

Cato's Speech on the Oppian Law

The following is the speech attributed to the very conservative consul Cato the Elder in defense of the Oppian Law restricting displays of opulence, passed in 215 at the height of the Second Punic War and up for repeal in 195.¹

If we had, each one of us, made it a rule to uphold the rights and authority of the husband in our own households we should not now have this trouble with the whole body of our women. As things are now our liberty of action, which has been checked and rendered powerless by female despotism at home, is actually crushed and trampled on here in the Forum, and because we were unable to withstand them individually we have now to dread their united strength. I used to think that it was a fabulous story which tells us that in a certain island the whole of the male sex was extirpated by a conspiracy amongst the women; there is no class of women from whom the gravest dangers may not arise, if once you allow intrigues, plots, secret cabals to go on. I can hardly make up my mind which is worse, the affair itself or the disastrous precedent set up. The latter concerns us as consuls and magistrates; the former has to do more with you, Quirites. Whether the measure before you is for the good of the commonwealth or not is for you to determine by your votes; this tumult amongst the women, whether a spontaneous movement or due to your instigation, M. Fundanius and L. Valerius, certainly points to failure on the part of the magistrates, but whether it reflects more on you tribunes or on the consuls I do not know. It brings the greater discredit on you if you have carried your tribunitian agitation so far as to create unrest among the women, but more disgrace upon us if we have to submit to laws being imposed upon us through fear of a secession on their part, as we had to do formerly on occasions of the secession of the plebs. It was not without a feeling of shame that I made my way into the Forum through a regular army of women.

Had not my respect for the dignity and modesty of some amongst them, more than any consideration for them as a whole, restrained me from letting them be publicly rebuked by a consul, I should have said, 'What is this habit you have formed of running abroad and blocking the streets and accosting men who are strangers to you? Could you not each of you put the very same question to your husbands at home? Surely you do not make yourselves more attractive in public than in private, to other women's husbands more than to your own? If matrons were kept by their natural modesty within the limits of their rights, it would be most unbecoming for you to trouble yourselves even at home about the laws which may be passed or repealed here.'

Our ancestors would have no woman transact even private business except through her guardian, they placed them under the tutelage of parents or brothers or husbands. We suffer them now to dabble in politics and mix themselves up with the business of the Forum and public debates and election contests. What are they doing now in the public roads and at the street corners but recommending to the plebs the proposal of their tribunes and voting for the repeal of the law. Give the reins to a headstrong nature, to a creature that has not been tamed, and then hope that they will themselves set bounds to their licence if you do not do it yourselves. This is the smallest of those restrictions which have been imposed upon women by ancestral custom or by laws, and which they submit to with such impatience. What they really want is unrestricted freedom, or to speak the truth, licence, and if they win on this occasion what is there that they will not attempt?

Call to mind all the regulations respecting women by which our ancestors curbed their licence and made them obedient to their husbands, and yet in spite of all those restrictions you can scarcely hold them in. If you allow

¹ Source: Livy 34.2-4. Trans.: Canon Roberts, 1912.

them to pull away these restraints and wrench them out one after another, and finally put themselves on an equality with their husbands, do you imagine that you will be able to tolerate them?

From the moment that they become your fellows they will become your masters. But surely, you say, what they object to is having a new restriction imposed upon them, they are not deprecating the assertion of a right but the infliction of a wrong. No, they are demanding the abrogation of a law which you enacted by your suffrages and which the practical experience of all these years has approved and justified. This they would have you repeal; that means that by rescinding this they would have you weaken all.

No law is equally agreeable to everybody, the only question is whether it is beneficial on the whole and good for the majority. If everyone who feels himself personally aggrieved by a law is to destroy it and get rid of it, what is gained by the whole body of citizens making laws which those against whom they are enacted can in a short time repeal? I want, however, to learn the reason why these excited matrons have run out into the streets and scarcely keep away from the Forum and the Assembly. Is it that those taken prisoners by Hannibal-their fathers and husbands and children and brothers-may be ransomed? The republic is a long way from this misfortune, and may it ever remain so! Still, when this did happen, you refused to do so in spite of their dutiful entreaties.

But, you may say, it is not dutiful affection and solicitude for those they love that has brought them together; they are going to welcome Mater Idaea on her way from Phrygian Pessinus. What pretext in the least degree respectable is put forward for this female insurrection? 'That we may shine,' they say, 'in gold and purple, that we may ride in carriages on festal and ordinary days alike, as though in triumph for having defeated and repealed a law after capturing and forcing from you your votes.'

You have often heard me complain of the expensive habits of women and often, too, of those of men, not only private citizens but even magistrates, and I have often said that the community suffers from two opposite vices-avarice and luxury-pestilential diseases which have proved the ruin of all great empires.

The brighter and better the fortunes of the republic become day by day, and the greater the growth of its dominion-and now we are penetrating into Greece and Asia, regions filled with everything that can tempt appetite or excite desire, and are even laying hands on the treasures of kings-so much the more do I dread the prospect of these things taking us captive rather than we them. It was a bad day for this City, believe me, when the statues were brought from Syracuse. I hear far too many people praising and admiring those which adorn Athens and Corinth and laughing at the clay images of our gods standing in front of their temples. I for my part prefer these gods who are propitious to us, and I trust that they will continue to be so as long as we allow them to remain in their present abodes.

In the days of our forefathers Pyrrhus attempted, through his ambassador Cineas, to tamper with the loyalty of women as well as men by means of bribes. The Law of Oppius in restraint of female extravagance had not then been passed, still not a single woman accepted a bribe. What do you think was the reason? The same reason which our forefathers had for not making any law on the subject; there was no extravagance to be restrained. Diseases must be recognised before remedies are applied, and so the passion for self-indulgence must be in existence before the laws which are to curb it. What called out the Licinian Law which restricted estates to 500 jugera except the keen desire of adding field to field?

What led to the passing of the Cincian Law concerning presents and fees except the condition of the plebeians who had become tributaries and taxpayers to the senate? It is not therefore in the least surprising that neither the Oppian nor any other law was in those days required to set limits to the expensive habits of women when they refused to accept the gold and purple that was freely offered to them. If Cineas were to go in these days about the City with his gifts, he would find women standing in the streets quite ready to accept them.

There are some desires of which I cannot penetrate either the motive or the reason. That what is permitted to another should be forbidden to you may naturally create a feeling of shame or indignation, but when all are upon the same level as far as dress is concerned why should any one of you fear that you will not attract notice? The very last things to be ashamed of are thriftiness and poverty, but this law relieves you of both since you do not possess what it forbids you to possess. The wealthy woman says, "This levelling down is just what I do not tolerate. Why am I not to be admired and looked at for my gold and purple? Why is the poverty of others disguised under this appearance of law so that they may be thought to have possessed, had the law allowed it, what it was quite out of their power to possess?"

Do you want, Quirites, to plunge your wives into a rivalry of this nature, where the rich desire to have what no one else can afford, and the poor, that they may not be despised for their poverty, stretch their expenses beyond their means? Depend upon it, as soon as a woman begins to be ashamed of what she ought not to be ashamed of she will cease to feel shame at what she ought to be ashamed of. She who is in a position to do so will get what she wants with her own money, she who cannot do this will ask her husband. The husband is in a pitiable plight whether he yields or refuses; in the latter case he will see another giving what he refused to give. Now they are soliciting other women's husbands, and what is worse they are soliciting votes for the repeal of a law, and are getting them from some, against the interest of you and your property and your children. When once the law has ceased to fix a limit to your wife's expenses, you will never fix one.

Do not imagine that things will be the same as they were before the law was made. It is safer for an evil-doer not to be prosecuted than for him to be tried and then acquitted, and luxury and extravagance would have been more tolerable had they never been interfered with than they will be now, just like wild beasts which have been irritated by their chains and then released. I give my vote against every attempt to repeal the law, and pray that all the gods may give your action a fortunate result.