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EXPLORING THE INTERRELATION BETWEEN WOMEN'S HEALTH AND LEGAL RIGHTS IN ANCIENT WORLD CIVILIZATIONS

***Nikitasha Boro**

B.Ed Student, Galgotias University, Greater Noida

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***Corresponding Author: Nikitasha Boro**

B.Ed Student, Galgotias University, Greater Noida.

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ABSTRACT

This paper seeks to explore the legal standing of ancient women which was regulated and justified through the study of their sexuality and body from the male perspective. Through the rediscovered medical writings associated with Hippocrates as a source, we can find innumerable context on the medical systems and treatment of women in ancient world civilizations. What makes women "women"? What makes her healthy? What is described as sickness in women? What in her body structure justifies her status as a "second-class "citizen? The study of the medical and legal systems used in Ancient Greek, Egypt and Rome; help draw several correlations and its profound impact that still affect modern women around the world. These classical medical texts provide evidence on the reality of women's lives in ancient society as well as the extent to which particular images of female dominated male perspective. By the 16th century, Hippocratic medicine became established in the west as an important source of medical ethics and practice. As a powerful discourse, medicine can decide what is 'natural', which behaviour is acceptable, what is 'sickness' and what requires treatment.

KEYWORDS: Gynaecology, Hippocratics, Menses, Materfamilia.

INTRODUCTION

Across ancient civilizations, women's bodies were treated as primary sites for defining their social identity and legal capacity, with menstruation, fertility, and childbirth framed as both medical conditions and tools of social control. In Greece, Hippocratic and Aristotelian medical thought constructed women as physiologically deficient and unstable, supporting a

legal order that made them perpetual minors in need of male guardianship. Roman society legally recognized freeborn women as citizens but restricted them from formal political power, while valorizing models such as the chaste matron and the Vestal Virgin to tie female bodily purity directly to state honor.

By contrast, ancient Egyptian law ostensibly granted women broad legal capacity, allowing them to own property, enter contracts, and litigate in their own names, yet social and economic structures still limited the effective exercise of those rights for many women, particularly outside elite circles. Examining these three civilizations together reveals a recurring pattern in which medical and religious narratives about women's bodies legitimize gendered legal hierarchies that continue to shape perceptions of women's autonomy in the modern world. The present research therefore aims to trace how definitions of "health" and "normal" female physiology became intertwined with legal status, asking to what extent women's formal rights matched their lived realities in ancient Greece, Rome, and Egypt.

THEORETICAL FRAMEWORK

The study is grounded in feminist legal theory and the concept of the gendered body, treating law and medicine as mutually reinforcing discourses that construct and regulate femininity. From this perspective, ancient medical texts such as the Hippocratic gynaecological treatises are not neutral clinical documents but ideological tools that define women as naturally weak, leaky, or incomplete, thereby rationalizing their exclusion from property ownership, political citizenship, and independent legal standing in Greek and Roman contexts. Feminist scholarship on narrative jurisprudence also informs the analysis by emphasizing how myths, religious symbolism, and exemplary female figures (such as Pandora, the Roman materfamilias, or the Vestal Virgins) encode legal expectations about chastity, obedience, and domesticity.

Comparative gender history provides a second pillar of the framework by enabling systematic contrast between societies that appear more restrictive (Greece, Rome) and those with comparatively expansive female legal rights (Egypt), while still asking how class and status mediate access to those rights. Within this comparative lens, the research treats "legal rights" as a spectrum that ranges from formal entitlements (such as the ability to own property or sue) to practical capacity to use those entitlements, shaped by social norms around marriage, sexuality, and economic dependence. Finally, the study draws on the concept of reproductive and bodily governance, arguing that control over women's reproductive functions, through

medical authority, religious obligation, and legal doctrine, operates as a central mechanism for maintaining male political dominance across these civilizations.

LITERATURE REVIEW

4.1. Ancient Greece

- **Medical System**

From the earliest days of ancient medicine, a woman's very essence, her "nature", was tied directly to her menstrual cycle. Menstruation wasn't just a biological fact; it was seen as the core of what made her a woman, the defining rhythm of her body and identity. Without it, her physiology was viewed as broken or abnormal, thrust into some unnatural state that needed fixing. This idea runs deep in texts like the Hippocratic Corpus, where menstruation is labeled gynaikeia—"women's things." The Greek root gyne (think gynecology) blurred the lines between "woman" and "wife," suggesting the two were one and the same. In that world, you couldn't fully be a woman without the social stamp of marriage.

Ancient healers went further, prescribing marriage itself as the ultimate cure for "women's diseases." Texts from the era brim with advice that tying the knot—and the regular cycles it supposedly brought—would restore balance to a woman's body. Unmarried? Your health was at risk. Widowed or childless? Even worse. The logic was straightforward: menses purified the body, pregnancy and childbirth channeled that flow properly, and spinsterhood bottled it up, leading to hysteria, fits, or worse. Marriage wasn't just a social contract; it was physiological therapy, the key to keeping a woman's "natural" state intact.

These medical views didn't just describe women—they shaped society. By linking a healthy woman to her role as wife and mother, they drew a sharp line between the "normal" path (marry young, bear sons, menstruate "properly") and anything deviant (remaining single, infertile, or independent). Cease being a wife, and you risked ceasing to be a "real" woman in the eyes of the culture. This fusion of biology and social expectation locked women into rigid roles, where personal choice clashed with supposed natural law. It's a powerful reminder of how ancient ideas about bodies justified control, turning women's cycles into a blueprint for their entire lives.

According to philosopher Aristotle, women were inferior to men because their bodies were too cold to ‘concoct’ semen which is what gives shape to a developing fetus while the women just provided raw materials like blood. This incapability made women ‘as it were’ an incomplete (mutilated) male. In the Gynaikeia, it is emphasized that women in general are different from men and as such require a complete set of different treatments. Women are

grouped separately and isolated into a unique system of treatment. The majority in the Hippocratics describe men and women with the usage of 'hot' and 'cold' or 'wet' and 'dry' to emphasize their differences further implicating the representation of women.

Within the Greek culture, the ideal human form is that of an adult male and as such features associated with him take on a positive value, thus, as stated by Aristotle, the women's incapability to produce semen becomes the origin point of her inferiority to men. Though not all Hippocratic writers agreed that women were 'cold', the prevalent point was that they were irrevocably different from men and would always be at the other extreme end of whatever spectrum they chose to use.

The Peri Parthenion, a series of gynaecological treatises was used as a practical handbook for doctors during the 5th C for diseases related to young girls. The main focus of these treatises covered the transition from 'parthonos' (unmarried women) to 'menarche' (menopausal women).

These treatises dealt with the problems that stopped an unmarried(virgin) woman from reaching gyne (married/childbirth). These medical texts refer to parthonos as an 'undisciplined body' and hence had to make a transition towards a 'controlled and reproductive body' because it is a threat to social honour. In the Greek textual sources, the process of having the menses is referred to as 'ripening of fruit' and once the parthonos loses her virginity, it is attributed to as a 'rotten fruit'. This process is looked to as a natural and cultural phenomenon and referred to as 'taming', for a young unmarried woman is seen as an 'untamed filly', who is yet unyolked and unbridled by marriage (Aphrodite).

Few diseases dealt with within these texts are:

- Epilepsy: seen as an incurable disease and the parthonos suffering from this disease remains unmarried despite her body being 'ripe' for conception and ends up having suicidal tendencies due to hallucinations and isolation.
- Delayed Menses (menarche): the text recommends the parthonos to marry as soon as possible because pregnancy would widen the veins and allow for regular menses.
- Menopause: it is seen as untreatable due to the gyne becoming sick and dried out (losing the excess blood needed for menses)

For Greek doctors, both pubertal parthonos and sterile gynes are equated with a diseased body and mind. Such notions reinforced the idea that the female body is inherently weak, pale and deficient which then affects her emotions and intellect making her unstable, submissive and secondary citizens (King,1994).

- **Legal System**

Households as the Heart of Ancient Greek Society

In ancient Greece, households weren't just homes—they were the essential building blocks of the entire society, shaping everything from family life to the broader community. As historian David Schaps points out, these households were firmly under male control, with women generally barred from owning property outright. Ownership itself was a flexible concept: sure, property might be "owned" by one person (usually the man), but the whole family used it together. And wasting or mishandling family inheritance? That was no small matter, Athens had strict laws allowing prosecution for anyone who squandered their share, treating it like a betrayal of the family's future.

Women's Dowry: Their Economic Lifeline

For women, the big-ticket item in all this was the dowry, a crucial bundle of goods that had to match what her brothers got as inheritance. It wasn't just a wedding gift; it was her financial safety net, essentially her slice of the family wealth to live on. Upper-class Athenian dowries often included cash, furniture, clothing, and other portable valuables. Socially, skipping a dowry for your daughter or sister was almost unthinkable—it could ruin reputations. Women might temporarily manage or even "own" land due to family circumstances, like a father's early death, but it was rare and short-lived.

Women's Quiet Economic Power at Home

Stories from the time paint women as savvy about household money matters—they knew the family finances inside out and played a key role in keeping the economic wheels turning. Publicly, they couldn't make deals or appear in court on their own; that was men's territory. But inside the home? She ruled. Crucially, she held veto power over her dowry—if she walked out, it went with her, giving her real leverage in tough spots.

Divorce carried no heavy shame and was pretty straightforward to pull off, though most people remarried quickly afterward.

Inheritance and the Epikleros Tradition

Without sons, things got interesting: the deceased man's daughter, known as an epikleros, would marry his closest male relative, and any kids from that marriage inherited the estate. Sons were the default heirs, automatically scooping up everything, while daughters got nothing if brothers were around (Schaps, 1979). This system kept property in the male line,

reinforcing the household's stability even after loss. It highlights how Greek society balanced women's limited rights with practical ways to protect family legacies.

4.2 Ancient Rome

Anyone familiar with Robert Graves' novel I, Claudius or its gripping TV series knows the stereotype of the scheming, power-hungry Roman woman pulling strings at the empire's heart. These dramatic portrayals echo through ancient histories, painting elite women as meddlesome forces in politics. Yet, no matter their wealth or family ties, these imperial women were trapped by Rome's rigid idea of femininity—a social cage that barred them from real authority. Legally, they couldn't hold public office, so formal power in the state remained firmly out of reach, no matter how influential they seemed behind the scenes.

- Roman Matron and Materfamilias

The ideal Roman matron was the picture of perfection: gentle, devoted to her husband, strikingly beautiful, fertile with sons, and unwaveringly faithful. Society held this up as the ultimate woman's role, but reality added layers of quiet strength. Enter the materfamilias—the powerful senior women heading elite households. Their vast wealth and connections gave them sway in the Roman court, sometimes even tipping the scales on imperial appointments. They raised children from senatorial families and foreign royals, blending family duties with political clout.

These women thrived on "associated power," growing close to the emperor's inner circle as households evolved into imperial power centers. Their ties to the Praetorian Guard—Rome's elite military—let them whisper in the ears of those controlling the city's defenses, turning domestic influence into real muscle.

- The Resulting Fear: Privileges of Virginity

This behind-the-throne influence sparked deep anxiety among Rome's male elite: what if an imperial woman seized outright control? Her image ballooned with symbolic weight, loaded with fears of female dominance. Emperors worked hard to downplay any public signs of women's power, even though rival male kin posed bigger threats to the throne. You couldn't just sideline these women, so leaders reshaped their public personas to serve the regime—depicting them on coins as serene goddesses or in reliefs as pious priestesses aiding their husbands. These images turned potential rivals into stabilizing symbols for Roman society.

- The Cult of Vesta

Vesta, the Roman goddess of the hearth (equivalent to Greek Hestia), embodied the eternal flame at the core of home and state. That undying fire represented Rome's unbroken continuity; letting it go out was a catastrophe. In families, daughters tended the household hearth, but on a grander scale, virgin priestesses called Vestals took over the state temple's sacred flame. As virgins unbound to any man, they symbolized the collective spirit of the city—belonging to all Romans.

Vesta herself stood for Rome's hearth and heart, her untouched body mirroring the city's impregnable walls. Family honor hinged on women's chastity, making the Vestals a powerful emblem of unity. Legally, Roman women existed only through men—fathers, husbands, sons—but Vestals broke free, emancipated from male ownership. Their constant divine communion demanded total sexual abstinence, defining their sacred, virginal aura.

This elevation of virginity carried a dark edge: any woman embracing sexual freedom was tainted as impure. The idea that a city's fate rested on one woman's chastity locked women into rigid behavior, constant scrutiny, and limits on their public and legal lives, reinforcing control through moral symbolism (Goody, 1990).

4.3 Ancient Egypt

Historical records from ancient Egypt clearly demonstrate that women, regardless of their marital status as single, married, divorced, or widowed, enjoyed the exact same formal legal rights and standing as men. This was a remarkable level of equality for the time, setting Egypt apart from many other ancient civilizations. However, in daily life, most women focused on home and family duties rather than outside careers, so they were often identified by straightforward titles like "Mistress of the House" (nbt pr) or "citizeness" (nh.t nt niwt). Their social identity was frequently tied to the name and status of their father or husband, which helped define their position in the community and reflected the patriarchal norms of society.

When it came to the legal system, though, women operated with complete independence, just like men. They were personally responsible for their decisions and actions, facing the full weight of the law without any special leniency or discrimination based on gender.

Here's a breakdown of their key legal capabilities:

- Full Accountability: Women were held legally responsible under both civil and criminal laws, meaning they could be prosecuted or sued just as men were, with no exemptions.
- Property Rights: They had the freedom to acquire, own, manage, and sell all types of property, including land, houses, and personal belongings—no male guardian required.
- Contracting and Litigation: Women could negotiate and sign contracts entirely in their own name, file civil lawsuits against others, or defend themselves if sued, proving their autonomy in business and disputes.
- Court Participation: They served on juries, acted as witnesses in legal proceedings, and even testified in trials, contributing actively to the justice system.

On paper, this legal equality painted a picture of fairness and empowerment for women. In reality, their social and public roles told a starkly different story—women were largely excluded from high-profile government positions, military service, or public leadership, relying instead on family networks for support and status. This sharp divide between robust legal protections and limited social opportunities is crucial for understanding ancient Egyptian society. It shows a system that was progressive in theory but shaped by cultural expectations in practice, allowing women real economic power behind the scenes while keeping them out of the spotlight.

- **Criminal Law**

Criminal law in ancient Egypt meant the state stepping in to punish someone whose actions hurt society as a whole. This could be direct damage, like treason or stealing from the government, or indirect, such as murder. Records from that time show women involved in serious cases, including harem plots and robberies from royal tombs or temples.

Prisoners, whether men or women, faced the same harsh questioning and treatment, no favoritism or extra punishment based on gender. This suggests women were dealt with just as fairly (or unfairly) as men under the law.

- **Civil Law**

Ancient Egyptian law came straight from the top, the king's commands were the law itself, with no lawmakers or formal codes like we have today. The closest thing we have is the

Hermopolis Legal Code, more like a record of past cases than a rulebook, especially useful for understanding family matters.

People brought civil disputes by speaking directly to a court. Judges relied on old traditions and previous rulings, often keeping notes on their decisions. During the New Kingdom, the Vizier oversaw a major court, while special ones popped up for big issues like harem scandals or tomb thefts. The Deir el-Medina court is a great example of these temporary setups. Both men and women had equal standing here.

Egyptians recognized private property and even "joint property" built up by married couples. Early contracts, known as imyt-pr documents (once mistaken for wills), let people pass assets to non-heirs. Women's legal freedom shines through: they bought, sold, and contracted just like men, and they were held fully responsible for their deals.

- **Family Law**

Marriage was a casual, private deal—no state paperwork or religious rituals, though a celebration likely happened. It boiled down to two people and their families agreeing to live together, set up a home, and start a family, using the same terms for husbands and wives.

Most folks married within their social circle, so women often wed men from similar jobs as their dads or brothers. This made sense since wives sometimes pitched in at work, and family know-how helped.

On divorce, a man had to return the woman's dowry or its value. Kids could inherit from both parents. Legally, women matched men in property rights, but socially, their lives looked very different—men held public roles, women leaned on family for support.

Elite men got government salaries in goods, while women were shut out of those jobs and relied on fathers or husbands financially. Not every woman had the same rights; class mattered a lot. Widows often struggled most, while high-status women enjoyed near-equal legal power and could handle business solo (Capel & Markowitz, 1996).

RESEARCH QUESTIONS

- How did medical discourses about women’s bodies (especially menstruation, sexuality, pregnancy, and menopause) in ancient Greece, Rome, and Egypt shape the construction of women as legally and socially inferior citizens?
- In what ways did the Hippocratic and related medical texts in Greece contribute to defining “healthy” and “sick” femininity and justify women’s dependence on marriage and motherhood?

- How were Roman women's legal rights and social expectations (matron, materfamilias, Vestal Virgin) linked to ideas of sexual purity, family honour, and state stability?
- To what extent did Egyptian women's relatively broader formal legal rights (property, contracts, courts) translate into real social and economic agency across different classes and marital statuses?
- What common patterns and key differences emerge across Greece, Rome, and Egypt regarding the use of women's bodies and sexuality to legitimize gendered hierarchies, and how do these patterns resonate in contemporary perceptions of women's rights?

CHALLENGES

- Source bias and fragmentation

  Most surviving textual and legal evidence was written by elite men, which means women's voices are indirect and the material reflects a strongly male perspective on female bodies and behavior.
- Interpreting medical and legal terminology

  Concepts such as menses, "disease", or "normal" female physiology are embedded in ancient cosmologies (hot/cold, wet/dry) and require careful contextualization to avoid imposing modern biomedical meanings.
- Comparing different legal cultures

  Greece, Rome, and Egypt had distinct legal and social systems, so any comparative analysis must balance overarching patterns with sensitivity to local nuances and class differences.
- Distinguishing legal status from lived experience

  While texts may claim equality (as for Egyptian women in certain domains), social norms, economic dependence, and class could severely limit what women could actually do in practice.
- Linking ancient patterns to the present without anachronism

  The paper seeks to connect ancient constructions of women's bodies to modern gender inequalities, which is analytically useful but risks oversimplifying historical change if not handled carefully.

REFLECTION AND ANALYSIS

- Women's Bodies as Battlegrounds for Power in Ancient Societies

Across ancient Greece, Rome, and Egypt, women's bodies weren't just biological realities, they were battlegrounds where power structures, laws, and religions collided to dictate what "normal" womanhood looked like and who got to enjoy full rights. These societies didn't see female physiology as neutral; instead, they weaponized it to enforce control. Menstruation, fertility, and even menopause became tools for labeling women as inherently deficient or unstable, justifying their exclusion from public life and tying their worth to marriage and childbearing. This wasn't random, it was a deliberate fusion of medicine, faith, and law that turned women's natural cycles into chains of subordination.

- Greece: Physiology as a Prison for Women

Take Greek medical texts like the Hippocratic Corpus: they frame menstruation as the heartbeat of womanhood, a "purifying" process essential for health. Skip it or hit menopause early? You're diseased, hysterical, or incomplete, best "cured" by marriage and babies. This medical logic bled into society, making single or childless women outliers. It wasn't just advice; it was a blueprint for normalcy, where a woman's body "proved" she belonged at home, legally and socially sidelined. Fertility wasn't a gift, it was a mandate, transforming biology into a cage that kept women dependent and out of power.

- Rome: Symbolic Chastity and Hidden Dependence

Roman sources paint a contrasting picture, but the dynamic is eerily similar. The ideal matron (meek, fertile, faithful) or the sacred Vestal Virgin embodied purity that safeguarded family honor and empire stability. Vestals' "untouched" bodies mirrored Rome's invincible walls, their chastity a public symbol of unity. Elite women like the materfamilias wielded "associated power" through whispers in imperial households, yet emperors minted them as goddesses to neutralize threats. Chastity elevated them symbolically, but structurally? They remained tethered to male kin, their influence a shadow of true authority. Sexual control wasn't personal; it propped up the patriarchal state.

- Egypt: Legal Strength, Social Limits

Egypt throws a curveball, offering women rare legal muscle: equal property rights, contracts in their own name, even court testimony, regardless of marital status. No man needed as guardian, elite women bought, sold, and sued like men. But dig deeper, and class cracks the facade. Bureaucracy favored elite men with salaries; most women relied on fathers or husbands. Widows and lower classes scraped by, their "formal" rights hollow without

economic backing. Marriage was private, dowries portable, yet social norms kept women defined by family ties. Legal parity existed, but power's full exercise? Reserved for the privileged few.

- A Timeless Pattern of Control

These three worlds reveal a stubborn pattern: male-led institutions (temples, courts, clinics) harnessed talk of women's sexuality and reproduction to cement unequal citizenship. Childbirth capacity? Recast as weakness, breeding hysteria or impurity. Powerful women? Anxiety magnets, demanding symbolic taming. The paper's big questions cut deep: Why does giving life equal frailty? Why do trailblazing women scare the establishment? Can today's women truly wield their legal wins amid lingering biases? Ancient echoes linger in modern fights over abortion, glass ceilings, and bodily rights, proving these constructs didn't die, they evolved, urging us to dismantle them for real equality.

CONCLUSION

This paper set out to explore the legal and economic rights of women in three prominent ancient civilizations of Greece, Rome and Egypt, and how far such rights were extended in relation to their sexual and social identities within these societies. The bodies of women were used throughout history as a justifying reason to not give them equal independence and power as a citizen within these societies. Whereas in rare cases such as the Egyptian elite women who did have legal freedom could not exercise them fruitfully due to societal restrictions.

The right to decide if a woman’s body is weak, dirty or unstable allows men to control and isolate women as second-class citizens. It can be assumed that due to women’s sexual identity their legal rights clearly did not extend effectively throughout society. The study of women’s body, from her menses to childbirth to menopause has historically been done and understood through the male gaze. How fair is this male perspective? Is it totally unbiased?

The identity of a woman is seen as inseparable to her identity as a wife. Her entire existence is narrowed down to her being a wife and a mother. The notion that a woman may not want to marry is never brought into the equation. Why is a woman’s incredible biological capability of birthing seen as a flaw and a weakness?

Another assumption can be made from the above sources is why are men inherently afraid of powerful women? The simple idea and logic of allowing women the same political power and influence seem utterly abhorrent to the males within a society. They go as far as using medical reasons to prove women mentally unstable, simple and incapable. The

idea of a ‘powerful woman’ is seen as something negative and unnatural. What needs to be further discussed is even at the advent of legal status given to women, how much actual access is allowed for them?

Overall, one recurring pattern can be seen within these civilizations as well as the modern world is that society (powerful men) tend to use the idea of Gods, Goddesses and scriptures to indoctrinate the idea of feminine submission. The use of an unseen higher power is always the ultimate stratagem for subtle subjugation of women.

Few questions still remain. Undoubtedly women have legal rights now, but can they exercise them freely at all times? Do these ancient rules and laws still affect the perception of modern women?

REFERENCES

1. *Economic rights of women in ancient Greece : Schaps, David M : Free Download, Borrow, and Streaming : Internet Archive*. (1979). Internet Archive. https://archive.org/details/economicrightsof0000scha/page/n5/mode/2up
2. *Gender and power in rural Greece*. (n.d.). Princeton University Press. https://press.princeton.edu/books/hardcover/9780691656717/gender-and-power-in-rural-greece?srsltid=AfmBOoohMbdKXSknAOA7h2TqGPtthopFtIeYmQwa-2VdsDTX5s93nuw2
3. King, H. (1994). Producing Woman: Hippocratic Gynaecology. In *Palgrave Macmillan UK eBooks* (pp. 102–114). https://doi.org/10.1007/978-1-349-23336-6_6
4. *Mistress of the House, Mistress of Heaven : women in ancient Egypt : Capel, Anne K : Free Download, Borrow, and Streaming : Internet Archive*. (1996a). Internet Archive. https://archive.org/details/mistressofhousem00cape
5. *Mistress of the House, Mistress of Heaven : women in ancient Egypt : Capel, Anne K : Free Download, Borrow, and Streaming : Internet Archive*. (1996b). Internet Archive. https://archive.org/details/mistressofhousem00cape
6. *The oriental, the ancient, and the primitive : systems of marriage and the family in the pre-industrial societies of Eurasia : Goody, Jack : Free Download, Borrow, and Streaming : Internet Archive*. (1990). Internet Archive. https://archive.org/details/orientalancientp0000good