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The Shift in Women's Rights During the Augustan Age

Mary Tursi

Historically, the role of women in classical antiquity was that of a subordinate position to men. Women typically had few legal rights and were inferior to men in both political and private matters. However, the Augustan Age marked a transition in the shift of women's power, as evidenced by the laws, art, and writings of the time. While women were undoubtedly still held to an inferior position to men, the Augustan Age was a crucial shift for their long transition to power and freedom. Moreover, a few aristocratic women, such as Livia, were able to exert substantial amounts of power due to their high status within society, helping alter the way Roman culture treated women. Thus, while women were in no way equal to the status men held, the Augustan Age is customarily seen as a step closer to equality.

During the Late Republic, Roman Society was engaged in a state of civil warfare, leading to an atmosphere in Rome that many viewed as appalling. Romans killing fellow citizens caused great emotional turmoil, leading to the perception for some men of "untraditional" behaviors in the citizenry. High rates of adultery along with "wild behavior" from women led some men, such as Augustus, to believe that women had slipped "out of control". Augustus' efforts to reign women in culminated in his Julian Laws, whose enforcement proved to be rather difficult. However, Augustus was only publicly claiming to restore the "good ideals of our ancestors" in hopes of convincing the Roman citizenry to follow his laws.¹

A stark example of the "wildness" of women was shown through Ovid's *Art of Love*. Throughout this infamous poem, Ovid mentioned the "primitive" sex urge of women, which rendered them irrational and senseless in comparison to men.² While the reason for Ovid's banishment has never been explicitly confirmed, historians of the past believed it was because of his depiction of women and his seemingly normalization of adultery. Augustus, as a firm traditionalist, likely would have been upset over Ovid's depictions. However, historians such as G.P. Goold, while they acknowledge Augustus' likely irritation over the poem, render the notion of the poem being the main cause for Ovid's exile as improbable. Rather, Ovid was exiled for other transgressions, most likely having to do with knowledge of secrets on the imperial family.³ However, as a man who banished his own daughter, Julia, for committing adultery, *The Art of Love* wouldn't have gone over well for Augustus, even if he may not have technically banished Ovid from Rome because of it.

However, Augustus' laws had many other intentions, not all of which were achieved. Historians traditionally interpret these laws as having to do with population. Marriage and motherhood were expected among women in Rome, as evidenced by the rarity of spinsters. Between the ages of twelve and fifteen, the majority of Roman women were married. However, marriage was often liberating for women, for married women enjoyed more freedom than women who lived under their fathers. Roman wives moved freely and were seen as equals in

¹ Milnor Kristina, *Gender, Domesticity, and the Age of Augustus* (Oxford: Oxford University Press, 2005), 146.

² Ovid, *Art of Love*, lines 280-285.

³ Goold G.P., *The Cause of Ovid's Exile* (Chicago: Illinois Classical Studies, 1983) 94-107.

their husband's society.⁴ Roman government, however, encouraged marriage and childbearing among women due to the disproportional number of males over females.⁵ This importance was what partially led to Augustus' legislation, which was designed to keep as many women as possible in Rome married and bearing children.

However, there has been doubt among historians that Augustus' main intent when initiating the Julian Laws was to increase population. Emphasizing demographics leads to a denial of other motives. L.F. Radista argued that Augustus' laws likely had the intent to divide individuals against themselves and therefore render Romans incapable of handling the world around them. By focusing heavily on childbearing, the Julian Laws can be seen as an attempt to separate sexuality from love. This separation would leave Roman men unable to be outspoken or defiant against the Augustan government.⁶

Regardless of the reasons for the laws, many provisions within them increased the freedom of women. Arguably one of the more burdensome restrictions experienced by Roman women was that of guardianship. Roman women had to be under the care and watch of guardians, due to their "instability of judgement".⁷ Therefore, all Roman women, regardless of their age, were in a constant state of legal subordination to their husbands, fathers, or guardians. Though rarely exercised, husbands technically had the right to kill their wives for committing adultery, with women powerless to take any action if they caught their husband doing the same. Augustus' new laws, however, permitted a woman to be put to death for committing adultery, but only by her father. Husbands were forbidden from hurting their wives in this scenario and were instead ordered to repudiate them, with the ability to confiscate half of her dowry and one-third of her property.⁸

Augustus' social legislation can also be seen as a futile attempt to keep Roman women "in their place". The *lex Iulia de adulteriis*, for instance, formally outlawed adultery for the first time in Rome. However, only acts committed by a woman were considered adulterous- men were exempt from such behaviors. The law, however, had unexpected effects in increasing the legal security of women's rights. Women, under the new law, were held accountable to the state for their actions in the bedroom. Before, women weren't subjected to moral rules under the law because women had no official role in Roman civic matters⁹ Thus, while Augustus' new social legislation appeared to be further suppressing the role of women, it was in actuality giving them a kind of legal position they never before enjoyed.

Thus, Augustan legislation likely was not intended to increase the freedom of women. In fact, most evidence suggests that the laws were intended to restrict women's freedom, as seen by the mandate for Roman women to marry and the strict penalties for committing adultery. Furthermore, anti-women rhetoric was prominent in the Augustan Age, blaming the "uncontrollable" and "wild" women for the fall of the Republic. Sallust, through his account of *Catiline's Conspiracy*, categorized women as destructive and one of primary causes of Catiline's

⁴ Raditsa L.F., *Augustus' Legislation Concerning Marriage, Procreation, Love Affairs, and Adultery* (Berlin: Walter De Gruyter, 1980), 318.

⁵ Pomeroy Sarah, *Goddesses, Whores, Wives, and Slaves* (New York: Schocken Books, 1975), 164-166.

⁶ Raditsa, *Augustus' Legislation Concerning Marriage, Procreation, Love Affairs, and Adultery*, 338.

⁷ Evans John, *War, Women, and Children in Ancient Rome* (London: Routledge, 1991), 12.

⁸ Evans John, *War, Women, and Children in Ancient Rome* (London: Routledge, 1991), 12.

⁹ Milnor, *Gender, Domesticity, and the Age of Augustus*, 153.

rebellion. Sempronia, for instance, was portrayed as a sex-crazed woman whose actions helped contribute to rebellion. In fact, Catiline even enlisted the help of women for his cause, women who paid for their own expenses through the sexual employment of their bodies.¹⁰ Therefore, by closely linking women with Catiline, Sallust was indirectly making a statement about the negative traits Roman society attributed to women.

Similar to Ovid and Sallust, Cicero's opinion on women was consistent with the "wild" stereotype attributed to women at the time. Throughout the speech *Pro Caelio*, Cicero argued against convicting Caelius, attributing partial blame on Caelius' scornful lover, Clodia. He offensively inferred that Clodia was a "prostitute" throughout the speech and insisted that men should "curb the lust of women".¹¹ Clodia was therefore seen as wild and uncontrollable, unfit for a society in which "rational" men oversaw.

Hence, three of the most influential writers of the Augustan Age- Cicero, Sallust, and Ovid- attributed women to being sex-crazed, rendering them "wild" and "uncontrollable". Cicero and Sallust specifically blamed a "sex-crazed" woman for the downfalls of a "sensible" man. Ovid instead gave a broader overview, claiming that women were easily controlled by their sex drive. Despite the different approaches, all three writers saw women as "sex-driven" and "wild", a drastic comparison to the comparative rationality associated with Roman men.

However, while women were subject to these new laws, they also might enjoy release from them through exemptions. Components within the *ius liberorum* legislation actually expanded women's freedoms. This law granted exemption from guardianship for all free-born women who gave birth to at least three children and freedwomen with four. This law, along with others initiated during the Augustan Age, expanded the rights and freedom of Roman women through the use of exemption clauses.¹² It is unsurprising then that there is evidence of Roman women starting to exert more political and domestic influence during this time.

Regardless, there is some contrasting evidence that suggests that guardianship was rather lenient well before Augustus' legislation. As Cicero noted in one of his writings, women kept guardians "under their thumbs". Due to old wills, it was also known that deceased husbands would sometimes grant their wives the provision to nominate their own guardians. It was also possible for a Roman woman to apply to replace her current guardian, implying a sort of independence restricted to women of other classical societies.¹³ Therefore, some historians view the breakdown of guardianship years before the Augustan Age, fostering the increase of independence in women as early as the second and first centuries BCE.

Most scholars, however, still see the Augustan Age as a critical shift in the expansion of women's freedom. For instance, women were unable to terminate guardianship without the approval of the guardian in question. When guardians did agree to end the arrangement, it was done only to the liking of the ward. Furthermore, it's important to note that while Augustus' legislation released women from guardianship, it also released men from their burden of service. Not only was guardianship a hindrance to men but it was also costly. This led to the two most

¹⁰ Sallust, *Catiline's Conspiracy*, 22.

¹¹ Cicero, *Pro Caelio*, I.

¹² Evans, *War, Women, and Children in Ancient Rome*, 14.

¹³ Evans, *War, Women, and Children in Ancient Rome*, 15.

likely reasons Augustus imposed his new legislation.¹⁴ However, it is important to note that while the intentions of Augustan legislation likely weren't to give women more independence, the actuality of the situation was that the laws did.

The writings of the famed Livy provide further evidence for the increasingly positive status held by women during the Augustan Age. While Livy acted as a historian and wrote about the Roman monarchy and Early Republic, what he chose to focus on is indicative of the actual Augustan Age in which he wrote. In one such case, Livy wrote about the women whom, after the Second Punic War, protested in favor of the repeal of the Oppian Law. This law limited women on the amount of gold they could possess, among other components. Livy's writings reveal that the men of Rome were split on the law and that despite a compelling argument made in favor of the law by the two Brutuses, the law was eventually repealed. Despite numerous speeches made both in favor and against the law, the deciding factor was the women who protested in the streets.¹⁵ As a result of the women's relentless protests, Roman senate members proposed to repeal the restrictive law. Women were therefore rendered more influence in their own state of affairs. While Livy's retelling of this story- which may not even be accurate- didn't directly mention women in the Augustan Age, it can be inferred that he was echoing the modern sentiments of the Roman public. While the Romans, under the reign of Augustus, saw women in a traditional sense, they nevertheless largely saw women through a positive viewpoint.¹⁶ Women were indeed having their voices heard, as hinted through writings such as Livy's.

One of the other ways women started to have increased influence was through education. For girls of the lower-class, educational opportunities were sparse. However, this wasn't dissimilar to the education lower-class boys received. Typically, only the Roman elite- whether male or female- was able to get a comprehensive formal education. Upper-class women were seen as sufficiently able to participate in the intellectual spheres of their male associates. Sons, as well as daughters, of wealthy families had private tutors. However, girls were typically unable to study outside of the home while boys could be given the opportunity if they so desired.¹⁷

These educational opportunities provided for upper-class women were in part due to the role intellectual achievements played on a woman's reputation. Unlike in other classical societies, Roman women with intellect and education were highly valued. Numerous accounts of ancient Roman writers, such as Plutarch, even praised educating women.¹⁸ Plutarch, for instance, claimed that men and women held the same virtues, albeit only those women whom held an education.¹⁹ He therefore held women in high respect, acknowledging the right of women to share in their husband's intellectual life. However, even Plutarch regarded the husband as the dominant partner, thereby setting "limits" on the "emancipation" of women.²⁰

Although Plutarch lived a few decades after the Augustan Age, his stance on female education was consistent with the views held during Augustus' reign. However, the argument in favor of educating females was made for the sake of their husbands rather than for the women

¹⁴ Evans, *War, Women, and Children in Ancient Rome*, 14.

¹⁵ Titus Livius (Livy), *The History of Rome*, Book XXXIV.

¹⁶ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 176.

¹⁷ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 171-172.

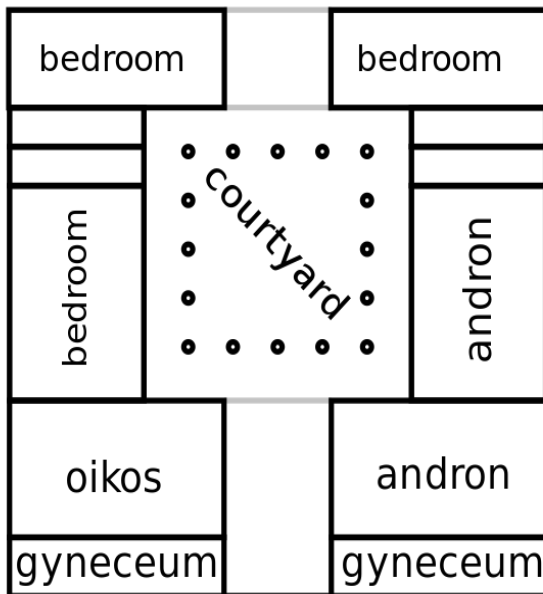
¹⁸ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 170.

¹⁹ Plutarch, *De Mulierum Virtutes*, Section I.

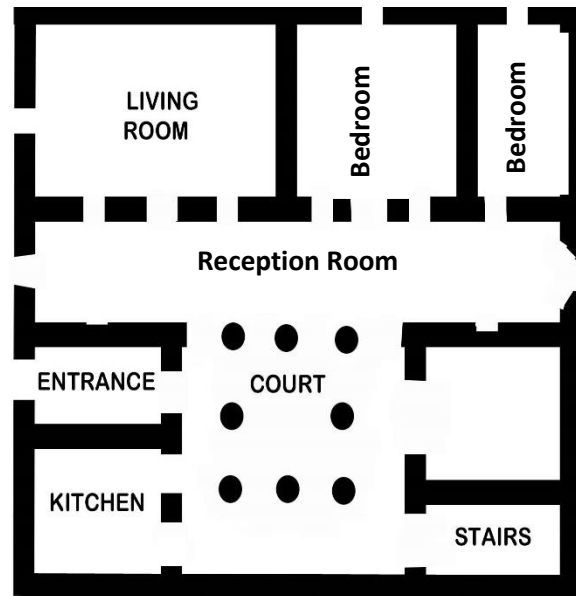
²⁰ Pomeroy Sarah, *Plutarch's Advice and Consolation* (London: Oxford University Press, 1999), 111.

themselves. Families who educated their females to the same extent that they educated the males were often commended and seen as respectable, for the women would therefore be able to hold intellectually stimulating conversations with males while at public events.

Differences in the home between genders were also much more subdued when compared to Classical Greece. While structural differentiation between the sexes in Greece was commonplace, there was no such thing in Roman houses. The andron was specifically designated for Greek men while the gynaecium was set aside for the women. Gendered spaces were absent from the Roman home, providing a more coherent living space among the genders. Unlike in Greek society, private space was not especially associated with women nor were women confined to certain areas of the home to perform their daily activities. Rather, the mother would hold a “central place” in the home and would interact with visitors on the same level that the males did.²¹ This cohesion among the genders in the home allowed for Roman women to be on more equal playing field with males, especially when compared to the other classical societies at the time. Through their incorporation in the conversations of males, it can be inferred that women held more influence in the opinions of these men, whose decisions largely affected the lives of Roman women.



Layout of a Simplified Typical Greek Home



Layout of a Simplified Typical Roman Home

Moreover, Roman society was much more accepting of bringing women to public events, such as dinner parties. The Romans acknowledged the central role women played in the home, while the Greeks suppressed it. This can therefore be seen as the expansion of women’s rights in the domestic sector. However, as evidenced in the architectural treatise *de Architectura*, women

²¹ Milnor, *Gender, Domesticity, and the Age of Augustus*, 99.

of the Roman household still tended to disappear in favor of the dominance of the men. Vitruvius' lack of mentioning gender when describing the Roman household only furthers the dominance of the men, who were the heads of the Roman households. The Roman home was, after all, built for the men of the family as a display of their status within society.²² While women were present in the treatise, they subsumed to the background in favor of the dominant men, showing the subordinate position women still held in Roman society.²³

While women of the upper-classes enjoyed relative amounts of influence and freedom, women of the lower-classes were largely deprived. This was partially due to their lack of education and the jobs in which they were confined to. Spinning was the most stereotypical job a woman could hold, although a select number of jobs existed for women in shops and in artistry. Arguably one of the more important female occupations, however, was that of midwifery. Midwives were tasked with the important job of supervising labor and performed most of functions necessary to deliver healthy babies, even when there was the presence of a male doctor. These women were so competent, in fact, that some historians even viewed their capabilities as virtually "up to modern standards".²⁴ Childcare was another crucial job, for nurses of wealthy Roman children basically raised the children independent of their actual mothers.

However, while midwifery and childcare showed the vital importance of certain women's jobs, this was the exception. Most women were reduced to tedious spinning or cleaning, with very few opportunities existing outside of the home. Thus, while little is preserved about the lives of these lower-class women, it's likely that they were worse off than slaves, for at least slaves were cared for.²⁵ These lower-class women therefore lived largely miserable lives, unlike their upper-class counterparts who gained freedom largely from their economic prosperity.

Women born into the upper-class therefore had wealth as a means of gaining more freedom. While women typically weren't allowed to own their own businesses, many did in practice under the name of their husband or son. Some of these businesswomen became so profitable that they became patronesses of associations, with a few even documented as holding high offices within their association.²⁶ Therefore, wealth could be used to a women's advantage in terms of gaining freedom and influence.

While wealthy women undoubtedly had more freedom than their lower-class counterparts, older women similarly had more freedom and influence than did young women. Older Roman women commanded more respect and therefore yielded more influence. A large component of this influence was attributed to young male relatives who were eager to prove themselves worthy of their matriarchs.²⁷ As depicted by Livy, Gnaeus Marcius Coriolanus abandoned a traitorous march on Rome only on the insistence of his mother, Veturia.²⁸

²² Vitruvius, *de Architectura*, Book VI.

²³ Milnor, *Gender, Domesticity, and the Age of Augustus*, 136.

²⁴ Treggiari Susan, *Jobs for Women* (London: American Journal of Ancient History, 1976), 86.

²⁵ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 202.

²⁶ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 200.

²⁷ Hallett Judith, *Fathers and Daughters in Roman Society* (Princeton: Princeton University Press, 1984), 38-40.

²⁸ Titus Livius (Livy), *The History of Rome*, Book II.

Numerous other accounts depict such influence older women held on their younger male relatives.

However, while in theory upper-class Roman women could exert more freedom, in practice this was mainly for the benefit of men. For whatever women did autonomous of men “was futile”. Giving women education and status was only for the sake of the men in their lives. For instance, certain women were given great honors, giving them privileges within society. However, the actual purpose of honoring women was to praise the men to whom they were related or married to. One such way of honoring the females of influential families was through the creation of statues. Augustus erected numerous statues to both his wife Livia and daughter Julia, showing how men at the highest level honored their female family members.²⁹ While the intentions for such acts were questionable, women in other societies during this time experienced far less recognition and rights. Hence, while not always intended, Roman women experienced more acknowledgement and freedom in comparison to the females of other classical societies.

Thus, while some women were indeed able to hold increased domestic and political positions during the Augustan Age, this was largely limited to women of the upper-class. As seen through education, women from families with more affluence had more freedom and influence to enjoy. Partially this was because wealthy women had contact with powerful Roman men, therefore rendering wealthy women much greater potential for political influence.³⁰ However, this was nothing in comparison to the women belonging to the imperial family. Livia, arguably the most powerful woman during the reign of Augustus, held unprecedented levels of power and influence. As Augustus’ wife, Livia’s role far exceeded that of a typical Roman woman.

Augustus held Livia’s opinion far above that of which an ordinary Roman man would. He consulted her on important matters of the state, such as the conspiracy of Cornelius Cinna, whom Livia advised him to pardon. Augustus, who had originally summoned a council of friends to decide on the matter, canceled the meeting in favor of accepting Livia’s advice.³¹ Instances such as this was common among Augustus and Livia, showing the widespread effect Livia held on politics during her life. Thus, through her role as Augustus’ wife, Livia directly influenced the policies and decisions of her time. Augustus relied so heavily on Livia’s advice that he brought her along with him on his travels, a policy in which Augustus himself ruled against. Numerous states in which they traveled were documented as trying to appeal to Augustus through first gaining Livia’s support. Athens did this when they were in a state of dishonor for having supported Antony.³² Numerous other examples exist, showing just how much influence Livia had over her husband.

However, Livia’s high position in society arguably would have been less accepted without the influence of goddesses. Many of the goddesses worshiped by the Romans, such as Minerva and Juno, were portrayed as being strong and intelligent. Moreover, religious cults formed by Roman women could sometimes have positive effects on their status in society. One such example of this was the cult of Isis. Isis was a deity of ancient Egypt whose influence made its way to Rome by the Augustan Age. Highly powerful, Isis was worshiped by both men and

²⁹ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 184.

³⁰ Hallett, *Fathers and Daughters in Roman Society*, 36.

³¹ Bauman Richard, *Women and Politics in Ancient Rome* (London: Routledge, 1992), 126.

³² Bauman, *Women and Politics in Ancient Rome*, 127.

women of all ages and societal classes. Her immense power showed Romans how women could be superior to men in certain circumstances, helping open the possibilities for mortal women in power. While these goddesses didn't make it significantly easier for women to gain power in Roman society, they did make the notion of women in power less of a foreign concept.³³

Thus, the rights and influences held by Roman women during the Augustan Age increased to an extent. While women of the upper-class held the majority of these rights, Augustan laws paved the way for women of all societal classes to experience more freedom, albeit limited in some classes. While there is evidence that supports the notion of women having an increased amount of independence due to the legislation of the time, further investigation shows that these laws were only made for the benefit of men. However, legislation that increased women's rights- despite initiated for the benefit of men- was still consequential and effected the freedom and power held by Roman women.

However, just because Roman women had relatively more freedom and power during the Augustan Age doesn't diminish their inferior status in society in comparison to men. Regardless, while Roman women were still held in a substandard position to men, the Augustan Age was a crucial shift in their development of freedom and power. Despite a distinctive divide, the gap between the two genders lessened during the Augustan Age, showing how critical this time was for women's rights in Ancient Rome, as seen through the laws, art, and writings of the time. Thus, while the road to equality was evidently still in the future, the Augustan Age was therefore a positive step towards reaching equality between the two genders.

³³ Pomeroy, *Goddesses, Whores, Wives, and Slaves*, 219.

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