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The Patron-Freedwoman Relationship in Roman Law

Within the matrix of rights and responsibilities defining the patron-freedperson relationship, Roman jurists prioritized freedwomen's ability to marry and limited obligations to male patrons that could possibly be perceived as dishonorable. This paper suggests that jurists designed these standards to protect the social honor of new female citizens; a freedwoman's relationship with her patron could influence her other social relationships, which in turn could govern her sexual honor and ultimately her status as a respectable Roman woman. Whereas previous scholarship on manumission has assumed that the freedman's experience was normative, this paper explores how the presence of a woman altered the dynamic and the goals of the patron-freedperson relationship. It specifically examines how jurists perceived the bond between male patrons and their female ex-slaves, and how they believed this association could influence freedwomen's position in Roman society. The legal structure of the patron-freedwoman relationship indicates the jurists' intention to protect the social honor of freedwomen and to facilitate their transition from servitude to respectability.

Previous scholars have outlined the legal structure of the patron-freedperson relationship in studies of Roman law (e.g. Buckland 1966, Watson 1967) as well as in works of social history (e.g. Duff 1958, Treggiari 1969, Fabre 1981). Building upon this historiography, others have considered the nature and purpose of this relationship in the larger Roman world. Andrew Wallace-Hadrill suggested that Romans used patronage to structurally incorporate outsiders into society. He reasoned that patrons were essential conduits for social and legal knowledge, which consisted largely of orally transmitted custom. Ultimately, Wallace-Hadrill concluded that a patron acted as "a sort of sponsor" for ex-slaves (1989, 76). Jane Gardner, in turn, argued that freedpersons' ongoing relationships with their ex-masters provided a link to an established Roman *familia*, which served as a means of social control as well as integration. The moral obligations of *pietas* owed to the patron and the *familia* created "points of attachment" for new freedpersons (1993, 19). This paper attempts to expand these theories of citizen-building by suggesting how the integrative aspects of the patron-freedperson relationship functioned differently when women were involved.

Like other forms of patronage in Roman society, the patron-freedwoman relationship was based upon a reciprocal exchange of goods and services between individuals of unequal status. Serving as *tutor legitimus*, a male patron provided legal guidance, financial assistance and general support to his freedwoman. In return, a freedwoman owed her ex-master respect and gratitude, which she demonstrated through her attitude and rendered services (*operae*). However, jurists consistently limited masters' authority in those instances where certain rights and responsibilities contained within the patron-freedperson relationship could potentially conflict with Roman society's expectations for respectable women. For example, Roman law seems to have prohibited patrons from requiring *operae* in the form of sexual services. Furthermore, several opinions demonstrate jurists' desire to limit a patron's ability to inhibit a freedwoman's marriage—the hallmark of a respectable Roman woman. The law also released married freedwomen

from certain labor obligations (*operae*) to their male patrons, suggesting that the rendering of such services would be unseemly (*indecore*). Roman jurists supported the continuation of a hierarchical relationship between freedwomen and their patrons, but at the same time sought to maintain a freedwoman's ability to achieve and maintain respectable status.