved as men for women but as women for men. Some of the Eunuchs were used as homosexuals and they were obliged to become '*women*' for the sexual relations that they had with men.

In 390 a law of the emperor Theodosius I condemned the death penalty for coercion or trafficking in men for prostitution<sup>142</sup>. The emperor Justinian I with the Novel 141 condemned homosexuality as something immoral and disgust-

<sup>139</sup> 1 Cor. 6:10.

<sup>140</sup> *John Chrysostom*, Homilies on Romans epistle, 4, PG 60, 418B.

<sup>141</sup> *Ibid.*

<sup>142</sup> *Codex Theodosianus*, 9.7.6.

ing<sup>143</sup>. The same thing is repeated in Novel 77<sup>144</sup>. He believed that both the various homosexual tendencies of men and adultery must be punished with death<sup>145</sup>.

The Byzantine Chronographer Malalas (491-578) mentioned that at the time of the emperor Justinianus some homosexual bishops were removed from their dioceses<sup>146</sup>. The emperor punished castration for them. Castration often involved emasculation or the total removal of all the male genitalia. This involved great danger of death due to bleeding or infection and, in the Byzantine Empire, was seen as the same as a death sentence.

The Byzantine State and the Church considered that harsh laws would be reluctant to enter into homosexual love affairs. So because of the fear of deportation, punishment, and even death homosexuality would disappear. The Archbishop of Alexandria, Cyril in his speech 'Against Eunuchs' emphasized that

*"the poor (male homosexual) does this, which is something which belongs to women. They want to be men, but this immoral custom does not let them. Because they corrupt the human nature, not to create something useful, but because they are trapped in the passions of an appropriate sexual life"*<sup>147</sup>.

## Conclusions

From the legislation of the Byzantine emperors and the Patristic texts, we draw information on the moral and social upheavals of the Byzantines dealing with issues of sexual ethics. Features of these subjects were the laws of Justinian, the Isaurians and specifically the Ecloga, and finally the Greek Macedonian dynasty.

One of the most serious moral and social acts was adultery. It was one of the three deadly sins in Christian teaching, the other two it was the rejection of Christianity and murder. Adultery was punished with expulsion, although the adulterous were condemned to death. Of course, through the texts of the Church Fathers, It seems that the laws were strict for adulteress but not for the adulterous

At the same time, the immoral love of Concubinage continued to exist in Christian Byzantium. This enabled any husband to have an official mistress in addition to the legal wife. And in that circumstance, the Church opposed but

<sup>143</sup> D. Sh. Bailey, *Homosexuality and the Western Christian Tradition*, (London: Longmans, Green, 1955), p. 73-75.

<sup>144</sup> *Institutiones*, 4.18.4

<sup>145</sup> *Ibidem*

<sup>146</sup> *John Malalas, Chronography, Homily 18, Corpus Scriptorum Historiae Byzantinae*, vol. 14, Bonnae 1731, p. 456.

<sup>147</sup> *Cyril of Alexandria, Against Eunuchs 19, PG 77, 1108AB.*

failed to eliminate this phenomenon in society. However, the worst of all was the phenomenon of male homosexuality. These people destroyed their nature and they became as sinful as Sodoma and Gomorrah.

Church Fathers condemned any kind of immorality because is against the laws of God. They continued to love sinners and to pray for their salvation. Through the teaching of the Church Fathers, a Christian should find the correct path which leads to God. The only true path is for every man and woman in every period to struggle against his and her passions.

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