The condition of women in Rome

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I. - The family.

Historic Rome was, par excellence, the country where the regime of the paternal family, the patriarchate, reigned and flourished to excess. In appearance, there is no longer any question in Rome of the maternal family. Yet the excessive power of the Roman pater familias was only established over the ruins of this maternal family; for the sociological law is general and the Eternal City is no exception; only, the traces of the great primitive family are neither very visible, nor very numerous, and for a long time they escaped observation. (1) To discover them, it took recent advances in scientific sociology. - Yet the first existence of the people of the family clan, was known for a long time. It has been said and with good reason, even before the advent of sociology, that, until the Empire,the Roman State was a federation of families, of great families, but represented by the patriarchal head, both magistrate and pontiff, above all master of his own. It is on this dominating character that the attention of historians has long focused; but the Roman family itself only slowly emerged from the consanguineous clan, from the gens, that is to say from a larger family, a group of real or fictitious consanguineous, bearing the same name and living under a elected leader. By meeting, several gentes formed the curia, what was called in Greek the phratry, and the curies by agglomerating constituted the tribe, the Hellenic deme. At the dawn of history, the clans claim a common ancestor; for already male filiation exists there; but vestiges of the uterine filiation still remain:they have been carefully identified.

First, among the Etruscans, who were the teachers of the Romans, the funeral inscriptions, until the imperial period, sometimes name the single mother, sometimes the mother with her child, without even mentioning the father. But many other clues follow. In the very ancient family, the composition of the family court included not only the male line relatives, the agnates, but the female cognates. The custom of jus osculi gave the cognates of the wife as well as those of her husband the right to kiss her. In the temple of Mater Matuta, Roman women prayed for the children of their sisters. - Certain facts of Roman history also bear out in the same direction. So after the rape of Lucretia by Tarquin, it is Brutus, the young woman's uncle, and not her father or her husband, who takes her revenge in hand.Finally the Etruscan Porsenno, having to demand hostages from the Romans, asks them not of men, but of women. A curious tradition seems to relate to a much more distant survival, to that of a very old promiscuity. It is said, in fact, that the Etruscan Servius was conceived during a great annual festival where, for one day, we returned to the sexual freedom of the ancestors. (2)

On the other hand, the words pater and familia had, in principle, a meaning which was not exclusively consanguineous. Thus in Numa's time, the word parricidium signified not the murder of a father but that of any free man. The word familia did not designate exclusively consanguines, but all those that the father had under his power, even and especially slaves. With regard to inheritance, the Law of the XII Tables had not introduced for the hereditary division of the heritage any privilege either of sex or of primogeniture. She first called the children, including the woman, assimilated to a child, at least in the case where she had been submitted, like children, to the manuscript of the deceased. In default of child and wife, came the closest agnate or paternal parent; finally, in its default, the closest gentilis.It is important to notice how much all these dispositions take at their ease with consanguinity, and indeed, the son and the daughter themselves ceased to be part of the family, while they were emancipated. Finally, if a citizen were to die intestate, his estate belonged to the family, that is to say to a group which did not include only relatives. This is because, in the familia, the basis of kinship, of agnation, is not the marriage of the father and the mother, it is the paternal power, the patria potestas. Agnates are all those who are under the same paternal power, who have been there or could have been there. Kinship is limited by paternal power and it is also determined by it; with it, we see it begin and end. Thus, without being consanguineous, adoptive children are nevertheless parents;on the contrary, an emancipated son ceases to be agnate. There is no legal relationship, no agnation, between the children of the same mother, but of different fathers; on the contrary, the children of the same father are parents, although born to different mothers. In short, the word familia represents above all an idea of ​​property, an economic idea. (3) On the contrary, the word people relates to generation (gignere). In Greece, the members of the same genos identical to gens, were called gennetes and also "milk brother". In Rome, in the primitive plebeian people, there is no father, no patriarchal leader; a plebeian does not have a father, but he has a father. - Among the patricians, the pater familias is the political master of the family; he has what is called absolute dominium over women, children, slaves. He is free to expose his child, to kill him,to sell him as a slave; if, in marrying his daughter, he has not renounced the manuscript he had on her, she remains his property; but he has the right to emancipate his son or his daughter and then the children cease to be under his paternal power. - In fact, neither the daughter nor the son had any right of co-ownership over the father's property, the father owed them nothing, neither during his lifetime, nor after his death. To inherit a daughter, for example, it was enough that the father omitted her from his will and it was so until Justinian; for consanguinity alone did not constitute any right for the daughter. - Close together and serial, all these facts fit the Roman familia well into the general law of family evolution, as established by a vast survey, embracing the entire human race. In Rome as well as elsewhere,the consanguineous clan preceded the family which left it. Without doubt, at the time when Rome entered history, it was in full patriarchy; but expressive indices, survivals, still attest the former existence of a uterine filiation. Finally, even the familia of protohistoric Rome, subject to the despotic government of its pater familias, is a much more political than consanguineous group. A family is any person who is subject either to the potestas or to the manus of the father, and the latter has the right to remove from the family, by emancipation, his son or daughter, as well as 'he can bring in an adopted son. In these private arrangements actual consanguinity hardly matters.it is in full patriarchy; but expressive indices, survivals, still attest the former existence of a uterine filiation. Finally, even the familia of protohistoric Rome, subject to the despotic government of its pater familias, is a much more political than consanguineous group. 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II. - The wedding.

The Roman daughter being the property of her father, the latter naturally had the right to betroth and marry her. By promising his daughter by engagement, the father of the family contracted a serious obligation, leading, in the event of non-fulfillment, first to damages, then a civic penalty, infamy. Roman girls were often engaged at a very young age. Thus a daughter of Agrippa and Pomponia was promised to Tiberius in the first year of her life. Octavia, daughter of Claudius and Messaline, had been betrothed at the age of seven. In addition, marriage majority for girls was very precocious; at twelve, they could be married off. At this age, it was obviously not very difficult to obtain their consent, which was legally required. Moreover, the law constrained marriage: in the time of Augustus,an unmarried girl without children was already liable to the penalties for celibacy and childlessness. - Over the married daughter, the father retained his power, when he had not renounced the manus, by marrying his daughter; he then had the right to unmarry her and remarry her at will, and this lasted until Antoninus.

To contract a legitimate marriage, six conditions were necessary: ​​1 ° that one had the jus connubii, the right of marriage in general: this right existed between Latin and Roman, Latin and Latin, Peregrine and Peregrine; 2 ° that the parties have given their consent; 3 ° that they have the consent of the heads of the family; 4 ° that they were pubescent; 5 ° that there was no relationship to the prohibited degree. A man who contracts an incestuous marriage is considered to have neither wife nor child. So the children have a mother, but no father; they are not under the power of their author: they are called spurii (Instit. de Gaius, I, 64); 6 ° that the parties were already neither in a state of marriage, nor in a state of cohabitation.

But, in Rome, there were several kinds of conjugal unions, recognized by law: 1 ° in the first place, the solemn marriage, that of the Patricians, the marriage by confarreation. In this form of marriage, in the presence of ten witnesses, the Grand Pontiff gave the spouses a cake of flour, which they divided between; 2 ° marriage by coemption, by purchase; it was plebeian marriage. The ceremony then consisted in symbolizing, in front of witnesses and in the presence of the praetor, a mutual sale, by the exchange of a small coin. Then the groom parted, with a javelin point, the hair of the bride, which was a symbol of the old marriage by capture; 3 ° marriage by custom was the marriage of the poor; it ended without cost or ceremony, with a simple declaration made before witnesses. After one year of duration,this union became legal and the child born from it was legitimate and a citizen. The weddings by confarreation, the just weddings, the patrician weddings, gave the husband the manuscript on the wife. This terrible right of the manus, thus acquired by the husband, was the equivalent of the paternal power, to which he succeeded. The woman in manu was legally considered as the daughter of her husband, therefore, as the sister of his children; and if her husband was himself the son of the family, the woman in manu legally became the granddaughter of the Pater familias. This situation involved, for its part, the extinction of paternal power, guardianship, employers, kinship rights and agnation with his consanguineous family. In marriage with manus, the husband became the owner of all his wife's contributions, even the dowry,unless stipulated by the father, deciding that the dowry would return to him, if his daughter died childless or was repudiated. - Now, the husband acquired this right of manus by all forms of marriage, even by usus, by simple cohabitation for one year, unless the wife had, each year, the precaution of spending three nights outside the marital home. Of all these various marriages, confarreation alone brought religion into the celebration of the conjugal union; but the three forms, whether or not they mark the phases of an evolution, put the woman at the discretion of her husband, so much so that he acquired a broad right of correction over her. However, at least in aristocratic families, the husband, on serious occasions, had to convene the family court before taking action,who even knew of murders committed by the woman.

However, marriage with manus also had its advantages for the wife. Doubtless, by the manuscript, the woman had, vis-à-vis her husband, the position of a daughter, but she acquired the right to do so; she inherited from the husband, she even succeeded him for all of the property, if she was alone; for a male portion, if there were other heirs; while, without a manuscript, she was entirely excluded from the succession. Little by little, however, they came to give the woman the right to inherit anyway, in the absence of heirs to the degree successible: then she was preferred to the tax authorities.

The dowry, when it was instituted, improved the situation of the married woman. This dowry would have started by being, at least in Etruscan country, a remnant of hetairism and many young girls would have gained it themselves by trafficking in their person. Later and doubtless more generally, it was a sum constituted for the young girl by her family and entrusted to the husband, which was to receive only the interest. At first it was an optional gift, not an obligation for the parents; but the famous laws Julia and Popoea ended up imposing it on the father, in order to facilitate the marriage of his daughter. Along with a pecuniary advantage, the dowry was also a sign of honor; she distinguished the wife from the concubine. The woman without a dowry, the indotata, was, by that alone, despised.As the solidity of the conjugal bond and the security of the dowries entrusted to husbands diminished, the dowry was surrounded by guarantees, legal precautions and the restitution of the wife's property in the event of divorce was stipulated. The Julia de adulteriis law went so far as to forbid the alienation of a woman's dowry, even with her consent. Little by little the dowry regime was established, which clearly separated the two patrimonies, prohibited donations between spouses, forbade the woman to oblige herself for her husband, to restore the dowry to him during the marriage. Such was the regime when completed by Justinian; but long before, the dowry woman often inherited her father's property, and even had it ruled by a slave of her own, the dowry slave. Plautus has already criticized these customs in his Asinaire:legal precautions and the restitution of the woman's property in the event of divorce was stipulated. The Julia de adulteriis law went so far as to forbid the alienation of a woman's dowry, even with her consent. Little by little the dowry regime was established, which clearly separated the two patrimonies, prohibited donations between spouses, forbade the woman to oblige herself for her husband, to restore the dowry to him during the marriage. Such was the regime when completed by Justinian; but long before, the dowry woman often inherited her father's property, and even had it ruled by a slave of her own, the dowry slave. Plautus has already criticized these customs in his Asinaire:legal precautions and the restitution of the woman's property in the event of divorce was stipulated. The Julia de adulteriis law went so far as to forbid alienating a woman's dowry, even with her consent. Little by little the dowry regime was established, which clearly separated the two patrimonies, prohibited donations between spouses, forbade the woman to oblige herself for her husband, to restore the dowry to him during the marriage. Such was the regime when completed by Justinian; but long before, the dowry woman often inherited her father's property, and even had it ruled by a slave of her own, the dowry slave. Plautus has already criticized these customs, in his Asinaire:even with her consent. Little by little the dowry regime was established, which clearly separated the two patrimonies, prohibited donations between spouses, forbade the woman to oblige herself for her husband, to restore the dowry to him during the marriage. Such was the regime when completed by Justinian; but long before, the dowry woman often inherited her father's property, and even had it ruled by a slave of her own, the dowry slave. Plautus has already criticized these customs in his Asinaire:even with her consent. Little by little the dowry regime was set up, which clearly separated the two patrimonies, prohibited donations between spouses, forbade the woman to oblige herself for her husband, to restore the dowry to him during the marriage. Such was the regime when completed by Justinian; but long before, the dowry woman often inherited her father's property, and even had it ruled by a slave of her own, the dowry slave. Plautus has already criticized these customs, in his Asinaire:the dotal woman often inherited her father's property, and even had it governed by a slave of her own, the dotal slave. Plautus has already criticized these customs in his Asinaire:the dotal woman often inherited her father's property, and even had it governed by a slave of her own, the dotal slave. Plautus has already criticized these customs in his Asinaire:

“Argentum adcepi; dote imperium vendidi ”

(I received money; I sold my power for a dowry),

said a husband. This market was indeed often concluded; for the dowry-runners became very numerous. Under the Empire especially, the wealthy patrician frequently reduced her husband to the rank of servant when she did not simply do what we call a "social name", covering up his misconduct. Horace tells us about the wife ruling her husband by her dowry. Martial declares that he does not want a rich marriage: “to be married by his wife, he says, does not suit him” (uxori nubere nolo meae). Seneca mentions the "curly prosecutor", who ends up replacing the dowry slave. Finally, as a last step forward, we came to contract postulate marriages, intended solely to evade the penalties for celibacy. By the almighty virtue of money,the rich woman had therefore succeeded in radically transforming the ancient marriage: the servitude of the woman only manifested itself symbolically in the ceremonial of the capture: hair parted with the point of a javelin, woman carried by the husband above the threshold of her door, as she entered the bridal house. All this archaic symbolism must have even made the skeptics and plutocrats of the time laugh.

During protohistoric Rome, marriage had in fact been indissoluble, since for more than five centuries there was no divorce in Rome and history has preserved for us the name of the first husband who repudiated his wife: he was called Spurius Carvilius and fired his wife for a demographic reason: because of her sterility. As everywhere, the right of repudiation was, in Rome, left to the husband only. We read, in fact, in Plutarch, that "Romulus gave license to the husband to leave his wife, if by chance she had poisoned his children or falsified his keys or committed adultery and, if otherwise he repudiated her, half of his property. was awarded to his wife and the other to the goddess Ceres ”. Plutarch forgets to mention in his enumeration, precisely the main cause of the denunciation of the marital contract,the one which mainly motivates divorce in all ancient civilizations, the cause invoked by Spurius Carvilius: sterility. However, the repudiation was not entirely left to the good pleasure of the husband, who had to assemble and consult the family beforehand. When it was a question of a solemn marriage, by confarreation, it required, to dissolve it, a contradictory ceremony: defareation. In the old law of Rome, when the divorce had been motivated by a crime against the woman, she lost all her dowry; later, only a sixth was retained, even for the marital crime par excellence, adultery, and only an eighth for other crimes. Following the sociological development, common in any country, the bonds of Roman marriage gradually relaxed. Even and despite the opposition of censors,divorce by mutual consent (Bona fide) ends up being introduced into customs; important progress (sic), since, by him, the woman definitively ceased to be treated like a slave. Then, the legislation of the divorce regulated it especially by pecuniary sanctions striking especially the husband who had made the divorce necessary. But the adulterous husband only lost the terms of use for the restitution of the dowry; because, throughout the world, it is especially for women that adultery has been judged criminal. If the wife divorced without serious cause, the husband withheld one sixth of her dowry for each child, but only up to three sixths. Everything being settled, somehow or other, the phrase Res tuas abeto was pronounced: "Take what is yours," and the marriage was dissolved.Even the husband's tyrannical manus ended up bending, and by sending the repudium to her husband, the wife was able to force him to free him from the manus. Divorce therefore became relatively easy. By abusing this facility, the great and the important personages gave unfortunate examples, quickly imitated, because they came from on high. Augustus forced Livia's husband to repudiate her, although or because she was pregnant. Cicero repudiated his wife Terentia to palpate a new dower. Seneca speaks of women who count the years, not by the names of the Consuls, but by those of their successive husbands; even a husband did not always last a year. Juvénal quotes a woman who had married eight times in five years. Another, of whom Saint Jerome speaks, married, after having had twenty-three husbands, a man who had, for his part, had twenty-three wives; matching wedding.But Christianity determined a reaction by creating contrary abuses. Justinian forbids voluntary divorce, unless it is to devote himself to God. Ceasing to be a civil contract, marriage had become "a union of souls".

III - Adultery and widowhood

Of the two other causes of dissolution of marriage, adultery and widowhood, I have above all to speak of the first. In Rome, the mode of repression of adultery has varied, evolved, like marriage itself. In protohistoric Rome, in the midst of the patriarchal phase, adultery is the most serious of the attacks on property, a capital crime; one must understand naturally the adultery of the woman; even the term "adultery" then applied only to the woman, although her accomplice was also playing big game. The Law of the Twelve Tables considers adultery as a family crime. According to this law, the woman suspected or accused of adultery is brought before the domestic court, before all the cognates, probably those of her family, when she was under paternal power,since the father was long regarded as the great justice of the adultery of his daughter; but it is evident that the marriage manuscript, when it existed, was to relinquish the family of the woman. Anyway, by either of the families, the adulterous woman, if found guilty, was punished with death and had to be executed by the parents themselves, as they saw fit: Cognati necanto, uti fly. Laws, the Scantinia law, especially the Julia law, claimed adultery as a public crime; but, alongside these laws, family jurisdiction continued to persist until under the Empire. But, over time, the penalty softened: the death penalty was followed by banishment, relegation to at least two hundred miles from Rome, in addition, the obligation for the woman to wear an infamous costume: the courtesans' dress. .

An ancient Roman custom, which may be prehistoric, punished the adulterous woman with one of these expressive penalties, which especially appeal to savage populations (sic). This, of which we find the analogue in the Redskins, consisted in locking the guilty woman in a cubicle, where she was delivered to male passers-by, on the sole condition that these passers-by carried bells on them, in order no doubt to give publicity to this singular talion. (4) This custom would have persisted until Theodosius, who abolished it; but perhaps it only applied to the proletarian class.

In the primitive law of Rome the outraged husband had, in the event of flagrante delicto, the right to kill the guilty; but he remained free to keep the lover for twenty hours, to obtain evidence, and, during that time, to torture him, even in a way so special, that I cannot describe it, but which was called " raffanization ”. Furthermore, the law and public opinion did not forbid the husband to ransom the lover. The Julia law, published either by J. Caesar or by Augustus, decreed, against those who soiled the nuptial layer of others, the death penalty; but we must understand the cases where the act had been committed with violence, since seduction without violence is, by the same law, punished only with the confiscation of half of the property, if the seducer is of honorable condition, and , otherwise,corporal punishment followed by relegation. In the event of flagrante delicto, the Comelia law declares the murder of the lover excusable, if this lover is a slave or a man of bad life, a go-between (Leno), an actor, a freedman of the husband or of the family. The outraged husband could no longer, under pain of infamy, continue cohabitation with his adulterous wife and the latter was excluded from the temples, even from those which were opened to foreign women and slaves.even those who opened up to foreign women and slaves.even those who opened up to foreign women and slaves.

We saw earlier that, in ancient Rome, the word adultery did not apply to husbands and we have just seen that the penalty for adultery was always milder for men. In reality, a married man could be prosecuted and punished, for having had intimate relations with a married woman; but, except in this case, his infidelities were of no consequence. It was even necessary to arrive at Antoninus so that a husband, himself guilty of adultery, that is to say of trading with a married woman, was not authorized to prosecute his surprised wife, too, in adulterous trade. Plautus still holds the infidelities of a husband as peccadilloes: “If this old man,” he said, “happened to have pleasant whims in hiding from his wife, there is nothing extraordinary or strange in that; he did like the others ”,and we must believe Plante, if, as he asserts, the courtesans were then as numerous in Rome as the flies on a hot day. Before leaving this subject of marriage proper, in Rome, we must still examine two facts which are connected with it, first widowhood, then concubination.

In early Rome, public opinion blamed the remarriage of widows. Those who did not remarry were surrounded by special esteem and, in a funeral inscription, the deceased, named Cornelia, said to her daughter: "Imitate me and be only one". It should be noted that in Rome, as elsewhere, this moral obligation to be faithful to a deceased husband was not reciprocal: the widowed man never felt himself morally obliged not to contract a second marriage; but it is particularly in countries with patriarchal civilizations, that one tries to impose on the widow this duty of posthumous fidelity, an attenuated survival of the sacrifices of widows, so common in many barbarous societies. Both obligations necessarily indicate that this is a social state in which the subordination of women is extreme,they are considered to be the thing of their husbands who, for their part, never have the idea of ​​killing themselves, of burning themselves alive, on the death of their wives, who even very rarely believe themselves to be bound by posthumous fidelity. We understand that in Rome, where the wife was famous in the hand (in manu) of her husband, she was expected to continue to belong to him even after his death. Yet this loyalty, even in death, ended up becoming an increasingly archaic virtue and, at the end of the Republic, the Julia and Papia Poppoea laws, concerned above all with the maintenance of the population, authorized, on the one hand , any widow with three children, to collect the total fortune of the deceased husband and, on the other hand, forced the widow to remarry within two years of her widowhood,under penalty of being subjected to all the legal disabilities imposed on single people.

The triumph of Christianity determined in fact of widowhood a return to old mores. (5) Constantine decreed, against those who contracted a second marriage, pecuniary fines for the benefit of the children of the first bed. The Eastern Church also promulgated penalties against second marriages and increased their severity for third marriages. At the time of the Council of Neocesarea, the emperor Leo gave the force of law to these ecclesiastical measures (Novelle XC), by alleging a singular reason: Man, said the recitals of the law, must not be inferior to animals; however "lovebirds do not bury a first union in a second". (6) While imposing on him forever the state of widow,the laws of the Lower Empire nevertheless maintained the woman in a subordinate position and it was necessary to arrive at Justinian so that one granted him the custody of his children. Already, in the Gospel, the woman, even the Virgin Mary, is as despised by her "divine son" as the Penelope of the Iliad by Telemachus (7) and, following the example of Saint Paul, the Fathers of the The Church generally held the female sex in very low esteem.

IV - Social condition. The law and the mores thus made to the Roman woman, even and perhaps especially to the daughter and the patrician matron, a condition very subservient to the wills of the father, the husband, the parents. At first glance and judging from the legal texts, the dependence of women in Rome seems as great as that of Greek women; yet the first, the Roman woman, enjoyed much greater domestic freedom. In Rome, there was no gynoeceum in the marital home; the wife even had to fulfill the role of mistress of the house; she could be the companion and not the servant of her husband; she always associated herself with her good or her bad fortune; she received her friends and did the honors of the house. She attended the banquets and occupied the place of honor; she walked through the streets,went to the theater with the men, all things forbidden to the Greek woman. However, at least in the good weather of the Republic, we did not have great confidence in the Roman matron, since the use of wine was strictly forbidden to her, even, it is claimed, on pain of death. . What is more, the husband had to love his wife discreetly in order to be proper, since Cato the Censor struck from the list of senators a certain Manilius, who, in the presence of his daughter, had kissed his wife with too much tenderness. It must be said that Cato was hardly capable of committing such an excess himself, tenderness having never been his strong point. Another Cato was not more affectionate and one quotes of him a trait showing that the power of the Roman husband over his wife extended very far, even to the loan of the wife to a friend,which is an absolutely wild custom. Yet Plutarch attributes this practice, so brutal, to the virtuous Cato of Utica. The details of the fact are, in themselves, curious. Hortensius, Cato's friend, began by asking for a loan of Portia, daughter of Cato, already married to Bibulus and mother of two children: it was, according to Plutarch, for a utilitarian purpose, only to have a good child. race. This goal once achieved, Horlensius promised to honestly restore Portia to her husband. Cato was not at all shocked by the request; yet he refused. So Hortensius fell back on Atartia, Cato's wife. Always obliging, Cato referred it to Philippe, his father-in-law, who also saw no problem with it. A contract was therefore drawn up and concluded between the three men: Cato the husband, Hortensius the friend and Philip the father-in-law.It does not appear that Martia herself was called upon to give her opinion, from which one can infer that Cato had the manuscript on his wife. Martia was therefore ceded to Hortensius, then recaptured, on the latter's death, by her former husband Cato: it must be said that at this time she was the heir to Hortensius and a good catch for a somewhat crooked marriage manuscript. This transaction, so simply carried out, says a lot about the subjugation of the Roman wife, even at the end of the Republic, because Martia's loan could not be a unique case; if the memory of it has been preserved to us preferably, it is because it interested important persons.by her former husband Cato: it must be said that at this time she was heiress of Hortensius and a good catch for a somewhat hooked marriage manuscript. This transaction, so simply carried out, says a lot about the subjugation of the Roman wife, even at the end of the Republic, because Martia's loan could not be a unique case; if the memory of it has been preserved to us preferably, it is because it interested important persons.by her former husband Cato: it must be said that at this time she was heiress of Hortensius and a good catch for a somewhat hooked marriage manuscript. This transaction, so simply carried out, says a lot about the subjugation of the Roman wife, even at the end of the Republic, because Martia's loan could not be a unique case; if the memory of it has been preserved to us preferably, it is because it interested important persons.

This perfect absence of delicacy in married life did not prevent the simplicity of the old ages from being affected. The Roman woman was to spin and weave, like the Greek woman, and it is reported that, to set a good example, the Emperor Augustus himself made a point of wearing only clothes made by his daughters and granddaughters. For, in primitive and republican Rome, families, at least patricians, were self-sufficient in the

work of slaves and women. The slave crushed the grain; the woman made bread, as she made clothes. A good housewife was in great demand. She is praised for being a skilled spinner, for managing her house well (Friedländer, I, 346). Little girls were taught to spin and weave (Friedländer, I, 346).

What in law is called the civil capacity of women was practically nil as long as the Roman family, so specially established, was maintained. Women, always under the guardianship of either the father, the husband, or the agnates, could not without authorization bind themselves, alienate or test. The husband began by having full ownership of his wife's property. This state of things changed, however, little by little; and the husband ends up leaving his wife free to dispose of her personal property, except for the portion assigned to the expenses of the conjugal house. We even managed to sidestep the legal prohibitions: a father emancipated his daughter from a complaisant friend; a husband emancipated his wife by will, giving her the right to choose a guardian, etc. So much so that after Diocletian,there is no longer any vestige of the old guardianship of women and marriage, far from enchaining rich women, gave them almost unlimited freedom.

But, beside and below Roman marriage, so rigid for a long time for women, Roman law tolerated and even recognized a less solemn mode of sexual union, a kind of free marriage, which had nothing in common with women. just wedding of patricians; I mean the cohabitation. The Roman concubinate was the intimate union between people who could not legally marry. Often the concubine was a person of equivocal reputation or of servile condition; a freedwoman, a slave, etc. The Julia and Papia Poppea laws expressly authorized cohabitation: it was in fact a marriage of inferior quality. Cohabitation indicated paternity; but the child followed the condition of the mother and for the father he was also only a natural child; he did not enter into his family and did not inherit from him. Finally,in the cohabitation, there was no dowry as in the true marriage. It was especially between the boss and the freed slave that the cohabitation was used and at the same time protected by the laws, that until Justinian. Constantine had authorized the legitimation by marriage of children born to a concubine of free status, provided that the man did not have legitimate children. Justinian allowed legitimation even in the latter case; but he forbids it, if the woman were a slave freed by her master and already having other children.Constantine had authorized the legitimation by marriage of children born to a concubine of free status, provided that the man did not have legitimate children. Justinian allowed legitimation even in the latter case; but he forbids it, if the woman were a slave freed by her master and already having other children.Constantine had authorized the legitimation by marriage of children born to a concubine of free status, provided that the man did not have legitimate children. Justinian allowed legitimation even in the latter case; but he forbids it, if the woman were a slave freed by her master and already having other children.

V. - Education.

Rome stood out above all for its warlike, legal and administrative skills; on the contrary, in art, poetry, science, philosophy, she did little more than imitate her intellectual teacher, Greece. It is therefore natural that in Rome they did not pay much attention to giving girls an intellectual education. For a long time, mothers raised their daughters on their own, striving to transmit to them traditionally the tastes and aptitudes of a good housewife as well as some notions on religion and religious practices: family life took the place of school education. The girls were married when they were still playing with dolls, and the rest looked at the husband, especially preoccupied with dominating and usually armed with the manus.You have to arrive in the century of Augustus to find girls' schools in Rome, where, every morning, middle-class families could send their children. The young patricians were, like their brothers and often with them, brought up by preceptors in the paternal house. This distinguished instruction was purely literary; they endeavored to fill the memory of young girls with selected figures and passages. They were also taught music and dance. The Roman dances, slow and rhythmic, gave young girls a noble bearing, a graceful walk, advantages which were highly regarded. Music, at least vocal music, held a notable and necessary place in female education; because, like Greece, Rome often included young girls in public ceremonies,religious, civic, funeral. Under Augustus, a few patricians acquired what was then considered to be a superior culture; that is to say, high rhetoric and knowledge of this or that system of philosophy; sometimes the doctrine of Epicurus, sometimes that of the Portico, etc. Plutarch asserts that Cornelia, wife first of Crassus, then of Pompey, was a musician, literate, had profitably followed courses of philosophy and even studied geometry, then the science of sciences, as it always happens, as long as the observational sciences are in infancy. But, in short, we are justified in saying that at no period of its historical development has Rome been able to give its women, of all conditions, an education suitable for developing them mentally, for putting them in a state of health. drive healthily and reasonably,then that would come to an end the subjection to which they had been subjected for so long. (8) This time came, however, for women of a certain class, and he found them very ill-prepared.

Slowly at first, then with increased speed, the lot of noble and especially rich women changed greatly.

Pecuniary rights and the freedom to act broadened considerably for women, from protohistoric Rome to the Late Empire; but they were never granted either civic rights under the Republic, or the faculty of coming to sovereign power under the Empire. The daughters of emperors were simply assigned an appanage, a tax-free land. It was only in the Eastern Empire that women came to ascend the throne; but then there were no more civil rights for anyone. - The citizens were transformed into enslaved subjects, no longer even aware of their political and moral degradation. (9)

VI - The mental worth of women at Home.

The very succinct table that I have just drawn, with supporting documents, of the situation of women in ancient Rome, from protohistoric Rome to the Late Empire, shows us that, in the family, marriage and As a large society, the condition of Roman women slowly evolved from servile subjugation to increasingly broad freedom, eventually even to license. But we must not forget that the information, so numerous, so precise, that we have left on this subject Roman antiquity, mainly concerns the woman of the upper classes either by birth or by money. In the petty bourgeoisie, in the proletariat, women have led an obscure existence, which has left no other trace than tumular stones, on which widowed husbands praise their virtues banal and uniform.A husband, however, was not afraid to engrave the following joyous epitaph: "On the day of his death, I showed my gratitude to gods and men"; but most of the funeral inscriptions on the contrary praise the chastity, the home-like humor of the deceased, even their qualities of good nurse, and it is to be believed that on average they tell the truth. But the satirists do not lie either, when they point out the deportations of rich women at the end of the Republic and under the Empire, their futility, their crazy expenses, their cold cruelty to their slave servants, (10) their whims. pathological and erotic for gladiators, athletes, mimes, etc., their need to stand out by buying dwarves, monsters, etc. at insane prices. (11)“On the day of his death, I showed my gratitude to the gods and to men”; but most of the funeral inscriptions on the contrary praise the chastity, the home-like humor of the deceased, even their qualities of good nurse, and it is to be believed that on average they tell the truth. But the satirists do not lie either, when they point out the deportations of rich women, at the end of the Republic and under the Empire, their futility, their crazy expenses, their cold cruelty for their slave servants, (10) their whims. pathological and erotic for gladiators, athletes, mimes, etc., their need to stand out by buying dwarves, monsters, etc. at insane prices. (11)“On the day of his death, I showed my gratitude to gods and men”; but most of the funeral inscriptions on the contrary praise the chastity, the home-like humor of the deceased, even their qualities of good nurse, and it is to be believed that on average they tell the truth. But the satirists do not lie either, when they point out the deportations of rich women at the end of the Republic and under the Empire, their futility, their crazy expenses, their cold cruelty to their slave servants, (10) their whims. pathological and erotic for gladiators, athletes, mimes, etc., their need to stand out by buying dwarves, monsters, etc. at insane prices. (11)but most of the funeral inscriptions on the contrary praise the chastity, the home-like humor of the deceased, even their qualities of good nurse, and it is to be believed that on average they tell the truth. But the satirists do not lie either, when they point out the deportations of rich women, at the end of the Republic and under the Empire, their futility, their crazy expenses, their cold cruelty for their slave servants, (10) their whims. pathological and erotic for gladiators, athletes, mimes, etc., their need to stand out by buying dwarves, monsters, etc. at insane prices. (11)but most of the funeral inscriptions on the contrary praise the chastity, the home-like humor of the deceased, even their qualities of good nurse, and it is to be believed that on average they tell the truth. But the satirists do not lie either, when they point out the deportations of rich women at the end of the Republic and under the Empire, their futility, their crazy expenses, their cold cruelty to their slave servants, (10) their whims. pathological and erotic for gladiators, athletes, mimes, etc., their need to stand out by buying dwarves, monsters, etc. at crazy prices. (11)when they point out the deportations of rich women at the end of the Republic and under the Empire, their futility, their insane spending, their cold cruelty for their slave servants, (10) their pathological and erotic whims for gladiators, athletes , mimes, etc., their need to stand out by buying dwarves, monsters, etc. at crazy prices. (11)when they point out the deportations of rich women at the end of the Republic and under the Empire, their futility, their insane spending, their cold cruelty for their slave servants, (10) their pathological and erotic whims for gladiators, athletes , mimes, etc., their need to stand out by buying dwarves, monsters, etc. at crazy prices. (11)

Seneca must be an exact chronicler when he relates that, in order not to be despised by the ladies, it was necessary to have some gallant affair in good taste, at least to make an annuity to a married woman. Martial is undoubtedly truthful when he reproaches a fashionable woman for being composed only of lies and for wearing hair that grows on the banks of the Rhine. He may not be wrong when he says to a husband: “Your wife calls you 'Maid runner'; itself runs the carriers of litter: one is worth the other ”.

But these customs are those which, in all the large modern cities, we still see around us; they are those displayed by a minority of morally inferior women, (naturally it only took a few decades for this "minority" to become a majority ") degraded and having, for very diverse reasons, large sums of money, including they are radically incapable of making good use. The men who frequent them, who admire them, who often pay for their luxury and their unhealthy fancies, are not of a more elevated species. All and all are equal, as their analogues were equal in Imperial Rome. In all times and in all countries, the production of this class of eccentric degenerates and unintelligent enjoyers is a morbid phenomenon. On the social body,as in the individual organism, parasitism supposes and activates some tendency to decomposition.

Roman greatness, which was not a moral or intellectual greatness, was based on a centuries-old abuse of force, a quiet iniquity and the plunder of the vanquished.

Primitive and republican Rome, not having dreamed of training its women for war, had seen in them above all instruments of procreation. A speech, that of the censor Metellus Numidicus, urging his fellow citizens to marry, clearly depicts this state of mind: “If we could live without women, we would save ourselves such boredom; but, since nature willed that we could neither live quietly with a woman, nor live without a woman, let us rather deal with the perpetuity of our nation than with happiness during such a short life. Woman being judged a necessary evil, the laws and customs had consequently organized her domestic slavery and had given her a kind of life absolutely unsuitable for developing it; moreover, she was not considered to be a perfectible being.

This state of affairs had not been incompatible with the primitive Roman simplicity; but, when the modest city of Romulus had become a sumptuous capital, the Eternal City, gorged with the spoils of the known world, at the same time as a great industrial and commercial center, there was no longer any question of old mores, if not is in the rantings of rhetoricians; then political power and money engendered each other in the hands of a

morally very inferior class, regardless of sex. It was particularly to women of this class that the satires of poets and the objurgations of moralists were addressed during the decadent phase of Rome. Neither one nor the other suffices to establish, however, that the Roman woman was essentially inferior to her male companion.

Charles Letourneau, The Condition of Women in Various Races and Civilizations , V. Giard & E. Brière, Paris, 1903, p. 434-457.

(1) As in the previous chapter, the failure to take into account the difference in nature between the pre-Indo-European ethnic substratum and the people of Indo-European origin who later gained the upper hand over him led to the author to treat the subject as if there had been a continuity of civilization between the first and the second. This treatment, even if it is indisputable that Etruscan elements infiltrated and aggregated into Roman civilization proper during its formation, is absurd. To give an idea of ​​its absurdity by means of an example in a way a contrario, it would come down, once the current replacement of the European population of stock by populations of extra-European origin has been completed, to consider, for example, that the exotic polygamy has gradually replaced bourgeois monogamy on this continent,without taking into account the fact that polygamy is peculiar to populations which are not of the same race as the natives. (NDE.)

(2) The Etruscans get along. The orgiastic ecstasies, the Dionysian abandonments in question here refer to the cult, specific to the gynecocracy, of the Great Mother in her aphrodisian aspect, against which Rome never ceased to take coercive measures. See <http://la-dissidence.org/2012/12/27/julius-evola-les-meres-et-la-virilite-olympienne/> (NDE.)

(3) “an idea of ​​property”, certainly, but not an exclusively "economic" idea, far from it, since the right of property was strictly reserved for the male members of a genos, that is to say to the patricians and that thus it was intrinsically linked to a blood , to a qualitative factor. (NDE.)

(4) In fact, in most of the Indian tribes of North America, “In the event of adultery on the part of the wife, without the consent of her husband (otherwise was expected) he was free to to punish or not to do it. Sometimes he would cut off her nose with his teeth, or else he would cut off all of her hair and send her away disgraced. », EA Vail, Notice on the Indians of North America , Paris, A. Bertrand, 1840, p. 203) (NDE.)

(5) A return to old mores, of course, but in a completely different spirit: the Church's prohibition on widows to remarry, if not "to the Church", had for reason the capture of inheritance . In the Christian empire, the laws were as “favorable to wills made in favor of the Church” as they were “contrary to those who did so for the benefit of individuals: either Religious or Ecclesiastics. Emperor Valentinian [321-375] published a law which forbade clerics and all those who profess continence to be able to receive anything from the succession of widows, or of religious women, not even by trust ”; he went so far as to forbid monks and ecclesiastics to enter the house of widows. The Church did not oppose this law,because it prescribed that the wills of widows should be made for the sole benefit of the Church. (Old and new discipline of the Church, affecting profits and beneficiaries, taken from the “Discipline” of RP Thomassin , Osmont, 1702, p. 113). “Ladies' earwigs”, the nickname given by Ammien Marcellin, Faustin and Marcellin the Luciferian to Damase (c. 315-384), himself the promulgator of a law “severely forbidding clerics anything that could resemble a recording of inheritance (Codex Theodos., lib. XVI de episc. lex xx Valentiniani I. Constitutio ad Damasum episc. UR Lecta in ecclesiis urbis Romœ, 29 Jul. 370, with the commentary of Godofredus) ”(JA Möhler, Histoire de l Church , first volume, Gaume Frères and J. Duprey, Editeurs, 1868, p. 564), shows to what extent this pope did not in any way forbid himself what he forbade his subordinates. (NDE.)

(6) The chutzpah with which the representatives of the Church have always known how to cover their unbridled cupidity with fine words capable of moving “good souls” and of heavy theological overtures capable of imposing them on “thinkers” has no terminals. (NDE.)

(7) Telemachus reminds his mother of her duties as a wife. Jesus never calls Mary of Nazareth "mother" and even does not recognize her as such ("woman, what is it between me and you?", John 2: 4)

(8) Here is undoubtedly, but applied on a different level than that of "happiness", what, in modern times, has been written more wise and more reasonable on "the education of girls": "L will a man make his companion his maid? Will he deprive himself with her of the greatest charm of society? To better enslave him, will he prevent him from feeling anything, from knowing anything? Will he turn it into a real automaton? No, no doubt; so has not said nature, which gives women such a pleasant and delicate spirit; on the contrary, she wants them to think, to judge, to love, to know, to cultivate their mind as well as their face; it is the weapons which it gives them to supply the strength which they lack and to direct ours. They must learn a lot of things,but only those they need to know.

(…) The good constitution of mothers depends first of all on that of children; on the care of women depends the first education of men; on women still depend their manners, their passions, their tastes, slow pleasures, their very happiness. Thus all the education of women must relate to men. To please them, to be useful to them, to be loved and honored by them, to raise them young, to care for them great, to advise them, to console them, to make their life pleasant and sweet: these are the duties of women at all times, and this that we must teach them from their childhood. As long as we do not go back to this principle, we will deviate from the goal, and all the precepts given to them will be of no use for their happiness or for ours. "(J.-J. Rousseau, Émile or On education, book V, Paris, Pourrat Frères, Editeurs, 1841, p. 21). Education develops and stirs up the worst faults of female nature, while it stifles and distorts the best qualities of boys. (NDE.)

(9) Although this is only an observation, it seems to be the flash of lucidity that sometimes benefits most of the male individuals blindly attached to the emancipation of women, to the extension of their rights in order to equalize their status with that of man in the legal, political, social and economic fields, when they are forced to observe the harmful, disastrous consequences of the emancipation of women in a patriarchal-type society. (NDE.)

(10) Needless to say, these slave servants were blacks. (NDE.)

(11) No need to dwell on the striking similarities between this period and ours - and, moreover, all those where, in an essentially patriarchal society, the feminine element comes to predominate - in this respect. (NDE.)

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