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BIBLICAL LITERATURE AND THE RESTRICTION OF RIGHTS TO WOMEN IN THE HISTORY OF WESTERN LAW

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ABSTRACT: Contemporary Western law finds its origin intrinsically intertwined with divine law, which is based on the message conveyed by the Bible. Considered as a set of books, the Bible was not only the object of literary choices made by individuals who composed and edited it, as well as conveyed its authors' intentions. Thus, rules of literary interpretation may be applied to the Bible, which enables a more accurate understanding of its message and of how it was shaped by the choices applied to it. The purpose of this paper, therefore, is to analyze how the biblical literature was constituted and altered in order to understand how the female figure was represented. It also intends to analyze what are the consequences of its literary representation to women's rights. Furthermore, since religion was an important element in the definition Western law and morality, this work aims at observing the social reflections of the changes in biblical passages that discuss women's rights, considering the ideal of dignity and equality transmitted by Christian preachers and which guide the majority of Western legal systems today.

KEYWORDS: law, literature; religion; early Christianity; women.

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INTRODUCTION

Studying the history of Western law requires a going over the connection between law and religion, since the work of the Catholic Christian Church was - and still is - an essential part of the definition of morality and legally authorized social conduct. For a long period, divine right led the law of men. And, in turn, divine law was guided by the message contained in a set of books written, edited and reorganized from the first millennium before the Christian era, which held the “truth” that some groups wanted to pass on to future generations.

The Bible, being a set of texts in which figurative elements are used for the purpose of transmitting and recording ideas, consists of literature and, as such, can be analyzed according to the rules of interpretation commonly applied to literary styles³. In addition, one must consider that in it there can be found different genres - narrative, epistolary, poetry, parable, among others -, varied textual typology - such as description, narration, argumentation and prediction, on which the oracles are based, - and the use of different figures of language - comparison, metaphor, allegory, etc. The analysis of these aspects, which is part of the field of linguistic studies, suffers limitations since the analyzed work cannot be dissociated from belief and a transcendental discussion, as Gabel and Wheeler (2003, p. 17) and Zabatiero and Leonel (2011, p. 19) emphasize.

Likewise, for a long time, the view of the Bible as literature faced as an obstacle, on the one hand, the interpretation that claimed the sacredness of the text as an impediment to its literary consideration and, on the other, the opposition between a literary view and a historical-critical one, given its contextual influence. The latter considered the fact that the linguistic research of the Bible was initially focused on a negation of content due to the form. However, as Zabatiero and Leonel (2011, p. 19-28) argue, it is not a question of denying historical and philosophical paradigm approaches, but of proposing a new view of research that also considers a literary interest.

³ For several analyses of the Bible as a form of literature, see Zabatiero and Leonel (2011).

The literary study of the Bible does not necessarily presuppose the questioning of the belief it conveys, nor does it pretend to ignore the historical character acquired by the words, but aims at explaining the motivations behind them and qualifying the interpretations that can be drawn from them.

Considering the influence of this book on Western law, it is of utmost importance that this study be carried out. Understanding the Christian canon as the fruit of the choice of individuals from different times and places, with different visions and interests, explains innumerable interpretive problems of modernity. More than that, it can contribute to the overcoming of current conflicts and the advance of modern law, based on the principle of equality and human dignity, ideas already expressed in Christian literature.

With regard to gender-related disagreements, for example, it is imperative to observe the message that was intended to be passed with the canon on women and the justifications for the literary changes that have had practical consequences to their rights. Although gender rights have advanced in the last decades and the principle of equality is fundamental in Brazilian Constitution, differentiation still exists and finds reason in the constant morality from the Bible.

Although the canon presents a proposal of equality and dignity to women, which was essential for the acquisition of certain rights in the cradle of Christianity, its texts were object of modifications that aimed at delimiting the role of women within the religious institution and erase their participation in the consolidation of it, as exemplified by the forgery in the Pauline epistles.

This paper does not have the intention to go into the merits of the truthfulness of the facts narrated in the biblical texts that were made canonical, but to identify the way in which such literature influenced the conception of the feminine role and rights according to Western thought. Therefore, the purpose of this work is not to examine the existence of the female biblical characters or to deepen the discussion of the authenticity of the texts. It is a question of qualitatively analyzing the aspects of its representation in the process of canon construction - writing, text selection, editing, and forgery - through a historical approach to the

relation between law and religion and the study of methods of literary interpretation of the Bible.

Thus, the paper starts from the discussion about the intentions that were intrinsic to the construction of the biblical canon, connecting them with the proposed modifications regarding the female subjects according to the socio-political position they occupied. Then it can be answered by deductive method whether the early Church's⁴ choices regarding the construction of the canon have converged to the restriction of women's rights.

THE CONSTRUCTION OF THE CANON AND ITS INTENTIONS

The construction of a canon⁵ of biblical literature was an important tool for the consolidation of Christianity. The selection of official books among so many records - based mainly on oral sources - ensured that discussions about different interpretations did not impede the expansion of religion in its first centuries, as well as the homogenization of Christian belief and practices in the vast Roman Empire. However, it is questionable how the selection occurred and what criteria were used. What motivated the choice of certain books to the detriment of others?

In the first place, it is essential to situate the Bible in the field of literature. Zabatiero and Leonel (2011), in the same way as Gabel and Wheeler (2003), explain in their works the elements that allow the analysis of canonical texts from a literary perspective. Literature, it stands out, constitutes a relation with reality through the properties of language, so that two propositions are established. The first proposition, referring to the social relation, refers to the Aristotelian concepts of *mimesis* and *poiesis*, that is, of imitation and representation, establishing, therefore, that literature is a form of reconstruction of society through the individual perception of the author. This perception finds the second proposition at

⁴ It is understood as “primitive Church” the one constructed up to the 4th century AD, culminating in the canonization of the biblical texts by Constantine in 325, at the Council of Nicaea. See more in Drobner (2003).

⁵ Derived from the word cane (kaneh), unit of measure, Canon can be understood as a standard medium and is used to designate the legitimate books that make up the biblical content (Gabel; Wheeler, 2003, p. 74).

the moment when it manifests itself through the appropriation of language and literary resources (Zabatiero, Leonel, 2011, p. 111).

The adoption of poetic and metaphorical language in the process of “reconstruction” of the world is also discussed by Paul Ricoeur, who rediscovers the Aristotelian idea of *mimesis* and *poiesis* and approaches the relation between fiction and description of the world in the perspective of Biblical hermeneutics, in a conclusion that aims at revealing the ordinary human experience:

In fact, [...] the ordinary reference of language is abolished by the natural strategy of poetic discourse. But to the extent that this first-order reference is abolished, another power is released to tell the world, albeit at another level of reality. This level is what Husserlian phenomenology called “the world of the living” (*Lebenswelt*) and which Heidegger called “being in the world”. It is a world that eclipses manipulable objects, a world that enlightens life, a non-manipulable “being in the world”, which seems to me to be the fundamental ontological contribution of poetic language (Ricoeur, 2006, p. 177-178).

It is thus recognized that the Bible is literature, because it establishes proximity to society, without merely transcribing it through narratives and figures of language, of elements such as narrators, characters, times and definite scenarios, of literary styles (As in the case of psalms in verses and parables) and of innovative literary styles such as the Gospels, a characteristic style of New Testament literature (Zabatiero; Leonel, 2011).

Gabel and Wheeler (2003, p. 27), when analyzing the literary forms of the scriptures, consider that:

Every copy of writing is of a certain type. It falls within the scope of a particular formal tradition and exemplifies this tradition. [...] Innovations only succeeded in extending the boundaries of traditional forms, without freeing them entirely

Literary forms and strategies, as well as the very words that make up texts, are essential to the understanding of messages and also express intentions. The popularity of literary styles⁶ demonstrates that they exert a

⁶ Gabel and Wheeler (2003, pp. 27-48) list as literary forms present in the biblical literature: etiologies (attributions of names), birth narratives, miracles, theophanies (appearance of Iaweh); The heroic stories in the Old Testament, the gospels, parables, reports of judgments, reports of healings, sentences, birth narratives, bliss, “alas,”

function in the society to which they were contemporaries. The use of literary resources according to the specificity of occasions – in cults and celebrations, for example – also reveals that the choice of their employment was endowed with greater intentions (Gabel; Wheeler, 2003, p. 28-29). This conclusion implies that the biblical texts and the styles employed in them are analyzed together, as they connect and acquire new contours. The form changes and acquires new use, according to the general message that is intended to be transmitted (Ricoeur, 2006, p. 194).

The Bible, therefore, when taken independently of the belief in the mythology that it develops, is, like any other book, the product of one or more human beings who intend to express themselves through their native languages and the literary forms then available. Even the believers, who consider the Bible as a transmission of God to their people, recognize that their record was given by human hands, so that the books that compose the compilation were attributed to different authors. And, as literature, it is a set of texts produced by individuals belonging to certain regions and epochs, socially and historically determined human beings (Gabel; Wheeler, 2003, p. 17-26).

As Zabatiero and Leonel (2011, p. 21) point out, in reflecting on the written production of the biblical texts:

No text “is” the fact that it narrates or the situation it witnesses. It is a ‘representation’ of a medium of communication that has its own laws. In other words, the process of accessing a past reality through literature is mediated by someone who writes about such a situation, expressing his or her way of seeing it or a certain angle of understanding.

Undoubtedly, the biblical set was not a random record, nor was it the product of a short period or a single hand. On the contrary, it results from multiple efforts over the centuries, from the Jewish compilations – record of facts and time intervals in the history of the Jewish people, which began around 1000 BC – to the compilations of the Christian era. Jesus Christ was,

allegories, apostleship, and the scene of the transfiguration in the New Testament. Nevertheless, they discuss literary strategies, including hyperbole, metaphor, symbolism, allegory, personification, dramatic irony and linguistic irony, paronomasia and poetry.

first and foremost, a Jewish philosopher who believed in the Law expressed through the Torah, but who proposed a new form of interpretation to it. In this way, the historical basis of what would become Christianity was Jewish literature, to which later texts of the new religion would come together, from the messages transmitted by Jesus (Ehrman, 2015, p. 39-40).

At some point in the first century of the Christian era, some decades after the alleged death of Jesus Christ, the preachers of his words began the literature of religion that was propagated by the Jewish master. The earliest Christian records refer to the letters attributed to Paul (Ehrman, 2015, p. 32). The Gospels, narratives about the life of the master who had initiated this project, followed in the second half of the century. The record of orally transmitted stories originated books that later would be one of the most read sets of today: the *Bible*.

The orality characteristic of the initial propagation of the Christian message opened the way for different versions of the facts to be transmitted to succeeding generations. An expanding religion, however, needed organization and consensus on the beliefs that guided it, in order to differentiate itself from the various religions scattered throughout the empire and to unite churches under the same faith. Through lettered guidelines, which were read openly in communities – mostly illiterate individuals – the barrier of physical detachment was outdated, and a pattern was established in Christian faith and practice (Ehrman, 2015, p. 33-39).

In the process of standardizing religion, certain writings were taken as official for Christian beliefs and practices and shaped the Scriptures. However, even on them the time and conditions of the period – manual compilation techniques, subject to errors and variable modifications – were imposed, and the divergences were present. Several of the records of Scripture presented contradictions or were not in conformity with what was believed to be the message of Jesus, so that among them some were selected and gathered in a canon (Ehrman, 2015, p. 39-53).

The first production of a canon of Scripture is attributed to Marcion, a Christian who emphatically defended the separation between the Mosaic Law and the faith in Jesus Christ. Marcion supported the Pauline thought that salvation would only be achieved through the gospel – belief in Jesus – and not necessarily through the Mosaic Law, provided to men by the Jewish God. He then gathered 11 books that conveyed his understanding of the message of Jesus Christ. However, he found in the copies traces of what he believed to be interference by “false believers”, which is why he thought it was imperative to edit passages that were at variance with his interpretation (Ehrman, 2015, p. 43-44).

The changes of Marcian were not the first ones of the Christian literature. Even before his selection of sacred books, the writings presented modifications and falsifications for various reasons. The techniques varied in copy of the style, partial alteration of the text or even false attribution of authorship. The motivations, in general, consisted in the desire to convey a message that would not be heard in any other way. An unknown author would not reach the same audience as a known author or someone who had a position of social relevance. Therefore, in order for the truth of a writer to be known, one needed, in many cases, to impersonate another (Ehrman, 2015, p. 43-46).

Forgeries may not represent the self-centered will of a single author to be made known. On the contrary, they have often been used by groups in conflict with others. Concerning the motivations of religious groups, for example, Ehrman states that “sometimes the motivation for a forgery was less political than religious – to defend religious institutions or practices, or claims of one’s religion against those of the adversary” (2013, p. 34).

Some writings were modified according to the interpretations of the copyists, who were not always professionals qualified in the art of the transcription. The copyists sometimes believed that the words of the sacred texts should convey the message that they thought was the intention. Texts, then, that had already been objects of a selectivity of facts and shaped according to a point of view, underwent new changes. New visions were granted to the writings through the choices of the copyists, who, as contextualized individuals, revealed in the intertextuality of their copies not

only their desires as well as the social needs of the environment in which they were inserted (Gabel; Wheeler, 2003, p. 49-58).

Thus, in the words of Gabel and Wheeler (2003, p. 23):

The editors are people who have made a finished version of a text from the materials placed in front of them; These materials may consist of complete alternate versions, several partial versions, or even a substantially complete version, which only needs minor changes. They can select, reorganize, add the necessary links, insert explanations and even create a narrative framework or expository of their mining to present the material. [...] sometimes they also use their own memory of oral sources. [...] they try to produce a final manuscript, which, however, can later become part of the material of another essay.

The canon was not only shaped by authors influenced by time and space, as it was constructed by words selected according to the intentions of those who wrote them. Considering only the authorship attributed to each writings – many of which are unknown – is therefore not enough for a literary interpretation of the Bible. It is imperative to consider the collaborations and interventions throughout the years of its constitution, as well as the choices of writing, editing, formatting and order, which influenced the meaning transmitted by the work. The general intentions of the biblical anthology modify the message of writings that individually present stylistic differences, according to Gabel and Wheeler (2003, p. 21-25).

It is misleading to believe that all the modifications stemmed from general intentions that the copyists believed – or wished – to transmit to the Bible. On the contrary, there were several changes made by involuntary errors of transcription, especially in view of the fact that the earliest Christian copyists were members of assemblies rather than professionals. However, intentional changes cannot be ignored with the interest of consolidating a group's thinking in the face of disagreements. As Ehrman (2015, p. 159) points out, “[...] there is something more important in the textual tradition of the New Testament than merely deciding what the authors actually wrote. There is the question of why these words have been changed and how these changes affect the meanings of their writings”.

Disputes were shaped around interpretations and changes. Among external conflicts, there was the relationship of Christians to non-Christian Jews and to pagans. Among internal conflicts, the issue of women. While some churches argued that Paul's texts preached relative equality between men and women and accepted that the feminine gender had a significant role in religious leadership, other churches – those that were victorious in the construction of the canon – advocated texts that preached the silence of women, and that hindered their active participation in the Christian institution. What scholars like Bart D. Ehrman (2015, p. 187-215) and CJ den Heyer (2008, p. 120) question is the credibility of the texts chosen as official as well as the consequences that this definition would bring in the following centuries.

WOMEN'S RIGHTS IN THE FIRST CENTURIES OF THE CHRISTIAN ERA

Before addressing the problems caused by the changes in the biblical texts concerning the role of women in society, it is necessary to set them at their time. According to Mondoni (2014, p. 24), in the early centuries of the Christian era the rich majority were established in the Hellenic cities, which were culture and knowledge centers. In the middle layers, there were the autonomous workers. Below them were the temporary and daily laborers, the beggars and the invalids. In terms of rights, women were in the lowest categories, equal to minors and slaves.

Women were considered weak beings and real burdens in the Roman Empire. As the author points out, “Romans of the first century scoffed at Christians for speaking and listening to the weak women” (Mondoni, 2014, p. 62). Forbidden from exercising prestigious professions, they not only failed to offer an income to their families, but also caused a burden on the dowry required for marriage. The shame and the harm caused by the coming of a daughter were factors that contributed to the high number of female infanticide.

Those who were not left to die grew up to live in a society characterized by female legal inferiority. Their lack of decision-making

power – such as the right to accept or refuse a suitor chosen by their parent – was eventually rendered ineffective by laws that condemned a woman's disobedience to death (Mondoni, 2014, p. 62).

Restriction of rights was not unique to Jewish culture, but largely perpetuated in the extension of the ancient Near East. Equating with minors and slaves made women legally obedient to the heads of households. The treatment they received, regardless of the region, did not deviate from the treatment of a property. When unmarried, they owed their parents obedience; When married, to husbands. And once marriage was established, they were barred from the possibility of divorce – a male privilege applied in different ways in the locality. Paul Johnson (2014, p. 96-97) mentions, as an example, the Babylonian penal code in which women were subjected to drowning if they repudiated their husbands.

It was not surprising, therefore, that women constituted significant support for a religion that promised a diverse life scenario. Christianity proposed an alternative to the invisibility with which they lived in the ancient Near East. Johnson (2014, p. 90) writes that women “had little or no status unless married to rulers, and even then their position was precarious. They could be discarded – ‘away’ was the term used in legal documents – at the whim of husbands”. Jesus, according to the Gospels, on the contrary, offered them not only equality before the eyes of God but the opportunity to play important roles in promoting the divine message.

According to Ehrman (2015, p. 189):

Most researchers are convinced that Jesus proclaimed the coming Kingdom of God, in which there would be no more injustice, suffering or evil, in which all, rich and poor, slaves and freedmen, men and women, would be on an equal footing. This message of hope proved particularly appealing to those who, at that time, were excluded - the poor, the sick, and the banished. And the women.

Paul Johnson, in discussing women's participation in the Christian project, writes that one of the reasons why women listened to Jesus' words was that, unlike the standard interpretations of Judaism, Jesus put them in the “center together with men, sharing their duties and consolations” (2014,

p. 96). The history of Christianity also had important female characters, such as the mother of Jesus, Mary, “an indispensable part of the Incarnation” (2014, p. 96).

Through the passage of *Luke* (21, 1-4) and *Mark* (12,41-44), on the true religious attitude, Johnson (2014, p. 90) exemplifies the meaning of Christianity for the excluded – a group in which the women dwelled - and the reason for the attraction to the Messiah's message. In this passage, a widow, believer of the power of Jesus, seeks him in the midst of the crowd. Jesus praises her because she sees in the elderly the generous heart of those who understand what is necessary and yet contribute to goodness. Literature is then used to demonstrate that Jesus saw people even when society did not. An elderly woman, unworthy of visibility to the empire, was considered worthy of praise, because the master of a new religion saw nothing but her generosity. They wanted to tell Christians that humility and goodness surpassed the social insignificance of individuals.

The innovations proposed by Christianity conquered believers throughout more and more regions of the empire, establishing, in the first centuries, a process of true gradation of the symbiosis between religions in State. This process culminated in the validation of Christianity and its officialization as an imperial religion in 380 AD, under the rule of Theodosius. Religion shaped life and the individual and social conception, ending up being intrinsically linked to the political life of the Empire as well. For this reason, intervention in the religious sphere was seen as essential to the maintenance of political unity. From the perspective of law, taken as the northern part of imperial life, the adoption of Catholic Christianity as the religion of the empire led, according to Mondoni (2015, p. 61), to “a slow and profound evolution of Roman law, which was less based on both Stoicism and Neoplatonism, than on Christian ethics (with a greater respect for the person and to human life)”.

Humanized practices included a relative change in the conception of the female figure and promoted significant changes in Roman imperial society, such as equating the murder of a child at the behest of paternal authority - which occurred in greater numbers when the offspring were

female, as noted earlier – to murdering parents, and the prohibition of the abandonment or exposition of children and the recognition of the dignity of women by means of the Pauline maxim that in Christ “there is no longer any difference [...] between man and woman” (Gal 3, 28).

With regard to marriage, Christianity proposed that it be indissoluble and elevated it to the sacred level. Matthew writes:

Some Pharisees approached Jesus and asked him, ‘Is it permissible for a man to divorce his wife for any reason?’ Jesus answered: ‘Have you never read that the Creator from the beginning made you male and female? And he said: ‘For this reason shall a man leave his father and his mother, and shall cleave to his wife, and they shall be one flesh’? Therefore, they are no longer two, but one flesh. Therefore, what God has united, man should not separate (19, 3-7).

Paul Johnson (1964, p. 96) interprets the condemnation of divorce as a way of protecting women, the main victims of dissolution, especially since the choice was only made available to the husband dissatisfied with the union. Observe the questioning in the passage of *Matthew*: “Is it permissible for a man to divorce his wife for any reason?” (19, 3). The question points out that the divorce permit was restricted to men and could be justified on grounds only pertinent to them and not available to women.

The feminine presence in the biblical literature, however, is not limited only to characters outside the promotion circle of Christianity or of little relevance in the process of consolidation of religion. In fact, according to the biblical canon, the disciples were all men, and one could not expect a different setting given the cultural and social context of female submission⁷. Nevertheless, the Gospels indicate that women accompanied Jesus in his journey, and they also “gave financial support to him and his disciples, acting as patrons of his itinerant preaching ministry” (Ehrman, 2015, p. 189).

Luke records in his Gospel:

[...] Jesus walked through towns and villages, preaching and announcing the Good News of the Kingdom of God.

⁷ This was a different position from the apocryphal Gospels, which - like the Gospel of Mary Magdalene - emphasize the prominence of female participation. See more in Bock (2007).

The Twelve went with him, and also some women [...]: Mary, called Magdalene, [...] Joanna, wife of Cuza, high official of Herod; Susana, and several other women, who helped Jesus and the disciples with the goods they possessed (8, 1-3).

In Paul's letters, several are the mentions to women who had significant participation in the leadership of the church after the death of Jesus Christ:

As missionaries, women writers and teachers participated actively in the life of the Church in antiquity: Tecla was a companion of Saint Paul in his travels, Proba was a poetess, another Proba was a business administrator, Monica and Perpetua were mothers, Marcela, Paula and Estoquia were studious and contemplative, the martyrs Blandina and Felicity were domestic servants, Macrina was a spiritual and master guide (Mondoni, 2014, p. 44).

Paul commonly refers to the active participation of women, a framework that was justified by his message of equality. Regarding this, however, one must pay attention to the fact that the author did not promote a true revolution in the position of women by allowing them to participate in leaderships in religious life or in preaching equality before God.

Paul believed that the coming of the Kingdom of God would happen soon. Thus the transmission of the message on earth was intermediate and temporary, which is why he saw no reason to change earthly relationships, although he preached that all should be treated with dignity. In his conception –even if Jesus did not favor a man or a woman, a slave or a freedman – each should play the role assigned to them. Although Paul makes no direct reference to the situation of the women, the passage “Let every man remain in the condition wherein he was when he was called” (1Cor 7,20) can be extended to his conception of the female sex.

In spite of the message of equality, Paul's letters also presented passages that denoted a meaning often contradictory to this principle, as in the first letter to *Timothy*, concerning women's duty to be silent (1Tim 2, 9-15). Such ambivalence - texts that dealt with the participation of women under the argument of equality before God without, however, withdrawing the duty of submission as female beings – spawned different interpretations in the churches of the following times, some of which would incline in

defense of the principle of equality, and others, in the duty of subservience of women to men. Within the latter, rather than the leadership exercise, women would be assigned smaller roles and contribute to their being silenced.

Thus, the important contribution of women in the early centuries of the Christian Church and the influence that such a record could give to the social role played by women were hidden by other versions. Even though the feminine responsibility for the growth of religion has been as great as that of men, only the latter has been evidenced in the Christian canon and consequently in Christian practice.

According to Mondoni (2014, p. 33), women's participation in the construction and administration of the Church “was not registered because they tended to work in ways that were ignored by standard historical accounts”. Although history has been ignored, it may have been modified, as will be seen below, in the interests of those who have written it.

THE EFFORT IN THE CANON FOR SUPPRESSION OF WOMEN'S RIGHTS

The reason for the great conflict over the role of women in canonical literature lies in the fact that in the initial period of the Christian preaching project females did play important and prominent roles, even though it was unusual for the society of the time. Not only did they constitute a significant portion of the supporters of Jesus Christ, but they also acquired leadership positions in the expansion of Christianity through the Roman Empire. Biblical passages reveal that female subjects also accompanied Jesus in his preaching and helped the apostles after his death - or even *were* apostles, according to certain interpretations.

The process of compiling the gospels and epistles, as expressed by Ehrman (2015, p. 187), was generally a “conservative” process. Both the early Christian copyists and the professional copyists of the Middle Ages did not intend to change the textual tradition of what they transmitted through their copies. However, the conception of conservation they possessed could,

at certain moments, harm the intended message of the texts they copied, if these proposed unusual or revolutionary reflections to the period.

The Christian culture promoted by the texts copied under this method of preserving the general message, based on control and fear mainly on sexual matters, tended to the symbolic and social devaluation of the female figure, reducing it to the subservient maternal figure. Constantly invoked, biological differentiation served as justification for the purpose of excluding women from the public sphere and reiterating their social and political inferiority (Nunes, 2008).

Referring to Michelle Perrot's question about the female role in the early centuries of the Christian Church, Nunes points out:

[...] what prevails is the representation of women as a source of sin, of sexuality as an eternal temptation, as well as of marriage as an inferior state. To what extent have these fundamental data changed? That is what is often asked, given the rigor of the current positions of the Church. [...] Why this obsession, and even this hatred of the flesh, of sexuality, and this deep distrust of women in Christianity? A deep distrust that spread through the entire Western Judeo-Christian culture (Perrot *apud* Nunes, 2008, p. 73).

The most profound changes involving the feminine theme and their rights within the institution took place in the Pauline letters, which aimed at guiding religious practice and addressing leadership in religion, including women leaders. However, other passages of the canon were also discussed, such as the discovery of the empty tomb of Jesus by Mary Magdalene, a character that, in the four canonical Gospels, is present in this episode.

The resurrection is considered “the first decisive moment in Christology” (Ehrman, 2014, p. 275), that is, in the understanding of Christ. Before he was resurrected, Jesus was a man like all the others who would listen to him. It was the experience of returning from the dead that transformed him from an apocalyptic preacher to the Son of Man and revealed the divine aspect inherent in him. His return was the driving force of Christianity, and the first witness of his achievement was a woman. The participation of Mary Magdalene in the literature of the resurrection of Jesus shows that women had representation in the primitive Christian communities.

Even if it were to be alleged that there was some falsification in the account, according to criteria of verification of the facts, there would be no reason to alter the narrative verified in the Gospels of *Matthew* (28, 1-10), *Mark* (16, 1-8), *Luke* (24, 1-12) and *John* (20, 1-2). There are no benefits in placing women as the earliest witnesses to Christ's return in a society that regarded them as untrustworthy and invalidated their testimony.

However, if there is consensus as to the veracity of the textual records that narrate the resurrection of Jesus, the same does not happen in relation to certain Pauline letters. What scholars agree, on the contrary, is that there were alterations and falsifications in Paul's productions with the purpose of suppressing the participation of women in the Church. As noted previously, the ambivalence of Pauline texts on the performance of socially established roles allowed different interpretative groups to form and dispute control over history that would be left to other generations, and it seems unlikely that the copyists responsible for the distribution of biblical literature should have kept away from these conflicts. Inserted in the debates, they intervened in a way that, in most cases, changed the texts to "limit the role of women and diminish their importance for the Christian movement" (Ehrman, 2015, p. 193).

In writing his letters, Paul probably did not foresee the problems his legacy would leave with regard to the rights of women within religion – and consequently of society in general. Writing about women holding a portion of power within an institution, though not at the level of full equality with men, generated discomfort and disagreement in succeeding generations, questions for which there were no answers, since they were not addressed by the author. The solution found, then, was to provide a response under his authority, assigning him texts that, according to studies, would not make sense to have been written by him.

According to Ehrman (2013, p. 108-109), the most likely theory is that:

Paul's churches were divided in many ways [...]. One of the divisions involved questions of sex, sexuality, and gender. Some Pauline Christians thought that women

should be treated as equals, having equal status and authority with men, since Paul said that there is ‘neither male nor female, for you are all one in Jesus Christ’ (Gal 3,28). Other Pauline Christians thought that women were equal to men only ‘in Christ’, by which he meant ‘in theory’, not in social reality. These Christians were eager to reduce Paul’s emphasis on women, and one of them decided to write a set of letters, the pastoral letters, which authorized his view in the name of Paul.

Even in the mention of actively participating women in the Christian mission, there were discussions. That is because, although more male members were appointed as members of Christian congregations, the women Paul mentioned were not treated with inferiority, as might be expected, but regarded as equally important elements in the emerging Christian communities. This can be seen, for example, in the final greetings of Paul in his letter to the *Romans*, in which the first name to be quoted is that of the deaconess Phoebe.

I commend to you our sister Phoebe, deaconess of the church of Cenchrea. [...] Give her all the help she needs, because she has helped a lot of people and me too. Greetings to Prisca and Aquila, my collaborators in Jesus Christ, who risked their own heads to save my life [...]. Also greet the church that gathers in their house. [...] Greet Andronicus and Junia, my relatives and fellow prisoners, they are important apostles and have converted to Christ before me. [...] [...] Greet Trifena and Tryphosa, who labored for the Lord. Greet the beloved Perside, who works hard for the Lord. Greet Rufus [...] and his mother. [...]. Greet Philologus and Julia, Nereus and his sister [...] (Rom 16,1-15).

The passage transcribed, although short, presents great problems to the question of women. Nevertheless Paul first greets a woman, includes another in the group of apostles, when writing about Andronicus and Junia. Some interpreters, unable to accept a woman in the group of apostles, tried to justify the verse, stating that Junia would be a man. However, Junia was a typically female name, and there are no reports of the existence of men called Junia in the region. Other interpreters, therefore, aware that the justification of the gender of the name was not plausible, fled the imbroglio by changing the texts to “greetings to Andronicus and Junia, my relatives;

Salutations also to my fellow prisoners, eminent apostles” and thus disconnect Junia from the position of an apostle (Ehrman, 2015, p. 195).

A minor but not irrelevant example is the positioning of the names of Prisca and Aquila, a recurring couple also in the book of Acts. Some copyists understood that the previous mention of the name of Prisca would show more importance than her husband Aquila, because it is common practice to start with the name of the man. In order to nullify this possible interpretation, they modified the order, in some versions of the writing, so that the man was in the spotlight (Ehrman, 2015, p. 190-196).

The more complex discussions involving the Pauline letters, however, are certainly found not in mentions to women, but in passages dedicated to the organization of the institution, in which permissions and prohibitions were defined for women within the rites, as is the case of the first letter to *Timothy* and the first letter to the *Corinthians*.

In his first letter to *Timothy*, a colleague left as leader in the Church of Ephesus, Paul instructs him as to the behavior of women:

During the instruction, the woman should be silent, with all submission. I do not allow a woman to teach or dominate a man. So let her keep silence. For Adam was first formed, then Eve. And it was not Adam who was seduced, but the woman who, seduced, sinned. However, she will be saved by her motherhood, provided she remains modest in faith, love and holiness (1Tim 2, 11-15).

When analyzed in isolation, the letter may produce no estrangement. However, to preach the silence of women and the prohibition of acting in the teaching of religion seems to contradict the mentions made in other texts also written by Paul, in which he not only acknowledges and welcomes the missionary work women had done. The silencing and submission promoted through the first letter to *Timothy* would make it impossible for women to function within the Church, something Paul had previously recorded, for they would be prevented from even praying in public.

Nevertheless, such a determination is even opposed to the idea of equality defended by Christ, since it demands from women not only faith, but also maternity for salvation. Because of these and other contradictions of incoherent passages when contrasted with the Pauline scenario or

narrative in general, many scholars are convinced that it is a forgery in the name of Paul, just as the second letter to *Timothy*.

Although there is no explicit authorship in the pastoral letters – so called because they instructed on the pastoral and ministerial duties – to *Timothy*, there are indications that the author had the intention to impersonate Paul. Ehrman (2013, p. 100) mentions the publication in 1807 of a letter by Friedrich Scheleiermacher, in which the scholar argues that despite the attempt to attribute authorship to Paul, the letters to Timothy use words and ideas in contradiction with the other Pauline letters. In addition, the text is also anachronistic, presenting critical characteristics of the second century. Therefore, it could not belong to Paul, author of the first century of the Christian era.

Ehrman (2013, p. 107-108), on the subject, also quotes Dennis MacDonald, who develops the hypothesis that the falsification of the pastoral epistles served not only the purpose of minimizing the role of women in biblical literature, but to oppose, specifically, the stories about Tecla⁸, a convert who taught and was in a position of authority. MacDonald supposes that the author of *1Timothy* and *2Timothy* would have knowledge of the accounts that would later be recorded in *Acts of Paul* – written between seventy and eighty years after the pastoral ones – and would have falsified letters in the apostle's name with the intention of contradicting them. This theory, however, is not the most accepted, because of the dates. The most plausible hypothesis consists, then, in the existence of conflicts of interpretation between divergent Churches and in falsification as a method of hegemonizing the belief of one of the strands.

In *Corinthians*, again the problem is raised. Corinth, a port city in southern Greece, was perhaps the most distinctive setting of female reality. The meeting of people from different places gave the city, besides the immoral fame that is described in the letters of Paul, a character of intense cultural communication. Next to the cult of Aphrodite, for example, was the cult of the Egyptian goddess Isis, both important female mythological

⁸ Tecla is a character from an apocryphal book – unofficial – entitled *Acts of Paul* who supposedly converted to Christianity after meeting the apostle, becoming his follower (Ehrman, 2013, pp. 107-108, Mondoni, 2014).

figures. The cult of Isis, as CJ Den Heyer writes, would have an important influence on how women in particular would face Christianity in Corinth and also on Paul's warnings to the community. When Den Heyer (2009, p.95) states that “from Isis it was said that she ‘gave the same power to women as to men’”, the author seems to reveal that the idea of equality between men and women already existed in the city of Corinth.

The two letters to the *Corinthians* are considered authentic, that is, of genuine authorship of Paul. However, when analyzed, they are found to have passages in contradiction with other preaching of the apostle. In one passage, for example, Paul seems to go against the message of equality expressed in the letter to the *Galatians*, when addressing the need to use the veil for women and again invoking female submission:

[...] I want you to know that the head of every man is Christ, that every woman's head is man, and that the head of Christ is God. [...] every woman who prays or prophesies with her head uncovered dishonors her head; It's like a shaved head. If the woman does not cover herself with the veil, order the hair to be cut. But if it is shameful for a woman to have her hair cut or scraped, then cover her head.

[...] man was not created for the woman, but the woman was created for the man. Thus, the woman must bring on her head the sign of dependence, because of the angels (1Cor 11,2-10).

Also in *1Corinthians*, the woman's obligation to remain in silence, a contradiction with the practices recorded in other passages, is mentioned again, as analyzed in the study of the first letter to *Timothy*:

Let the women keep silent in the assemblies, as is done in all the churches of the Christians, for they are not permitted to speak. They should be submissive, as the Law also says. If you wish to instruct yourself on some point, ask the husbands at home; It is not convenient for women to speak at the assemblies (1Cor 14, 34-35).

Den Heyer (2009, p. 120), comments the passage, invoking the message of equality present in the letter to the *Galatians*, written shortly afterwards:

Paul, no doubt, took his call to order in the community very seriously; But abuse is always lurking and so it has been for centuries. Women have been assigned a secondary role throughout the history of the Church,

which is based on Paul's observation [...]. The text is absolutely clear. But it does not fit here. [...] The apostle was not at all a misogynist [...]. There is nothing to suggest that Paul thought to keep [...] women silent or to deny them a proper role in the early Christian community. Consequently, we must think of what motives might he have had to react so differently in his letter to the Corinthian community.

Although Corinth had a feminine tradition that stood out, given the traditions of the region, Den Heyer (2009, p. 122) does not see as plausible the hypothesis that Paul would have inserted the warning only to silence them, especially since it was a unique scenario. Like other researchers, he agrees that the most likely theory is that the passage pointed to has originated from a post-Paul alteration.

The similarity between the restriction of the right to speak within the rites, present in *1Corinthians* and *1Timothy*, raises questions, since the first letter to *Timothy* was probably not written by Paul, whereas the first letter to the *Corinthians* is considered an authentic letter. Ehrman (2015, p. 193) presents the theory that there was an error in the compilation process concerning the marginal notes due to a change of position of the passage which in some Greek and Latin manuscripts is not found in the verse 34, but after verse 40. It is thus assumed that the origin of this incoherent passage is in a marginal note based on the texts of *1Timothy*, inserted in different places from the first letter to the *Corinthians* and incorporated into the text over the years.

The hypothesis is reinforced by the lack of co-ordination with the immediate context of the passage, which proposes in the previous and later verses to discuss the role of the prophets, a topic that is interrupted to address the silencing of women. Yet, in the same letter, when the controversial passage on the use of the veil is used, Paul allows women to pray or prophesy, as long as they are with their heads covered.

When the canon was consolidated, both versions – both the one which minimized women's participation and the one that evidenced the right to active participation in religious life – circulated through the Empire. Although only one of them was considered "true" for Christianity, it was not unanimously accepted by all members, which is why this

comparison of data and reflection can be made today. Otherwise, the alternative version, denied by the religious institution, could have been lost.

Only one alteration would coherently justify the great change of vision in texts so close to Paul. Above all, a modification that, like the others, was intended to minimize the role of women and to emphasize their duty of submission, obedience, and silence. The consequences would be seen in the following centuries, a gradual modification in the feminine performance and in their rights. And only in contemporary times, the project of inserting women in positions of leadership within the church - and also of society - would again gain momentum.

The proposal for a dialogue between feminism and religion has gained strength in recent decades, and the history of religions is seen as a means of understanding and elucidating contemporary conflicts. The historical construction was selective with regard to women, built historically under a veil of invisibility. However, to study the historical sources and the processes to which they were subjected is a way of writing a conscious history of its past defined by the relations of gender (Nunes, 2001).

As Sabine Demel (2014, p. 101) suggests, in reflecting on the need to reformulate the position of women within the curia:

What positive signaling would be seen within the local churches and also in society if the imminent reform of the Roman Curia is used not only to place women in the curia but also in a systematic way to work on gender equality.

FINAL CONSIDERATIONS

The Christian Church, especially the Roman Catholic apostolic strand, was for many years the defining institution of Western morality and hence of the conduct of individuals in society, so that the teachings of religion were reflected in everyday life. The separation of mythology in the conduct of the state is a modern thought that came mainly from rationalism and the bourgeois revolution. Even before Theodosius instituted Catholic Christianity as the official religion of the empire, the ruler's relationship to the divine figure was close. Emperors were individuals adopted by the gods who were to be worshiped by the people.

The imperial religion gave way to Christianity, seen as a measure of unification of the empire, since it attracted Roman citizens and non-citizens with its message of human dignity, notwithstanding it contributed to the morality of the emperor's figure. It presented revolutionary ideals, which especially charmed those most deprived of rights, such as women, children, the poor and slaves. But this message, while having the advantage of adding more believers, was disadvantageous in that it made Christianity weaker in the face of those who opposed to it, despite its traditions rooted in the region's culture.

The oral origin of the records only contributed to the divergence of interpretations and interests that would mark the constitution of the Christian canon. The writers responsible for the legacy not only chose texts that best served their conservative interests, although with a certain extent of divergence to the ideal of equality that was promoted, as they acted to modify passages that could represent a threat to the interpretation of the Bible that they wanted to be made.

In this process, those who initially constituted the majority share of the followers saw a portion of the rights that could be granted to them completely suppressed. So it was with women that, although previously considered worthy of respect and equality before God, were silenced and prevented from participating in the leadership of a religion they helped to promote. The efforts of those who wrote the canon were to erase women's participation in the Christian mission, to withdraw their right to speak, and to defer equality to the coming Kingdom.

Feminine submission is not a novelty presented by Christianity, of course, as one observes in addressing the situation to which the women of the ancient Near East were subjected before the advent of the Christian religion. Nevertheless, it is necessary to show how the biblical literature, so dear to the history of Western law, was directed to the restriction of women's rights. Understanding the influences produced in western society by the literary choices that shaped it is fundamental for new changes to be made in this sphere, at present, mainly changes of interpretation.

It is essential to observe that the restriction of women's rights was not limited to religious life. One cannot pretend that the Church's view of women has not exerted influence in other spheres, especially in the connection between morality and law. If the divine figure ruled morality through its message, expressed through the Bible, the definition of the role of women in the canon therefore expanded beyond the role they exercised within the religious institution, reaching their role in general society.

As Nunes (2008) warns, perhaps the dialogue between a feminism that proposes individual freedom and a Christianity that values the collective role by the molds of its dogmas is something impossible, given the contradictions that can be generated. However, this does not prevent the bases of this influential religion from being analyzed for the purpose of understanding a reality and, perhaps, modifying it.

Having analyzed the choices made by the Primitive Church, there was a preterm of texts that were closer to the genuine ones in favor of texts written in order to defend the conservative purposes of the institution, although in contradiction to some of the proposals. It is possible, thus, to notice an undeniable attempt to suppress the rights of women. In this way, it is up to contemporary society to be aware of this fact and to promote the deconstruction of this legacy in relation to the role and rights of women.

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