
In ancient Athens, adoption could be carried out in three different ways. The obvious form was when the adopter himself was still alive. Secondly, in his will a testator could stipulate that his beneficiary was to succeed him as his adopted son. And, thirdly, if a man died without leaving a natural or adopted son a posthumous adoption could take place on behalf of the deceased. The present study not just analyses these three forms, but tries to find out what the common background, if any, of the adoption practice was. Already the two post mortem forms of adoption refute the idea that the Greeks were just fond of having children. The stress on the significance of the polis as a conglomerate of οἶκοι made some modern observers believe that adoption was a concern of the community as a whole. Rubinstein tries to find her way between the Scylla of sentimental love and the Charybdis of society’s responsibility.

The writer is acutely aware of the drawbacks of the sources: the cases known to us by way of the speeches in the Athenian courts by nature represent the deviations of the rule. However, the orators refer to the rules to which Athens is supposed to adhere, thus enabling the modern historian to reconstruct the norm.

The number of concrete cases known by the sources is not impressive, viz. 36 in all, among which 12 cannot be identified as belonging to one of the three types. There are five instances of adoption inter vivos, twelve of testamentary adoption (mostly concerning the nearest kin) and seven posthumous cases, a form that could easily cause litigation because the rights of ἐπίκλητος could be at stake.

In this clear and well-organized study all the ins and outs of the three forms and the procedures accompanying these forms are discussed. In the second half answers are suggested to the crucial question why adoption was practised. Taking Isaios Π.10 as a starting point three reasons are discussed: support in old age (γηροτρωφία), a guarantee for proper burial and the maintenance of the tombcult. The common ground was to bring about a situation in which the ‘son’ was to owe perpetual χάρις to his parent. γηροβοσκείν was the most obvious form of piety, but I wonder whether this has to be taken very concretely, as Rubinstein and others are inclined to do. For the rich, the only group that practised adoption, the material
care in old age could not be a major concern. However, having a ‘son’ who showed χάρις was a warrant for enjoying respect till the end. For the period after death, caring for the tomb was an important consideration. The funeral and annual commemorative rites that depended on the continuation of the οἶκος could only be guaranteed by the presence of a son. The objection that on the basis of archaeological evidence it was highly unlikely that an Athenian would be commemorated through more than two generations of descendants is irrelevant. The point is how the Athenian took measures to ensure ‘eternal’ commemoration. As the author shows, for the childless only adoption created the presence of an heir/descendant who had to practise χάρις.

So posthumous adoption was a policy of the rich to perpetuate their οἶκος. The polis was favourably disposed to that strategy, as the Attic Orators show in their speeches, but the authorities did not interfere actively to promote the continuation of the individual οἶκος, the view held by some modern students. The posthumous adoption of the son-in-law of an ἐπίκλημος is a strong point in favour of the pragmatic view forwarded by Rubinstein. Her study unmasks many a myth concerning the practice of adoption among the Athenians: it was not legitimized as being for the benefit of the adoptee as in modern times nor was it established because of the society’s concern for the continuity of the οἶκος it consisted of. The flawless reasoning and methodology contribute to the quality of this attractive study.

Nijmegen, The University

ANTON J. L. VAN HOOFF


In this work Kordosis surveys the Chino-Greek relations from the early Han up to, but not including, the Sui and Tang dynas-