

## Cato Opposes Extravagance

Source: Livy XXXIV. 1-3. Translated by Cyrus Edmonds. In Kevin Guinagh and Alfred P. Dorjahn (eds.). *Latin Literature in Translation*. New York: Longmans, Green and Co, 1942.

*In 215 BCE, Hannibal was ravaging Italy. The Oppian Law was passed to restrain women from extravagance in dress. When Carthage was defeated, the law was repealed despite the vigorous efforts of M. Porcius Cato, or Cato the Elder, consul 195 and one of the most formidable men in Roman history.*

Amid the serious concerns of important wars, either scarcely brought to a close or impending, an incident intervened, trivial indeed to be mentioned, but which, through the zeal of the parties concerned, issued in a violent contest. M. Fundanius and L. Valerius, plebeian tribunes, proposed to the people the repealing of the Oppian law. This law, which had been introduced by C. Oppius, plebeian tribune, in the consulate of Q. Fabius and Ti. Sempronius, during the heat of the Punic war, enacted that “no woman should possess more than half an ounce of gold, or wear a garment of various colors, or ride in a carriage drawn by horses, in a city, or any town, or any place nearer thereto than one mile; except on occasion of some public religious solemnity.”

M. and P. Junius Brutus, plebeian tribunes, supported the Oppian law, and declared, that they would never suffer it be repealed; while many of the nobility stood forth to argue for and against the motion proposed. The Capitol was filled with crowds, who favored or opposed the law; nor could the matrons be kept at home, either by advice or shame, nor even by the commands of their husbands; but beset every street and pass in the city, beseeching the men as they went down to the forum, that in the present flourishing state of the commonwealth, when the private fortune of all was daily increasing, they would suffer the women to have their former ornaments of dress restored. This throng of women increased daily, for they arrived even from the country towns and villages; and they had at length the boldness to come up to the consuls, praetors, and magistrates, to urge their request. One of the consuls, however, they found especially inexorable—M. Porcius Cato, who, in support of the law proposed to be repealed, spoke to this effect:

“If, Romans, every individual among us had made it a rule to maintain the prerogative and authority of a husband with respect to his own wife, we should have less trouble with the whole sex. But now, our privileges, overpowered at home by female contumacy, are, even here in the forum, spurned and trodden under foot; and because we are unable to withstand each separately, we now dread their collective body. I was accustomed to think it a fabulous and fictitious tale, that, in a certain island, the whole race of males was utterly extirpated by a conspiracy of the women. But the utmost danger may be apprehended equally from either sex, if you suffer cabals, assemblies, and secret consultations to be held: scarcely,

indeed, can I determine, in my own mind, whether the act itself, or the precedent that it affords, is of more pernicious tendency. The latter of these more particularly concerns us consuls, and the other magistrates’ the former, yourselves, my fellow-citizens. For, whether the measure proposed to your consideration be profitable to the state or not, is to be determined by you, who are about to go to the vote. As to the outrageous behavior of these women, whether it be merely an act of their own, or owing to your instigations, M. Fundanius and L. Valerius, it unquestionably implies culpable conduct in magistrates. I know not whether it reflects greater disgrace on you, tribunes, or on the consuls: on you certainly, if you have, on the present occasion, brought these women hither for the purpose of raising tribunician seditions; on us, if we suffer laws to be imposed on us by a secession of women, as was done formerly by that of the common people. It was not without painful emotions of shame, that I, just now, made my way into the forum through the midst of a band of women. Had I not been restrained by respect for the modesty and dignity of some individuals among them, rather than of the whole number, and been unwilling that they should be seen rebuked by a consul, I should have said to them, ‘What sort of practice is this, of running out into public, besetting the streets, and addressing other women’s husbands? Could not each have made the same request to her husband at home? Are your blandishments more seducing in public than in private; and with other women’s husbands, than with your own? Although if the modesty of matrons confined them within the limits of their own rights, it did not’ become you, even at home, to concern yourselves about what laws might be passed or repealed here.’ Our ancestors thought it not proper that women should perform any, even private business, without a director; but that they should be ever under the control of parents, brothers, or husbands. We, it seems, suffer them, now, to interfere in the management of state affairs, and to introduce themselves into the forum, into general assemblies, and into assemblies of election. For, what are they doing, at this moment, in your streets and lanes? What, but arguing, some in support of the motion of the plebeian tribunes—others, for the repeal of the law? Will you give the reins to their intractable nature, and their uncontrolled passions, and then expect that themselves should set bounds to their licentiousness, when you have failed to do so? This is the smallest of the injunctions laid on them by usage or the laws, as which women bear with impatience: they long for liberty; or rather, to speak the truth, for unbounded freedom in every particular. For what will they not attempt, if they now come off victorious?

“Recollect all the institutions respecting the sex, by which our forefathers restrained their undue freedom, and by which they subjected them to their husbands; and yet, even with the help of all these restrictions, you can scarcely keep them within

bounds. If, then, you suffer them to throw these off one by one, to tear them all asunder, and, at last, to be set on an equal footing with yourselves, can you imagine that they will be any longer tolerable by you? The moment they have arrived at an equality with you, they will have become your superiors. .But, forsooth, they only object to any new law being made against them' they mean to deprecate, not justice, but severity. Nay, their wish is, that a law which you have admitted, established by your suffrages, and confirmed by the practice and experience of so many years to be beneficial, should now be repealed; that is, that, by abolishing one law, you should weaken all the rest. No law perfectly suits the convenience of every member of the community: the only consideration is, whether, upon the whole, it be profitable to the greater part. If, because a law proves obnoxious to a private individual, that circumstance should destroy and sweep it away, to what purpose is it for the community to enact general laws, which those, with reference to whom they were passed, could presently repeal? I should like, however, to hear what this important affair is which has induced the matrons thus to run out into public in this excited manner, scarcely restraining from pushing into the forum and the assembly of the people. Is it to solicit that their parents, their husbands, children, and brothers may be ransomed from captivity under Hannibal? By no means: and far be ever from the commonwealth so unfortunate a situation. Yet, even when such was the case, you refused this to their prayers. But it is not duty, nor solicitude for their friends; it is religion that has collected them together. They are about to receive the Idaean Mother, coming out of Phrygia from Pessinus! What motive, that even common decency will allow to be mentioned, is pretended for this female insurrection? Why, say they, that we may shine in gold and purple; that, both on festal and common days, we may ride through the city in our chariots, triumphing over vanquished and abrogated law, after having captured and wrested from you your suffrages; and that there may be no bounds to our expenses and our luxury.

“Often have you heard me complain of the profuse expenses of the women—often of those of the men; and that not only of men in private stations, but of the magistrates: and that the state was endangered by two opposite vices, luxury and avarice; those pests, which have been the ruin of all great empires. These I dread the more, as the circumstances of the commonwealth grow daily more prosperous and happy; as the empire increases; as we have now passed over into Greece and Asia, places abounding with every kind of temptation that can inflame the passions, and as we have begun to handle even royal treasures: so much the more do I fear that these matters will bring us into captivity, rather than we them. Believe me, those statues from Syracuse were brought into this city with hostile effect. I already hear too many commending and admiring the decorations of Athens and Corinth, and ridiculing the earthen images of our Roman gods that stand on the fronts of their temples. For my part I prefer these gods,—propitious as they are, and I hope will continue to be, if we allow them to remain in their own mansions. In the memory of our fathers, Pyrrhus, by his ambassador Cineas, made trial of the dispositions, not only of our men, but of our women also, by

offers of presents: at that time the Oppian law, for restraining female luxury, had not been made; and yet not one woman accepted a present. What, think you, was the reason? That for which our ancestors made no provision by law on this subject: there was no luxury existing which needed to be restrained. As diseases must necessarily be known before their remedies, so passions come into being before the laws which prescribe limits to them. What called forth the Licinian law, restricting estates to five hundred acres, but the unbounded desire for enlarging estates? What the Cincian law, concerning gifts and presents, but that the plebeians had become vassals and tributaries to the senate? It is not therefore in any degree surprising, that no want of the Oppian law, or of any other, to limit the expenses of the women, was felt at that time, when they refused to receive gold and purple that was thrown in their way, and offered to their acceptance. If Cineas were now to go round the city with his presents he would find numbers of women standing in the public streets to receive them. There are some passions, the causes or motives of which I can no way account for. For that that should not be lawful for you which is permitted to another, may perhaps naturally excite some degree of shame or indignation; yet, when the dress of all is alike, why should anyone of you fear, lest she should not be an object of observation? Of all kinds of shame, the worst, surely, is the being ashamed of frugality or of poverty; but the law relieves you with regard to both; since that which you have not it is unlawful for you to possess. This equalization, says the rich matron, is the very thing that I cannot endure. Why do not I make a figure, distinguished with gold and purple? Why is the poverty of others concealed under this cover of a law, so that it should be thought that, if the law permitted, they would have such things as they are not now able to procure?

“Romans, do you wish to excite among your wives an emulation of this sort, that the rich should wish to have what no other can have; and that the poor, lest they should be despised as such, should extend their expenses beyond their means? Be assured, that when a woman once begins to be ashamed of what she ought not to be ashamed of, she will not be ashamed of what she ought. She who can, will purchase out of her own purse; she who cannot, will ask her husband. Unhappy is the husband, both he who complies with the request, and he who does not; for what he will not give himself, he will see given by another. Now, they openly solicit favors from other women's husbands; and, what is more, solicit a law and votes. From some they obtain them; although, with regard to yourself, your property, or your children, they would be inexorable. So soon as the law shall cease to limit the expenses of your wife, you yourself will never be able to do so. Do not suppose that the matter will hereafter be in the same state in which it was before the law was made on the subject. It is safer that a wicked man should even never be accused, than that he should be acquitted; and luxury, if it had never been meddled with, would be more tolerable than it will be, now, like a wild beast, irritated by having been chained, and then let loose. My opinion is, that the Oppian law ought, on no account, to be repealed. Whatever determination you may come to, I pray all the gods to prosper it.”