

UC Santa Barbara
Volume 6, Issue 1 (Spring 2026)

Title

Gender and Authority: Early Ecclesiastical Legislation on Women in the Late Roman Empire

Permalink

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Journal

The UC Santa Barbara Undergraduate Journal of History, 6(1)

Author

Hosmer-Hughes, Fiona

Publication Date

2026-04-01

Peer reviewed



SPRING 2026

UC SANTA BARBARA

THE
UNDERGRADUATE
JOURNAL OF
HISTORY

Vol. 6 | No. 1

© **The UCSB Undergraduate Journal of History**
3236 Humanities and Social Sciences Building
The Department of History, Division of Humanities and Fine Arts
The University of California, Santa Barbara
Santa Barbara, California
93106-9410

Website

<https://undergradjournal.history.ucsb.edu/>

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**Gender and Authority:
Early Ecclesiastical Legislation on Women in the Late Roman Empire**

Fiona Hosmer-Hughes¹

During the first several centuries of Christian history, within the context of Roman church synods, women occupied a liminal space, leaving them on the margins of both religious and social life. Authority existed through parallel structural systems. While emperors issued formal decrees and edicts governing both civil and religious activities, bishops enacted canon law for their clergy, who would then enforce these rulings among their congregations. In an effort to resolve festering doctrinal disputes and create uniformity between the juxtaposed episcopal and imperial institutions, ecumenical councils were convened.

Among the surviving ecumenical canons, references to women appear sporadically and are obscured behind terminology associated with men. Although most canons were primarily intended to regulate the conduct of male clergy and the broader laity, their rulings nonetheless had significant implications for women's social, moral, and sexual autonomy. Enforced within a historically patriarchal framework, many of the decrees ultimately served to reinforce prevailing societal gendered expectations. By piecing together these fragmentary records, we can see that the most prevalent themes among canons pertaining to women concerned the regulation of their living situation, delineation of proper communal dining hours and protocol, and the encouragement of celibacy in marital arrangements. An examination of these texts reveals a notable absence of prescriptive directives for clergymen and laity to follow, thereby sanctioning non-ascetic lifestyles among the governed. The institutionalization of such ambiguity under the ecumenical framework permitted interpretive flexibility, and in practice, enabled nonconsensual and exploitative relationships involving women.

In 325 A.D, the first ecumenical council of Nicaea was convened and presided over by the emperor Constantine I himself. Over multiple lengthy council sessions, religious leaders and government officials convened to engage in intense philosophical and theological debate, ultimately issuing a creed and a set of canons, or regulations, to be considered official ecclesiastical legislation. Six more official ecumenical councils would meet between 325 and 787 CE. From the initial seven councils, I will focus solely on canons that explicitly regulated women; the First Council of Nicaea

¹ Fiona Hosmer-Hughes is a graduating senior from the University of California, Santa Barbara where she triple-majored in the History of Art & Architecture - Emphasis in Architecture and the Environment, Religious Studies, and Chinese, and double-minored in Applied Psychology and Translation Studies. Her research interests include gender, power, and author:ity in Chinese history and plans to continue her studies at UCLA's East Asian Studies Masters program.

(325 A.D.), the Council of Chalcedon (451 A.D.), the Second Council of Constantinople (553 A.D.), and the Second Council of Nicaea (787 A.D.). The objective of this article is to historically contextualize and critically analyze specific canons to investigate the liminal space women were granted, as well as the direction of the Church's social policy.

My methodological approach involved close critical analysis of the ancient sources. I include the canons in their original Greek alongside English translations from Norman Tanner. I began by examining the primary texts to identify references to women, womanhood, or gender, paying particular attention to adjacent terminology, such as the masculine plural or the term '*matrona*', to ensure I captured the most accurate understanding of how women were referenced during this period. When translating specific words or phrases, I consulted artificial intelligence-based tools, such as Perplexity.Ai, to assist in interpreting Classical Latin and Greek, while exercising critical judgment in assessing their suggestions.

In analyzing the canons and their implications for women, I encountered a distinct lack of primary scholarship on Roman ecumenical canons and their impact on women's daily lives. Narrowing my research scope to the first seven councils yielded even less scholarship on these specific seven case studies, underscoring the need for more research on this aspect of Christian legal history. Women are infrequently directly referenced. In the limited instances where they appear, their status is defined by their male counterparts, who dictate their societal role. There exists a significant lack of female perspective documented within the texts themselves or regarding the impact on women's lived experiences. A majority of the secondary sources I analyzed were also authored by men, which underscores the need for more diverse historiographical perspectives. Further research is required to explore how the canons were implemented into the daily lives of women living in religious contexts. The texts I have examined throughout this article do not provide insights into the actual living conditions of people of that time; recurring themes of similar grievances across the canons allow for discernment of women's position, particularly in late Roman society. There also exist other major collections of late Roman Law, including the Theodosian Code and the *Corpus Iuris Civilis*.² Further research is needed to examine how these works intersect with the canons.

First Council of Nicaea (325 A.D.)

During the fourth century, ancient Rome was characterized by immense political and religious transformation. Newly appointed emperor Constantine I (306 to 337 AD) would move to establish the Roman Empire's capital at Constantinople in 330 AD. In 313 CE, he issued the Edict of Milan, which legally protected historically persecuted faiths, such as Christianity, and encouraged religious

² Gillian Clark, *Women in Late Antiquity: Pagan and Christian Life-styles*, (Oxford University Press, 1994), p. 8.

tolerance across the Roman Empire. The Council of Nicaea (325 A.D.) was held in the city of Nicaea, which marked the first ecumenical council, with over 300 priests, bishops, and religious leaders in attendance. Constantine, I seized the opportunity to assert imperial authority over ecclesiastical affairs. The primary objective of the assembly was to debate the Arian controversy, a theological dispute that had plagued and divided the early Christian community, ultimately resulting in its official condemnation. As a local presbyter in the church of Alexandria, Arius advocated the ultimate divinity of God and asserted that Christ the Son was subordinate to the Father. With the intention to create doctrinal universality within Christian scripture, the council produced the Nicene Creed, an affirmation of faith, which declares, “We believe in one Lord, Jesus Christ, the only Son of God, eternally begotten of the Father.”³ In addition to addressing the controversy, the convocation also debated and enacted twenty canons into religious legislation regarding clerical lifestyle. These canons endeavored to establish order among governing deacons, presbyters, bishops, and other religious leaders, clarifying the standards of behavior expected of the church hierarchy. Due to the rise of Christian ideals in the Late Roman Empire, women were expected to conform to the roles of piety, chastity, and motherhood.

Of the twenty total canons produced, women are explicitly mentioned once in the third canon which stipulates that,

Ἀπαγόρευσε καθόλου ἡ μεγάλη σύνοδος μήτε ἐπίσκοπον μήτε πρεσβύτερον μήτε διάκονον μήτε ὅλως τῶν ἐν τῷ κλήρῳ τινὶ ἐξεῖναι **συνείσακτον** ἔχειν, πλὴν εἰ μὴ ἄρα μητέρα ἢ ἀδελφὴν ἢ θείαν ἢ ἃ μόνα πρόσωπα ὑποψίαν διαπέφευγενα.⁴

The great Synod has stringently forbidden any bishop, presbyter, deacon, or any one of the clergy whatever, to have a *subintroducta* dwelling with him, except only a mother, or sister, or aunt, or such persons only as are beyond all suspicion.⁵

The term *subintroducta* can be traced to an era where the practice of *syneisaktism*, or spiritual marriage, was idealized among early Christian ascetics. Professor Elizabeth Clark observes that the earliest textual example of this form of relationship appears in the *Similitudes of Hermas*, in which Hermas engages his female companions in a brother-sister relationship⁶. The relationship produced criticism, as Irenaeus testifies, “that chastity has been violated when some of the “sisters” became mother.”⁷

³ “Nicene Creed,” in *Decrees of the Ecumenical Councils*, vol. 1, *Nicaea I to Lateran V*, ed. Norman P. Tanner (Georgetown University Press, 1990), p. 5.

⁴ Giuseppe Alberigo ed., *Conciliorum oecumenicorum decreta*, (Bologna, 1991), p. 33.

⁵ Tanner, *Decrees of the Ecumenical Councils*, p. 7.

⁶ Elizabeth A. Clark, “John Chrysostom and the ‘Subintroductae,’” *Church History* 46:2 (1977): p.171. <https://doi.org/10.2307/3165004>,

⁷ Clark, “John Chrysostom and the ‘Subintroductae,’” p. 172.

Contemporary sources like *The New Catholic Encyclopedia* define the Latin term *subintroducta* as someone who is “beloved and liv[ing] with a man dedicated to celibacy to care for his domestic needs.”⁸ Certain ancient Christians show why the subject was taken up at the Council. Jerome of Stridon (c. 347–420 AD), for instance, condemns *subintroducta* as “harlots” and “gleefully noted the frequency with which the supposed virgins were betrayed by their ‘swelling wombs.’”⁹ In this framework, he places the moral culpability exclusively on women should they become pregnant in their living arrangements, reflecting a broader historical pattern in which women have been scapegoated to bear societal shame in circumstances largely beyond their control. Similarly, the Pseudo-Clementines¹⁰ (c. 320–380 CE) claim that Christ rejected *syneisaktism* in their analysis of John 20:17. When devout follower Mary Magdalene attempted to touch Christ after his resurrection, he states, “touch me not!” signifying his condemnation of spiritual marriages and physical intimacy between genders alike. If we examine the passage in its context, however, we can see that Christ states, “Touch me not; for I am not yet ascended to my Father: but go to my brethren, and say unto them, I ascend unto my Father, and your Father; and to my God, and your God.”¹¹ The phrasing of “touch me not” does not imply Christ’s disapproval of Mary Magdalene’s devotion, as the pseudo-Clementines assert. Rather, it sets spiritual boundaries to establish between himself and all of humanity following his resurrection.

Within the canon, the burden of proof for wrongdoing is placed on the female participant. Mothers, sisters, aunts, or any other female family members would be considered ‘safe’ from suspicion of all extramarital activities, while those unrelated by blood to the clergymen are assumed to inherently become objects of desire, tempting him and endangering his chastity. John Chrysostom addresses this issue in his first treatise on the *subintroducta* by claiming that, in married couples, the opportunity for sexual relations is always present. However, due to the women’s beauty dwindling from the “strain of childbearing and childrearing,” there is a diminished attraction between the pair”. His perspective assumes that women are inherently responsible for their husband’s lack of interest in the relationship, promoting an “old maid” narrative in which beauty determines their status within the household. John Chrysostom further observes that with the presence of a virgin *subintroducta*, “the constant association of the two-eating, talking, laughing together promoted a state of perpetual sexual

⁸ L. G. Owens and F. M. Jelly, “Virgines Subintroductae,” in *New Catholic Encyclopedia*, 14 (McGraw-Hill, 1967), p. 539.

⁹ John Chrysostom, *Adversus eos qui apud se habent subintroductas virgines* 13 J. P. Migne, *Patrologiae Cursus Completus: Series Graeca* [Hereafter, PG] 47, 514), p. 176.

¹⁰ The *Pseudo-Clementines* are named so because of the claimed authorship by Clement, a successor to Peter as bishop of Rome and believed to be the authentic author of *1 Clement*.

<https://www.nasscal.com/e-clavis-christian-apocrypha/pseudo-clementines/>

¹¹ John 20:17 (King James Version).

arousal.”¹² He asks, “Why else would a man put up with the faults of a woman? He would find her despicable. If the monks enjoyed their female companions, it must be for the same reason that other men find women attractive: the simple pull of lust. When those heroes of the faith who don sackcloth, cover their bodies with chains, fast and deprive themselves of sleep can hardly restrain the frenzy of sexual desire, how can those of more earth-bound constitution expect to escape it?”¹³ John Chrysostom regarded women as inferior to men and claimed they occupied the second rank.

As clerics of the early Christian church, religious leaders were expected to dedicate their lives to God by practicing asceticism and expressing their devotion by refraining from all procreative activities. This included the indulgence of personal desire as well as the cleansing of any and all ‘impure thoughts’. Nevertheless, the institution of marriage amongst priests, monks, and, in a few cases, popes was not uncommon. The explicit mention of complete abstinence, however, was absent in Nicaea’s canons. While the debate regarding clerical marriage was marked by significant controversy, a decisive resolution against its prohibition was ultimately concluded, largely due to the intervention of Paphnutius of Thebes, an esteemed Egyptian saint and disciple of Anthony the Great. Paphnutius advised the Synod not to frame such a law, “for it would be difficult to bear, and might serve as an occasion of incontinence to them and their wives.” He reminded them that, “according to the ancient tradition of the church, those who were unmarried when they took part in the communion of sacred orders, were required to remain so, but those who were married, were not to put away their wives.”¹⁴

The third canon of the Council of Nicaea thus illustrates a consensus regarding formal legislation on clerical conjugal relations. While the canon sets forth clear regulations regarding the living arrangements of clergymen and ‘subintroducta’, guidelines regarding sexual relations remain notably ambiguous. The equivocation arguably reflects a desire among male ecclesiastical authorities to allow clergymen autonomy in their marital arrangements. As Paphnutius of Thebes notes, by not holding a universal stance toward these relationships, local church officials could exercise control over the clerical assembly. The third canon encapsulates the early church tensions between ascetic ideals and the lived realities of clerical marriage.

The Council of Chalcedon (451 A.D.)

With the division of power between east and west following the death of Constantine I, the Roman Empire existed in a fragile political state. Although initially convened by the eastern Emperor Marcian

¹² John Chrysostom. *Adversus eos qui apud se habent subintroductas virgines* 13 J. P. Migne, *Patrologiae Cursus Completus: Series Graeca* [Hereafter, PG] 47, 514), p. 176.

¹³ Clark, “John Chrysostom and the ‘Subintroductae,’” p. 177.

¹⁴ Sozomen, *Ecclesiastical History*, chap. XXIII, in *Nicene and Post-Nicene Fathers, 2nd ser., vol. II*, ed. Philip Schaff, (Hendrickson, 1994), p. 560.

in the city of Nicaea, the council of Chalcedon instead assembled in the city of Chalcedon¹⁵ on 8th of October, 451 A.D., to secure both religious and political unity. The First Council of Nicaea (325 A.D.) and subsequent First Council of Constantinople (381 A.D.) sought to affirm the authority of Christ in relation to the Father. The Council of Chalcedon (451 A.D.), by contrast, sought to clarify Christ's dual nature regarding his humanity and divinity. With over 600 bishops and clergymen in attendance, the "Definition of Faith"¹⁶ was the most significant doctrine produced from the council, emphasizing that,

One of the same Christ, Son, Lord only-begotten, acknowledged in two natures which undergo non confusion, no change, no division, no separation; at no point was the difference between the natures taken away through the union, but rather of both natures is preserved and comes together into a single person and a single subsistent being; he is not parted or divided into two persons, but is one and the same only begotten Son, God, Word, Lord Jesus Christ, just as the prophets taught from the beginning.¹⁷

Among the recorded proceedings of the Council of Chalcedon, twenty-seven disciplinary canons were established, addressing issues ranging from procedures of clerical transfers to the condemnation of conspiracies and secret societies. Unlike the First Council of Nicaea (325 A.D.) and the First Council of Constantinople (381 A.D.), women are explicitly addressed alongside clergymen in several instances and alluded to in others.

The fourteenth canon, in particular, states that,

Ξένους κληρικούς και ἀναγνώστας ἐν ἑτέρᾳ πόλει δίχα συστατικῶν γραμμάτων τοῦ ἰδίου ἐπισκόπου μηδὲ ὅλως μηδαμοῦ λειτουργεῖν. μὴ ἐξεῖναι τινι αὐτῶν ἑτερόδοξον γυναῖκα λαμβάνειν. Τοὺς δὲ ἤδη ἐκ τοιούτων γάμων παιδοποιήσαντας, εἰ μὲν ἔφθασαν βαπτίσαι τὰ ἐξ αὐτῶν τεχθέντα παρὰ τοῖς αἰρετικοῖς, προσάγειν αὐτὰ τῇ κοινῇ τῆς καθολικῆς ἐκκλησίας, μὴ βαπτισθέντα δὲ μὴ δύνασθαι ἔτι βαπτίζειν αὐτὰ παρὰ τοῖς αἰρετικοῖς, μήτε μὴν συνάπτειν πρὸς γάμον αἰρετικῶ ἢ Ἰουδαίῳ ἢ Ἑλλήνι, εἰ μὴ ἄρα ἐπαγγέλλοιτο μετατίθεσθαι εἰς τὴν ὀρθόδοξον πίστιν τὸ συναπτόμενον πρόσωπον τῷ ὀρθοδόξῳ. Εἰ δέ τις τοῦτον τὸν ὅρον παραβαίη τῆς ἀγίας συνόδου, κανονικῶ ὑποκείσθω ἐπιτιμίῳ.¹⁸

Since in certain provinces readers and cantors have been allowed to marry, the sacred synod decrees that none of them is permitted to marry a wife of heterodox views. If those thus married already have children, and if they have already had the children

¹⁵ Modern day Kadiköy, Istanbul.

¹⁶ Also known as, "The Chalcedonian Definition."

¹⁷ Tanner, *Decrees of the Ecumenical Councils*, p. 86.

¹⁸ Alberigo, *Conciliarum oecumenicorum decreta*, p. 94.

baptised among heretics, they are to bring them to the communion of the Catholic church. If they have not been baptized, they may no longer have them baptised among heretics nor indeed marry them to a heretic or a Jew or a Greek, unless of course the person who is to be married to the orthodox party promises to convert to the orthodox faith. If anyone transgresses this decree of the sacred synod, let him be subject to canonical penalty.¹⁹

This particular canon underscores the council's concern for moral conformity among clergymen, as well as their wives and families, while simultaneously acknowledging the existence of marriage among members of the clergy. In contrast to the Council of Nicaea, communal living and clerical conduct invoke no specific guidelines regarding the condemnation or acceptance of marriage and extramarital activities. The sixteenth canon considers virgins who have dedicated themselves to God and embarked upon marriage, stating that,

Παρθένον ἀναθεῖσαν ἑαυτὴν τῷ δεσπότῃ θεῷ, ὡσαύτως δὲ καὶ μονάζοντα, μὴ ἐξεῖναι γάμῳ προσομιλεῖν· εἰ δὲ γε τοῦτο εὐρεθεῖεν ποιοῦντες, ἔστωσαν ἀκοινωνήτοι. Ὡρίσα-μεν δὲ ἔχειν τὴν αὐθεντίαν τῆς ἐπ' αὐτοῖς φιλανθρωπίας τὸν κατὰ τόπον ἐπίσκοπον.²⁰

It is not permitted for a virgin who has dedicated herself to the Lord God, or similarly for a monk, to contract marriage. If it is discovered that they have done so, let them be excommunicated. However, we have decreed that the local bishop should have discretion to deal humanely with them.

The canon actually reveals a degree of flexibility amongst the rules regarding marriage. As with many church strictures during this era, flexibility here allowed for a high level of discretion among local church authorities and avoided formal reprimanding. In many of the canons examined, women were denied autonomy and permitted only to occupy spaces granted to them by men. Within canon law, there existed no official means or mechanism for a woman of this era to refuse any sort of actions imposed on them from any male authority.

Canon 27 observes this,

Τοὺς ἀρπάζοντας κόρας ἐπ' ὀνόματι συνοικεσίου ἢ συμπράττοντας ἢ συναιρομένους τοῖς ἀρπάζουσιν ἡ ἁγία σύνοδος ὥρισεν, εἰ μὲν κληρικοὶ εἶεν, ἐκπίπτειν τοῦ οἰκείου βαθμοῦ, εἰ δὲ μονάζοντες ἢ λαϊκοί, ἀναθεματίζεσθαι.²¹

¹⁹ Tanner, *Decrees of the Ecumenical Councils*, p. 94.

²⁰ Alberigo, *Conciliorum oecumenicorum decreta*, p. 93.

²¹ Alberigo, *Conciliorum oecumenicorum decreta*, p. 94.

The sacred synod decrees that those who carry off girls under pretext of cohabitation, or who are accomplices or cooperate with those who carry them off, are to lose their personal rank if they are clerics, and are be anathematised if they are monks or layfolk.

²²

This canon addresses a central issue confronting both the Church and Roman society in the mid-5th century AD: Clerics, who under the ruse of cohabitation or *syneisaktism*, illicitly seized women into their household. These women were intentionally preyed upon under the guise of a controversial spiritual practice that allowed male individuals to exploit their vows. While this canon reveals the Church's position as a legal institution aiming to establish a standard to ward off malicious clerics, it also illuminates the lived experiences of women during the Later Roman Empire. Across these canons, there exists a subtle evolution from discussing women solely in the context of their existence with a man to them as individuals. Rather than referring to them simply as "wives of clergymen," authors begin to identify them as "women." Women are regarded as separate entities and worthy of creating doctrines that feature them as a central focus of the regulations. Despite this evolution, the canons show that they continued to be regarded as objects to be moved from one place to another, both physically and metaphorically.

The Second Council of Constantinople (553 A.D.)

Like councils prior to the Second Council of Constantinople, the call for the assembly came with the purpose of clarifying the church's understanding of Christ's nature. After the fall of the Western Roman Empire, Emperor Justinian I sought to unify and consolidate Byzantine power across both eastern and western fronts, especially against Persian threats. Convened on May 5th, 553 CE, both religious and imperial powers viewed the ongoing debates over Christ's nature as a potential threat to the authority of the church and the state. Emperor Justinian I and Pope Vigilius seized the opportunity to convene religious leaders and reaffirm the Chalcedonian Definition. Held in the empire's capital, the Second Council of Constantinople would mark the fifth ecumenical council within the initial seven. The central theological debate of this era was to determine Christ's nature. The Nestorian heresy held that Christ existed as two separate persons, one a distinct divine person and the other a distinct human person. The contrasting heresy of this era was of Monophysitism, which held that Christ possessed a singular unified divine nature. Growing theological disputes during this period gave rise to an underground group of followers who denounced the Council of Chalcedon's ruling. In response, the Second Council of Constantinople sought to condemn works from the "Three Chapters", which

²² Tanner, *Decrees of the Ecumenical Councils*, p. 99.

included writings of Theodore of Mopsuestia,²³ a supporter of Nestorianism. The council produced fourteen total canons and anathemas²⁴ translated from Greek.²⁵

Although the canons of the Second Council of Constantinople contain no direct mention of women, the sixth canon illustrates an archetype of the ideal virtuous woman: the Virgin Mary. Seeing her as an example of feminine purity and divinity, this canon asserts her perpetual virginity, stating,

Εἴ τις καταχρηστικῶς, ἀλλ' οὐκ ἀληθῶς θεοτόκον λέγει τὴν ἁγίαν ἔνδοξον ἀειπάρθενον Μαρίαν, ἣ κατὰ ἀναφοράν, ὡς ἀνθρώπου ψιλοῦ γεννηθέντος, ἀλλ' οὐχὶ τοῦ θεοῦ λόγου σαρκωθέντος καὶ τῆς ἐξ αὐτῆς, ἀναφερομένης δὲ κατ' ἐκείνους τῆσα τοῦ ἀνθρώπου γεννήσεως ἐπὶ τὸν θεὸν λόγον, ὡς συνόντα τῷ ἀνθρώπῳ γενομένῳ· καὶ συκοφαντεῖ τὴν ἁγίαν ἐν Καλχηδόνι σύνοδον, ὡς κατὰ ταύτην τὴν ἀσεβῆ ἐπινοηθεῖσαν παρὰ Θεοδώρου ἔννοιαν, θεοτόκον τὴν παρθένον εἰποῦσαν· ἢ εἴ τις ἀνθρωποτόκον αὐτὴν καλεῖ ἢ χριστοτόκον, ὡς τοῦ Χριστοῦ μὴ ὄντος θεοῦ· ἀλλὰ μὴ κυρίως καὶ κατὰ ἀλήθειαν θεοτόκον αὐτὴν ὁμολογεῖ, διὰ τὸ τὸν πρὸ αἰώνων ἐκ τοῦ πατρὸς γεννηθέντα θεὸν λόγον ἐπ' ἐσχάτων τῶν ἡμερῶν ἐξ αὐτῆς σαρκωθῆναι, οὕτω τε εὐσεβῶς καὶ τὴν ἁγίαν ἐν Καλχηδόνι σύνοδον θεοτόκον αὐτὴν ὁμολογῆσαι, ὁ τοιοῦτος ἀνάθεμα ἔστω.²⁶

If anyone declares that it can be only inexactly and not truly said that the holy and glorious ever-virgin Mary is the mother of God, or says that she is so only in some relative way, considering that she bore a mere man and that God the Word was not made into human flesh in her, holding rather that the nativity of a man from her was referred, as they say, to God the Word as he was with the man who came into being; if anyone misrepresents the holy synod of Chalcedon, alleging that it claimed that the virgin was the mother of God only according to that heretical understanding which the blasphemous Theodore put forward; or if anyone says that she is the mother of a man or the Christ-bearer, that is the mother of Christ, suggesting that Christ is not God; and does not formally confess that she is properly and truly the mother of God, because he who before all ages was born of the Father, God the Word, has been made into human flesh in these latter days and has been born to her, and it was in this

²³ Christian theologian, and Bishop of Mopsuestia from 392 to 428 AD.

²⁴ Anathemas can be defined as the formal excommunication or denunciations from the Catholic church.

²⁵ G. L. C, Frank. "The Council of Constantinople II as a Model Reconciliation Council." *Theological Studies* 52:4 (1991): pp. 636–650.

<https://doi.org/10.1177/004056399105200402>.

²⁶ Alberigo, *Conciliorum oecumenicorum decreta*, p. 116.

religious understanding that the holy synod of Chalcedon formally stated its belief that she was the mother of God: let him be anathema.²⁷

Across theological traditions, the Virgin Mary is idealized as the ultimate symbol of motherhood and womanhood. Women were meant to look up to her as a model of morality, embodying qualities of compassion, mercy, gentleness, and humility. She embraces God's will as her own path and helps to guide others. By following her example, women were expected to draw from a similar divine purpose. For example, even now, Spencer-Arsenault observes that, "For, like Mary, Catholic women see their lives as mothers as an important part of their personal and spiritual fulfillment. Therefore, although Mary is an object of ritualized awe, she can also be thought of as a "maternal friend", someone whom Roman Catholic women can relate to experientially²⁸. The canon explicitly insists that because the Virgin Mary gave birth to a divine being, she must be addressed by the proper title, *theotokos*, or God-bearer, in alignment with the decree of the Council of Chalcedon. The canon presents a remarkable paradox: women are recognized through the Virgin Mary, who is held in such high esteem, yet they are treated not as autonomous agents but as inferior to men. Moreover, the canon also notes that Mary remains an ever-virgin free from all impurity in conceiving Christ according to God's will, reflecting a normative ideal about womanhood and the standard of purity for all women during the period.

The Second Council of Nicaea (787 A.D.)

After the Second Council of Constantinople convened in 553 A.D., a new era of theological debate arose. The Second Council of Nicaea would mark the final assembly of the first seven Ecumenical councils, convening in Nicaea in 787 AD. Presided over by Patriarch Tarasios of Constantinople and the Legates of Pope Adrian I, the second council was convened by the Byzantine Empress Irene, regent for her nine-year-old son, Emperor Constantine VI. After the death of her husband Leo IV in 780, Empress Irene assumed all duties of the throne and became the first woman to rule Byzantium alone.

Over the course of the next eight sessions, the council addressed the iconoclastic controversy, which, under the rulership of Leo III, forbade the veneration of religious icons, images, and art as objects endowed with spiritual power. The council concluded that holy adoration could be given only to God. In addition, the council decreed that relics must be present at all consecrated altars, a practice still reflected in many modern Catholic and Eastern Orthodox churches. The Byzantine Iconoclasm movement would result in clashes between iconoclasts and iconophiles over the use of religious images. While Christian ideals still strongly shaped women's status and place in society during the seventh and

²⁷ Tanner, *Decrees of the Ecumenical Councils*, p. 116.

²⁸ Spencer-Arsenault, Michelle. "Mother Mary: The (Re)Construction of a Female Icon." *Sociology of Religion* 61:4 (2000): pp. 479–83. <https://doi.org/10.2307/3712533>, p. 482.

eighth centuries, women were granted greater legal and property rights, though they remained subordinate to their male counterparts.

During the council's sessions, twenty-two official canons were established and enacted as canon law. Analysis of these canons reveals that women are viewed as under male authority during this era. The canons also illustrate a clear gender separation with the intention to preserve purity and avoid any sort of impropriety. Without measures of enforced division, premarital actions between the sexes will likely occur.

This is exemplified in the eighteenth canon, Women in relation to the living proximity of bishops and monasteries,

Απρόσκοποι γίνεσθε καὶ τοῖς ἔξωθεν, φησὶν ὁ θεῖος ἀπόστολος· τὸ δὲ γυναῖκας ἐνδιδαιτᾶσθαι ἐν ἐπισκοπεῖσι, ἢ καὶ μοναστηρίοις, παντὸς προσκόμματος αἴτιον. Εἴ τις οὖν δούλην ἢ ἐλευθέραν ἐν τῷ ἐπισκοπεῖν κτώμενος φωραθῇ ἢ ἐν τῷ μοναστηρίῳ, πρὸς ἐγχείρησιν διακονίας τινός, ἐπιτιμᾶσθω· ἐπιμένων δέ, καθαιρεῖσθω. Εἰ δὲ καὶ τύχοι ἐν προαστείσις γυναῖκας εἶναι, καὶ θελήσῃ ὁ ἐπίσκοπος ἢ ἡ ἡγούμενος τὴν πορείαν ἐν τοῖς ἐκεῖσε ποιήσασθαι, παρόντος ἐπισκόπου, ἢ ἡγουμένου, μηδὲν ἐγχείρησιν διακονίας ποιεῖσθαι κατ' ἐκεῖνον τὸν καιρὸν γυναικί, ἀλλ' ἰδιαζέτω ἐν ἐτέρῳ τόπῳ, ἕως ἂν τὴν ἀπαναχώρησιν ποιήσῃται ὁ ἐπίσκοπος, διὰ τὸ ἀνεπίληπτον.²⁹

Be irreproachable even for those outside, says the divine apostle. Now, for women to live in the houses of bishops or in monasteries is a cause for every sort of scandal. Therefore if anybody is discovered to be keeping a woman, whether a slave or free, in the bishop's house or in a monastery in order to undertake some service, let him be censured, and if he persists let him be deposed. Should it happen that women are living in the suburban residence and the bishop or monastic superior wishes to journey there, no woman should be allowed to undertake any sort of work during the time that the bishop or monastic superior is present; she should stay on her own in some other area until the bishop has retired, in order to avoid all possible criticism.³⁰

This text outlines the strict rules aimed at protecting the reputation of clergy and avoiding situations that could lead to suspension or scandal.

The canon notes that if women are in the vicinity of clergymen, they are not permitted to take up work, whether intellectual or physical, which could suggest an expectation to remain docile and confined to the household or be kept out of view of the bishop or monastic superior. The canon serves

²⁹ Alberigo, *Conciliorum oecumenicorum decreta*, p. 115.

³⁰ Tanner, *Decrees of the Ecumenical Councils*, p. 152.

as a preventative measure regarding moral authority. The concern about maintaining gender separation continues with the twenty-second canon, eating habits shared by men and women:

Θεῶ μὲν τὸ πᾶν ἀνατίθεσθαι, καὶ οὐ τοῖς ἰδίοις θελήμασι δουλοῦσθαι, μέγα χρῆμα τυγχάνει. Εἴτε γὰρ ἐσθίετε, εἴτε πίνετε, ὁ θεῖος ἀπόστολός φησι, “πάντα εἰς δόξαν θεοῦ ποιεῖτε. Χριστὸς οὖν ὁ θεὸς ἡμῶν ἐν τοῖς εὐαγγελίοις αὐτοῦ. τὰς ἀρχὰς τῶν ἁμαρτημάτων ἐκκόπτειν προστέταχεν· οὐ γὰρ ἡ μοιχεία μόνον παρ’ αὐτοῦ κολάζεται, ἀλλὰ καὶ ἡ κίνησις τοῦ λογισμοῦ πρὸς τὴν οὐκ ἐκείνης μοιχείας ἐγχείρησιν κατακέκριται, λέγοντος αὐτοῦ· Ὁ ἐμβλέψας ἐ γυναικὶ πρὸς τὸ ἐπιθυμῆσαι ἤδη ἐμοίχευσεν αὐτήν ἐν τῇ καρδίᾳ αὐτοῦ.”³¹

It is very important to dedicate everything to God and not to become slaves of our own desires; for whether you eat or drink, the divine apostle says, do all for the glory of God. Now Christ our God has instructed us in his gospels to eradicate the beginnings of sins. So not only is adultery rebuked by him, but also the movement of one’s intention towards the performance of adultery, when he says: He who looks on a woman lustfully has already committed adultery with her in his heart.³²

The text begins by emphasizing the importance of dedicating oneself to God by eradicating lust. In this context, lust appears to encapsulate both physical desire and the intention, ‘*mens rea*,’ of gazing upon a woman in a licentious manner.

Ἐνθεν οὖν μαθητευθέντες, λογισμοὺς ὀφείλομεν καθαιρεῖν. Εἰ γὰρ καὶ πάντα ἔξεστιν, ἀλλ’ οὐ πάντα συμφέρει, ὥς ἐξ ἀποστολικῆς φωνῆς διδασκόμεθα. Ἐπ’ ἀνάγκης οὖν ἐστὶ παντὶ ἀνδρὶ διὰ τὸ ζῆν ἐσθίειν. Καὶ οἷς μὲν ὁ βίος ἐστὶ γάμου καὶ τέκνων καὶ λαϊκῆς διαθέσεως, ἀναμιξὺς ἐσθίειν ἄνδρας καὶ γυναῖκας τῶν ἀδιαβλήτων ἐστί, μόνον τῷ διδόντι τροφὴν τὴν εὐχαριστίαν προσάγοντας· μὴ μετὰ τινων θυμελικῶν ἐπιτηδευμάτων, εἴτουν σατανικῶν ἁσμάτων, κιθαρῶν τε καὶ πορνικῶν λυγισμάτων, οἷς ἐπέρχεται ἡ προφητικὴ ἀρὰ, οὕτως λέγουσα· Οὐαὶ οἱ μετὰ κιθάρας καὶ ψαλτηρίου οὐκ ἐμβλέπουσι, καὶ τὰ ἔργα τῶν χειρῶν αὐτοῦ οὐ κατανοοῦσι.

Thus instructed, we should purify our intentions: For if all things are lawful, not all things are expedient, as we learn from the words of the apostle. Now everybody is certainly obliged to eat in order to live, and in the case of those whose life includes marriage and children and the conditions proper to layfolk it is not reprehensible that men and women should eat in one another’s company.³³

³¹ Alberigo, *Conciliarum oecumenicorum decreta*, p. 155.

³² Tanner, *Decrees of the Ecumenical Councils*, p. 155.

³³ Tanner, *Decrees of the Ecumenical Councils*, p. 155.

From this segment, it is evident that the canon acknowledges the presence of marriage and the production of offspring within clergymen's lives while simultaneously creating guidelines for communal conduct. The council recognized communal meals between sexes as a means to provoke lust, and as a result, prohibited “diabolical songs” and “dancing fit for harlots”.

The canon proceeds by stating that,

Οἷς δὲ ὁ βίος ἐστὶν ἡσύχιος καὶ μονοτρόπος, ὡς συνταξαμένοις κυρίῳ τῷ θεῷ ζυγὸν μονήρη, ἄραι, καθίσαι τε καὶ σιωπῆσαι. Ἀλλὰ μὴν καὶ τοῖς ἱερατικὸν ἐκλεξαμένοις βίον οὐδόλως ἐξεστὶ κατ' ἰδίαν γυναιξὶ συνεσθίειν, εἰ μήπω μετὰ τινων θεοφόρων καὶ εὐλαβῶν ἀνδρῶν καὶ γυναικῶν, ἵνα καὶ αὐτὴ ἡ συνεστίασις πρὸς κατόρθωσιν πνευματικὴν ἀπάγη. Καὶ ἐπὶ συγγενῶν δὲ τὸ αὐτὸ ποιεῖται. ὁ Σεὶ δὲ καὶ αὖθις ἐν ὁδοιπορίᾳ συμβῇ τὰ τῆς ἀναγκαίας χρείας μὴ ἐπιφέρεσθαι μοναχὸν ἢ καὶ ἱερατικὸν ἄνδρα, καὶ διὰ τὸ ἀναγκαῖον καταλῦσαι βούλεται εἴτε ἐν πανδοχείᾳ ἢ καὶ ἐν οἴκῳ τινός, ἅδειαν ἔχειν αὐτὸν τοῦτο ποιεῖν, ὡς τῆς χρείας κατεπειγούσης.³⁴

Those whose mode of life is contemplative and solitary should sit and be silent, because they have entered into a contract with the Lord that the yoke they carry will be a solitary one. Indeed, all those who have chosen the life of priests are certainly not free to eat privately in the company of women, but at the most in the company of certain God-fearing and pious men and women, in order that such a meal taken in common may draw them to spiritual betterment. Let the same be done in the case of relatives.³⁵

Clergymen were permitted to eat amongst women privately, as long as they honored these established guidelines. Those who had chosen the ‘priestly life’, however, were not allowed to eat privately in the presence of a woman. The canon does allow for the exception of a practical necessity in which clergymen were in need of temporary accommodations. The Second Council of Nicaea (787 A.D.) was convened amid intense religious debate over the veneration of images and prompted much discussion about its impact on imperial forces. While women’s roles, similarly defined in the previous ecumenical council’s canons, remain ambiguous and undefined, their presence began to be formally acknowledged in relation to clergymen’s lives.

While women already appear infrequently in the canons, translation choices further obscure their presence in the sources and shape how we perceive them. Among the canons produced by the second council of Nicaea, Tanner translates the eighteenth canon as “Women should not live in the house of Bishops nor in male Monasteries³⁶,” providing the Latin title, “Quod non oportet feminas

³⁴ Alberigo, *Conciliarum oecumenicorum decreta*, p. 156.

³⁵ Tanner, *Decrees of the Ecumenical Councils*, p. 156.

³⁶ Tanner, *Decrees of the Ecumenical Councils*, p. 152.

barbitare nec episcopissas, vel virorum monasteriis.” This translation is not, however, entirely precise. The term “barbitare” can be understood metaphorically as becoming a man by taking on masculine tasks. When running this translation through an AI platform, the phrase was rendered as “That women should not shave their beards (or behave like men), nor should they be female bishops, nor live in men’s monasteries.” The translation process from classical Greek, Latin, and English exemplifies a loss of nuance and richness within the primary sources. Stager et al. highlight this challenge, noting that, “Each translator had to develop strategies for working within the confines not only of the source language but also of the source’s verse and poetic structures more generally. The structural constraints of each poem offer a metaphor for the constraints within which any translator outside mainstream systems of power must operate. They must stay within the bounds of the poetic system, but within those bounds each word choice has the potential to become a watershed³⁷.” Every seemingly minor decision represents a larger design choice that is significant in the work’s meaning. In this case, the design choice to simplify the overall meaning loses the cultural explanation offered by domesticating the source text.

Conclusion

The lack of historical records regarding women does not reflect their impact on Ancient Rome. Over time, women’s roles evolved to include social and financial autonomy and occasionally political power, with a few able to attain high religious ranks in ordination. Across the canons explored for the First Council of Nicaea to the Second Council of Nicaea, the position of women changed considerably. Although women would continue to be valued primarily as mothers and wives, a gradual shift would occur as more and more women obtained higher levels of education. Nevertheless, their independence remained and was defined by their male counterparts, fathers, brothers, or husbands.

While these canons aimed to create doctrinal uniformity, numerous civil disputes still persisted. Clark observes that ‘church teachings’ could not be generalized. She explains that, “When a pastoral problem arose, a bishop or synod of bishops might be asked for a canon, literally a ‘rule,’ as in ruling a line just as an emperor or a governor might be asked to rescript. The canon was in principle binding on the church in the relevant area; in practice, it depended on who got to hear about it.”³⁸ Because laws were frequently ‘re-enacted,’ they gradually became less effective, suggesting that people did not know what the exact law was. This, in turn, allowed for ambiguity to be fostered.

By excluding women from the discourse of these councils, their existence was minimized to the realms dictated to them. The First Council of Nicaea addressed women as *subintroductae*, painting

³⁷ Leila Easa and Jennifer Stager, “On the Gendered Politics of Translation,” In *Public Feminism in Times of Crisis: From Sappho’s Fragments to Viral Hashtags*, (Lexington Books, 2022), p. 102.

³⁸ Clark, *Women in Late Antiquity*, (1994), p. 12.

them as objects of lust, tempting unsuspecting clergymen to fall short of their ascetic vows. The Second Council of Chalcedon revealed that women were regarded as possessions, transferred around from male relatives to husbands, and treated as property among their assets. Their infrequent mention throughout the seven ecumenical councils enabled religious leaders to influence their clergy through ambiguity. The Second Council of Constantinople presents a paradox: women are viewed through the Virgin Mary, who is held in high esteem, yet they are treated not as autonomous agents but as inferior to men. Lastly, the Second Council of Nicaea devoted substantial time to the eating arrangements for women and men but said nothing about their treatment. The canons issued by each council were designed to create a collective consensus, providing clergymen with legal mechanisms to uphold prevailing social norms concerning women through official legislation and to maintain a liminal status for women.