



# The Bishop's Throne

How religion became law

by Janice-Ann Priest

The concept of governance was born as clergy leaders moved into the political arena.

The earliest apostolic period was sanctified as a household church –‘the coming together at home’ (1 Cor 16:19; Col 4:15). The Church evolved from humble beginnings as a household temple, and was based, like many other religions of the time, around the extended family. This helped sustain and manage the preservation of family, property, spiritual beliefs and trade. Within this temple, people addressed themselves as ‘brothers and sisters’; the term father was reserved for God. The man of the house was called master.

For 200 years, religion and spiritual beliefs were private gatherings (‘oikos’). During this period, all the religious communities adjudicated over their own disputes and laws. That changed during the mid 3rd century as Christianity grew and transformed into more of a public religion. Larger places of worship were built to accommodate the growth, but still it was as a non-political

organisation. By the 4th century, people were worshipping in larger public temples called Basilicas, and thus began the friction between who determined justice and law, and the role of women in religious teachings. As Christianity entered the public sphere, male leaders demanded the power of adjudicating in the public sphere (‘polis’ – from whence came the word police). Religious groups met and determined a one court system; they voted in a Bishop’s court to attain that power.

Like the Roman system of governing with judicial authority, within each administration area, the appointed Bishop’s right to hear cases and to pronounce judgement rested simply on the authority of each religious order. When Constantine became the first Christian ruler, he placed these Bishop’s courts on the same legal basis as the empire’s municipal courts. From the end of the 3rd to early 4th centuries, the Bishop’s office became increasingly powerful. The notion of the clergy as the delegated viceroy of Christianity gave way to the monarchical Bishop.

From this position, the Bishops were accountable only to the King, to offer their services under the direction of God. The appointed clergy became ‘God’s voice’ and as such the church became a legal body (corpus – the term Roman’s used for the body politic).

By the 4th century, the shift in leadership roles had altered, not only over the legal status of communities, but in the influence of architecture of these new churches. The early Christian Basilica, with its prominent columns and recess for the Bishop’s dias, was patterned on the early Roman baths. The designs incorporated the throne room of God – the Bishop’s throne, from whence all judgement was made. This stood at the front of the worshipping community, then was eventually placed on a raised dias, or platform, indicating the notion of ‘the father as sovereign rule’, unified by a common law – the law of faith and a common disciple – Christian morality.

As these temple buildings and the power of the Bishops grew, the issue of women’s role in dispensing religion, or



as patrons, became a power issue. The moral high ground from the 'father' figure demanded reform. The moral high ground was based on honour, faith and discipline (*disciplina*). The records of the Tertullian church note the period of insular law within the small community religions unified imperium, as the authority vested in a high elective office of the Roman Government.

Up until that period, women participated in clergy roles such as baptising, exorcising and healing, but with the emerging rigid religious expectation, instead of improving equality, as Jesus and the gnostic congregations preached, these power hungry clergy imposed the Roman codified restrictions upon women. Family life was divided into women managing the household, and men managing the business of state and marketplace. In this democratic polis, the role of the church was one of administration, justice, law and religious decisions. Justice became a Christian virtue. The church clergy emphasised the bible (1 Cor 14:34-35) to uphold their view.

During the next few centuries, Bishops gained even more political power, swaying many political decisions, even in war. In their zealous drive for power, women were often victimised as being (*procases*) shameful, especially if they tried to enter public life in any form. This was particularly hard for widows who managed the family trade. The extreme of this male domination was the result of religious, monarchical law. A rigid law determined that women should wear a veil in public, and especially in church. Paul, Jesus' apostle, argued that women should wear a veil and be modest (1 Cor 11:1-17). Women covering their heads (with hats and scarves) was still in practise in the mid 20th century.

If women wanted to become subservient to the church, they had to be virgins, swear a vow of chastity and wear a veil. The future role of nuns and sisters was established. The conviction that women were not to be a part of any Christian worship was attributed to the pagan influence that women had held onto. Only the church could display glory in the name of God. Only men had the

right to vote. To say what women could do or where they could go became a part of that vote.

There were treaties written in that time revealing women's behaviour. Any woman not complying was labelled a pagan and as such punished under church law – a decision sanctified by the government. Brutal sentences were imposed on any woman disobeying church law. This was completely the opposite to early Christian teachings, where John wrote about Mary Magdalene and women's prominent place in religious history. The irony was the church restrictions on women impacted on the church economy, as women formed the backbone of providing community trade. So payment fees were enacted and families had to contribute to the welfare of the church.

In Plato's day, men were admired as philosophers and rulers, whilst women were to be concerned with household issues only, and the role of citizen was only open to freeborn males. In the 5th century, Socrates wrote about this concept of freedom – that of self-control and self-mastery for men as head of the household. Plato and Aristotle, acclaimed philosophers, favoured hierarchical law and viewed male dominance as a virtue. These Christian philosophers viewed male laws as their religious right, whereas women offered only a distraction. Their philosophical teachings remained in favour for many centuries, in educational literature and law, until the women's right to vote was passed early in the 19th Century. The possibility of women being ordained into the church as clergy didn't eventuate again until around 1952. The Church of England ordained its first woman priest in 1994, thus ending 1460 years of male clergy dominance and 17 centuries in family life, the world monetary system, trade and the law.

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