

# Women in the Classical Polis: Social Roles and Legal Limitation in Athenian Society

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**Abstract:** While Classical Athens is widely celebrated as the cradle of Western democracy, its political framework was fundamentally exclusive. This paper explores the paradoxical position of women within this system, analyzing the stark contrast between their indispensable social roles and their severe legal disenfranchisement. Utilizing historical and socio-legal analysis, the study examines women's subjugation within the domestic sphere (oikos), their stratified economic contributions, and their limited yet symbolic participation in civic religious life. The findings reveal that Athenian women were systematically restricted through the institution of lifelong male guardianship (kyrieia), asymmetrical marriage and divorce regulations, and discriminatory inheritance mechanisms such as the epikleros system. Furthermore, a comparative assessment with Spartan society—where women enjoyed greater economic and physical autonomy—underscores the unique rigidity of Athenian patriarchal control. Ultimately, the paper argues that the celebrated “equality” of Athenian democracy was structurally contingent upon the systemic exclusion of women from all civic and judicial spaces. This research contributes to a critical reassessment of classical political institutions and provides vital historical context for understanding the foundational logic of gender inequality in Western socio-legal traditions.

**Keywords:** Women in Classical Athens; Legal restrictions; Social roles

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## 1. Introduction

Classical Athens is regarded as the origin of Western democracy, with its 5th–4th century B.C.E. institutions like citizens' assemblies and courts greatly influencing later political thought. Philosophy, including Plato and Aristotle, flourished. While researchers have emphasized democratic advances such as Pericles' praise of free speech, examining marginalized groups—women, metics, and slaves—exposes the system's exclusivity and inequality<sup>[1]</sup>.

Exploring women's legal constraints, social status, and roles in religious and economic spheres in classical Athens is essential. This perspective reveals classical democracy's contradictions and prompts re-examining citizenship, political equality, and social structure. As Pomeroy notes, women's political identity requires a comprehensive analysis of religious duties, family life, and cultural mentality, not just legal provisions<sup>[2]</sup>.

The study of women's status in Classical Athens reveals a paradox in democracy: while Athens championed majority rule and citizen equality, it excluded women from the civic assembly, confining them to domestic and limited religious roles. This shows how ancient Greek political practices laid the foundations for later Western gender concepts. As Blundell notes, studying women's roles illuminates the creation and reproduction of Classical social structures within their cultural logic.

Classical Athenian women's studies remain relevant to modern gender studies, as current scholarship explores both ancient women's restrictions and their breakthroughs against norms. This prompts reflection on whether modern laws and institutions still harbor hidden exclusions of women or other groups.

## **2. Women's participation in society**

### **2.1. Family sphere: Subordination and guardianship**

In classical Athens, the family (oikos) was the basic unit, complementing the city (polis) <sup>[3]</sup>. Women, excluded from civic life, managed households and raised children but were under male guardianship (kyrieia) and lacked decision-making rights due to tradition <sup>[4]</sup>. Thus, "subordination" and "guardianship" defined their domestic situation.

#### **2.1.1. Family duties**

Women's domestic duties include marriage, childcare, and household management. Xenophon's *Oeconomicus* regards women as "masters of the house" but confined to that sphere, responsible for weaving, cooking, housework, and slave supervision. Thus, they were active and valuable, performing specific, heavy labor.

Marriage and family harmony: Marriage in Athenian society was familial, with women connecting their patrilineal family to their husband's through marriage and providing a dowry (proix) that impacted the family economy. Greek tragedies and comedies, such as Euripides' *Medea*, reveal women's insecurity and passivity in marital arrangements. Although mutual respect could occur, women typically remained subordinate to their husbands.

Motherhood and the education of the heir: In Athens, Pericles' Citizenship Law required both parents to be citizens for a child's citizenship, emphasizing women's role in lineage. Mothers taught early morals and manners, while men provided advanced training like rhetoric and military skills. Women thus shaped children's early values, but this was seen as private, separate from public politics.

Family ethics and female filial piety: Athenian women relied on male relatives before marriage and on husbands or sons after. In Greek ethics, women's obedience was a virtue crucial for social stability. Comedic poets like Aristophanes mocked disobedient women to critique Athenian social order, linking submissiveness to family and city-state harmony.

#### **2.1.2. Fertility and lineage**

Family lineage and clan continuity were central to ancient Athens, making female reproduction key to the social structure. Athenian society directly linked female fertility to lineage needs, as seen in legal texts and customs.

Citizenship and matrilineal status: Pericles' 451/450 B.C. citizenship law emphasized maternal descent, granting citizenship only to children of two Athenian citizens. However, it upheld women's exclusion from public politics. Women were seen as vital for "reproductive citizenship" but received no autonomy or political rights.

Legal heirs and family property: Only legitimate children can inherit property legally. Female infertility

risks the family line. Men sometimes had offspring through concubines or slaves, but these children were often ineligible for citizenship and could not fully inherit.

Fertility in social and religious rituals: Fertility is legally significant and highlighted in religious and social rituals. For example, the Thesmophoria was associated with sacred fertility and harvest, where married women prayed to the agricultural goddess for soil fertility and family prosperity. Women's role as participants and organizers reflects Athenian society's emphasis on procreation and permits their temporary shift from private to semi-public spheres.

### **2.1.3. The institution of guardianship (kyrieia): The lifelong subordination of women**

In Athenian law, kyrieia defined women's social status, impacting property rights, litigation ability, and movement freedom. The kyrios, typically a close male relative, oversaw key affairs like contracting, selling property, divorcing, and suing. Legislators viewed women as lacking reason, requiring male protection, but women saw this as a loss of independent legal personality.

In Athenian society, guardianship prevented property dispersal through women's marriages and reinforced patriarchal control. Women lacked legal independence but could gain limited autonomy through private agreements or leveraging family interests. For instance, widows might use their dowries or good relations to negotiate more freedom. These strategies did not fundamentally challenge guardianship but demonstrated women's resourcefulness in exploiting loopholes.

## **2.2. Religious participation: A limited public sphere**

Although restricted politically and economically in Classical Athenian society, women had influence in religious activities. They played key roles in family rituals and city-wide ceremonies, often serving as priests and masters of ceremonies, thus breaking gender boundaries to some extent.

### **2.2.1. Status of priestesses: Power and symbolic roles**

Priestesses held significant religious power and influential status, particularly in major temples. For example, the Priestess of Athena in Athens was among the most powerful women. Although her main duties involved temple rituals, her societal respect and authority enabled her to somewhat break from the male-dominated public sphere.

Women as temple priests were ritual performers and representatives of divine authority. For example, Parthenon priestesses presided over sacrifices to Athena, representing her will and the city-state's divine connection. These roles granted women symbolic public power, a significant aspect of religious culture, though not political or military.

In Athens, the priestess role was hereditary and held by noblewomen, indicating the religious sphere provided women with political and social roles despite limitations. Her identity as a temple representative symbolized family honor and social status, especially in hereditary families, strengthening the link between religious office and social class. However, she was not fully independent, remaining under male clergy supervision.

### **2.2.2. Female-dominated religious rituals: Festivals and women's social status**

Thesmophoria was the primary female-dominated festival in Classical Athens, dedicated to married women and celebrating fertility, agricultural harvests, and social prosperity. Though less religious and more folkloric, it provided women with a key social and political space, where they organized events and elevated their status

through collective participation.

The Festival of the Earth Mother was a key women's festival in Classical Athens, where married women performed rituals for harvest and prosperity. They presided over and exclusively participated in the event, breaking traditional roles to gain public space and domination, symbolizing their importance in family and society.

Despite some freedom in events like the Earth Mother's Festival, women's power remains constrained by gender norms. Priestesses and participants must adhere to social codes, focusing on family, agriculture, and stability. Thus, their religious roles are viewed as private sphere extensions with minimal public impact. Still, involvement offers opportunities to build self-image and gain respect.

Women, excluded from political decision-making, used religious roles to indirectly influence city-state affairs. For instance, Aristophanes' *Lysistrata* satirizes male dominance through a women's sex strike, reflecting opportunities to challenge authority under certain sociocultural conditions.

### **2.3. Economic roles: Invisible labor and class distinctions**

Women's economic role in classical Athens was often neglected due to the low social value of household labor. Yet, they were essential to the economy, engaging in household production, market transactions, and class-specific work, reflecting the economic hierarchy and gender division of labor.

#### **2.3.1. Upper-class women's economic roles: property management and domestic labor**

In the Athenian upper classes, women's economic role centered on household activities such as housekeeping and weaving. Unlike modern housewives, their labor was productive and closely linked to family wealth and status.

Upper-class women typically managed household daily life. Though unable to participate directly in market transactions, their household management was crucial for maintaining family wealth. Xenophon's *Oeconomicus* Discourses notes that women helped save money and ensure stability through domestic labor and weaving. Especially without a modern labor market, women's domestic work was key to family wealth formation.

Upper-class women's wealth often comes as dowry, symbolizing marriage and reflecting family status. Managed by the father or male guardian, it is not freely disposable by the woman, but they participate in wealth management through it. Their wealth is embodied in non-liquid assets like clothing and jewelry, serving symbolic and practical roles in the family.

#### **2.3.2. Lower-class women's economic participation: Market labor and class differences**

Lower-class Athenian women participated more directly in market economies than upper-class women, creating economic value through handicrafts, commerce, and sexual services, though these labors were socially undervalued and seen as undignified.

Women weavers and market vendors: In Athens' lower class, women weavers and vendors were key to female economic participation. Poor families relied on them for textile work, vital for their livelihood. They produced household goods, sustaining daily needs and earning income through sales. Though undervalued, this labor was crucial for the family economy.

Prostitutes (Hetairai) and the intertwining of social classes: Prostitutes' economic role in Athenian society showed class and gender intertwining. Unlike common prostitutes, hetairai were literate, socialized with male citizens, and engaged in political discussions, gaining social influence and informal participation in political or military decisions. Though marginal, this influence reflected women's complexity and class differences in the

economic sphere.

Women in classical Athens had key economic roles, but their autonomy was constrained by class and norms. Upper-class women focused on household management, with their labor viewed as familial duties rather than independent economic activity. Lower-class women engaged in market labor, crafts, or sexual services, exhibiting greater economic autonomy, but their work was marginalized and lacked social recognition and respect.

### **3. Legal restrictions on women**

Women in classical Athenian society faced legal restrictions in property, marriage, and family, and civil rights, which excluded or weakened their social status institutionally and constituted the main gender contradiction in Athenian democracy.

#### **3.1. Property rights: dependency and dispossession**

Property rights are key to social status and economic autonomy, but in Classical Athens, women faced institutional constraints on property, analyzed through the dowry (proix) system and gender differences in inheritance rights.

Property rights indicate social status and economic autonomy, but in Classical Athens, women faced institutional property constraints, analyzed through the dowry (proix) system and gender-based inheritance differences.

In classical Athens, inheritance and dowry were economically vital, but women were disadvantaged. The epikleros system required daughters without male heirs to inherit property but marry a close relative to preserve paternal lineage. It offered legal recognition yet treated women as intermediaries, denying them marriage choice—refusal risked losing inheritance rights.

#### **3.2. Marriage and family law: Male-dominated order**

Athenian marriage and family law were patriarchal, rendering women passive and subordinate legally and socially. Marriage contracts allowed male relatives to arrange unions for women, denying them choice.

In classical Athens, marriage was a contract between families to maintain lineage and property.

##### **3.2.1. Negotiation between family and guardian**

Women's marriages were arranged by male elders through negotiations, not personal choice or love. Fathers or brothers selected husbands based on family interests, like financial or political gains. Women's objections rarely changed contracts, especially in aristocratic families where marriage solidified alliances and power.

##### **3.2.2. Social identity and moral constraints**

Under traditional morality, women are encouraged to submit to their guardians to show family and social commitment. They often cannot speak out about unhappy marriages, leading to passive marital choices where personal emotions are submerged by family and city-state interests.

Classical Athenian law gave men greater divorce autonomy, with proceedings typically initiated or decided by men, reflecting gender power asymmetry.

##### **3.2.3. Divorce procedures and social consequences**

Men had the unilateral right to divorce their wives for infidelity or family issues, while women needed strong

family support or guardians and faced greater social pressure to initiate divorce.

Dowry disputes: After divorce, women are entitled to their dowry, but if refused return, they often lack direct legal voice and must rely on male relatives for representation. Court records document their difficulties in asserting rights.

### **3.2.4. Moral constraints on women**

Chastity and honor: Women initiating divorce are often questioned about their moral character or chastity. Effective moral and legal protection is difficult to find for those subjected to domestic violence or marital discord.

Remarriage restrictions: Divorced or widowed women are limited by the guardianship system, requiring a male relative's arrangement or permission to marry, emphasizing their passive status under family law.

### **3.3. Lack of citizenship: why were women excluded?**

Ancient Athenian citizenship involved not only voting and political participation but also public discourse, judicial engagement, and city-state identity. Women were systematically excluded, absenting them from political life, public decision-making, and urban management.

Athenian public life centered on the Ekklesia (assembly) and Dikasteria (court), where male citizens discussed matters like war, law, and finance, while women were excluded.

Women are excluded from the Citizens' Assembly: they cannot speak or vote, preventing direct expression of their opinions. This exclusion deprives them of political rights and fosters a male-dominated public forum that marginalizes women's issues.

Court procedures restrict women's participation: male juries hear cases, and women require a male guardian to file or join lawsuits, unable to speak directly in court. Consequently, even as victims, women's experiences are conveyed through a male perspective, severely limiting their legal independence.

## **4. Athenian vs. Spartan Women**

Comparing Athens and Sparta is crucial in ancient Greek studies due to their significant differences in political, social, and military systems, as well as in legal and cultural attitudes toward women. This contrast reveals the limitations and peculiarities of women's status in Athens.

### **4.1. Property rights and land ownership**

Spartan women had high land ownership because Sparta's militarized society kept men away at war, enabling women to manage property. Scholars like Pomeroy (2002) estimate they held up to one-third of land, providing economic independence and reducing dependence on male guardianship.

Athenian women were constrained by guardianship and inheritance laws, lacking rights to manage property or engage in commerce. Dowry and inheritance systems deepened their reliance on male relatives, making them less competitive in wealth compared to Spartan women.

### **4.2. Marriage and family freedom**

Spartan women had flexible marriages under militarization and fertility policies, allowing wives to bear children with other men if husbands were infertile. They were more independent and physically autonomous than Athenian women in education and training.

Athenian women's marriages were rigid, treated as inter-familial contracts that denied women choice in spouses or divorce, which husbands controlled. Failure to produce legitimate children risked abandonment or remarriage. Compared to Sparta, they faced stricter patriarchal control domestically.

### 4.3. Socio-cultural attitudes

Sparta emphasized physical fitness and simplicity, encouraging women's training for better warriors. Athens focused on politics, philosophy, and culture, imposing moral norms on women. These societal attitudes resulted in a significant difference in women's outward status.

In Sparta, women lacked formal political rights but indirectly influenced the city-state through property and family management. In Athens, women were excluded from the civic assembly and judicial process, with public life dominated by adult male citizens.

Athenian women had a paradoxical role: central in family and religion but excluded from law and politics, due to Athenian democracy's "equality" that excluded women, foreigners, and slaves. They transmitted citizenship through childbirth but were denied it; managed household economies without owning property; led religious rituals but were barred from politics. This contradiction reveals classical democracy's limitations, where "freedom" and "equality" served only certain groups.

## Disclosure statement

The authors declare no conflict of interest.

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