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THE NAMES OF ADOPTEES: SOME PROSOPOGRAPHICAL  
AFTERTHOUGHTS

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## The Names of Adoptees: Some Prosopographical Afterthoughts

The private orations are our major source for the prosopography of less politically renowned families. At times this information can be supplemented by inscriptions, and two possible additions to Attic prosopography, which are founded upon inscriptional evidence, will be offered in this study. These reconstructions, in turn, may give us further insight into naming practices in adoption, an institution which provided an heir for a man who had no male heirs. First, let us look at the naming practices associated with adoptions in some family groups in the orations.

One of the traditional, standard reconstructions of families, who appear in the orations, concerns the family of Dikaiogenes I. In the stemma, Dikaiogenes' homonymous grandson (son's son), Dikaiogenes II, had adopted a son, Dikaiogenes III. Because of the adoptee's name, it was assumed that both adopter and adoptee were originally kinsmen, and it was posited that Dikaiogenes II's father, Menexenos, had a sister who then gave her son a name which was associated with her patriline. This son, Dikaiogenes III, was then adopted by his mother's brother's son, Dikaiogenes II. This particular reconstruction has been generally accepted even though other parts of the stemma are being debated at present.<sup>1</sup>

Certainly there is evidence supporting the view that homonymity was the mark of kinship ties prior to adoption; coincidentally, therefore, the adoptee, at birth and before the adoption, was given a name shared by a man who would later be his adoptive father. For instance, Euboulides III was named after his maternal grandfather and then subsequently adopted by him ([Dem.] 43.12, 34, 63, 74). A similar situation prevailed in the adoption of Lykophron III by his maternal grandfather, Lykophron II.<sup>2</sup>

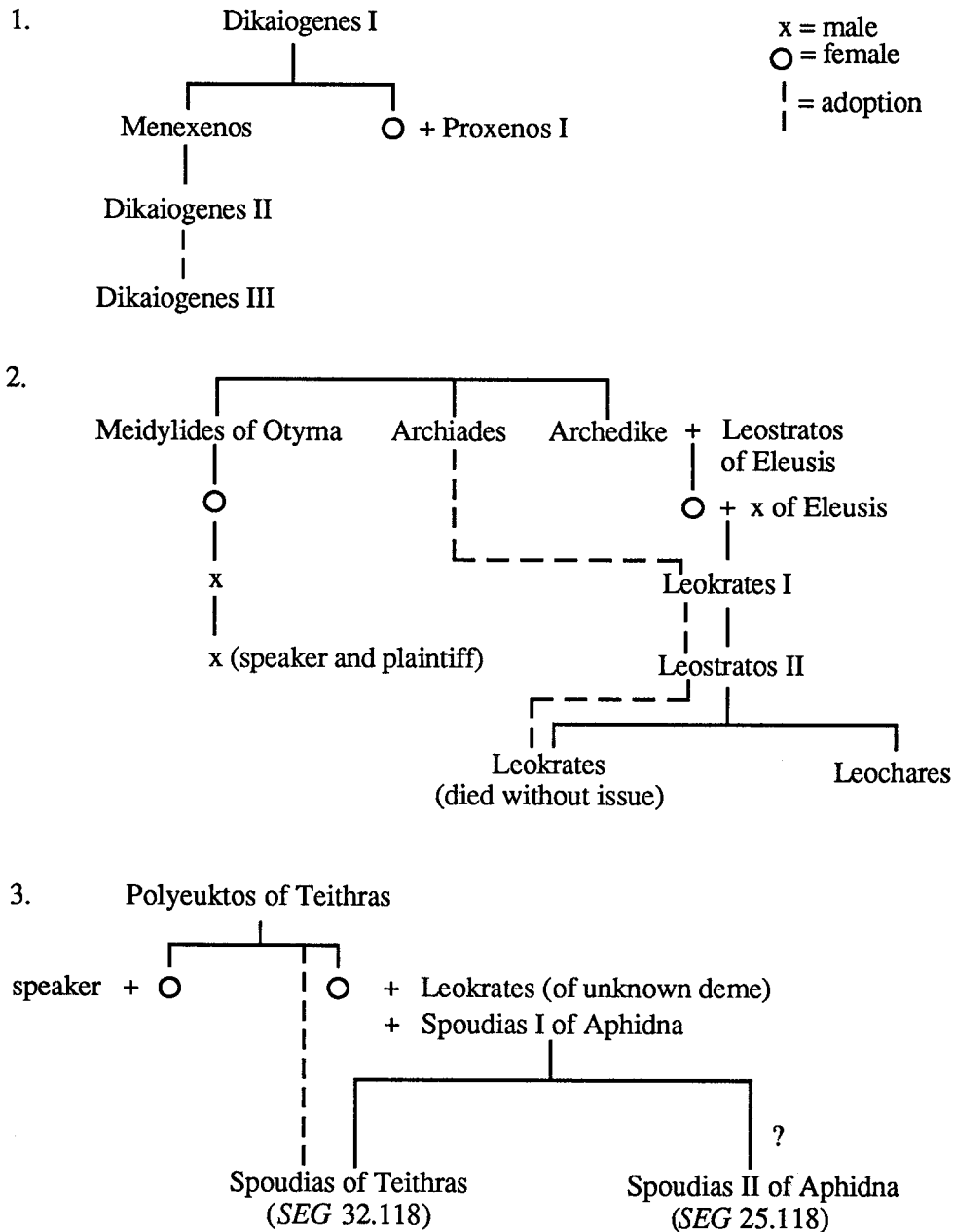
Naming practices, however, varied from adoption to adoption. In some cases, the adoptee, once entering the *oikos* of adoption, could have his name changed to one identifiable with that *oikos* and its patriline. Therefore, Davies has argued that when Thrasyllus III in Isaeus 7.14-17 was adopted by Apollodoros, son of Thrasyllus II, Apollodoros was around sixty years old. Therefore, Thrasyllus III, who was the son of Apollodoros' matrilineal half-sister, and therefore from an altogether different patriline, may well not have been given at birth a name which was associated with Apollodoros' patriline (Davies, *Athen. Prop. Fam.* 44).

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<sup>1</sup> J.K. Davies, *Athenian Propertied Families 600-300 B.C.*, Oxford 1971, (hereafter *Athen. Prop. Fam.*) 145, 476-77 for a history of the scholarship on this part of the stemma. Most scholars assume that the daughter of Dikaiogenes I married Proxenos I, but Davies argues, based on chronology, that she married Proxenos I's father, Harmodios II. According to Davies' reconstruction, Dikaiogenes III was adopted by his father's mother's brother's son, Dikaiogenes II. F. Bourriot, who is highly critical of Davies' reconstruction, accepts the traditional reconstruction in which Dikaiogenes I's daughter married Proxenos I: "La famille et le milieu sociale de Cléon," *Historia* 31 (1982) 404-35 and esp. 420-33.

<sup>2</sup> [Plut.] *Mor.* 843 a-b; Davies, *Athen. Prop. Fam.* 352-53.

**Table**  
**Descent Groups: Dikaiogenes, Meidylides, Poleuktos**



When Thrasyboulos, son of Aischines of Lousia, was adopted by Hippolochides I of Lousia, he may have had his name changed to Hippolochides (II) (Davies, *Athen. Prop. Fam.* 45-47). Makartatos, son of Theopompos, was named after his mother's brother into whose *oikos* he was adopted. The wording in [Dem.] 43.77 seems to suggest that he had acquired the name

upon adoption.<sup>3</sup> Likewise the wording in Isaeus 2.27 seems to suggest that the adoptee, who was an adult at the time of his adoption, assumed a name associated with the adopter's patriline.

Yet another type of naming practice has the adoptee merely retaining the name he was given at birth, a name which was associated with his patriline of origin and not that of his adoption. For instance, the son of Polyeuktos I of Bate named his son Polyeuktos (II), and the latter retained this name when he was adopted by his maternal grandfather. Xanthippos of Erchia (Davies, *Athen. Prop. Fam.* 172). In one of the most famous cases of a line retaining the estate of adoption for several generations, the line of Leokrates I of Eleusis in [Dem.] 44 gave its descendants names associated with the patriline of Leokrates while they were adopted into the estate of Archiades of Otryna.<sup>4</sup> Inscriptions reaffirm this naming practice, but may add a complication as well.

However, before we consider [Dem.] 44 in any detail, it would be beneficial to review the law on adoption. A man could adopt anyone he wished; the adoptee was legally severed from his patriline of origin and could return to it only after leaving a natural son in the estate of adoption. In other words, an adoptee could not in turn adopt.<sup>5</sup> [Dem.] 44 tells of two brothers, Meidylides and Archiades of Otryna, who shared their paternal estate until Archiades adopted the grandson (daughter's son) of his sister, Archedike. Archedike had been given in marriage to a Leostratos (I) of Eleusis; her daughter then married Leostratos' demesman, and the union produced Leokrates I, Archiades' first adoptee. Leokrates I left a son, Leostratos II, in Archiades' estate and returned to his *oikos* of origin. Leostratos II in turn also left a son, Leokrates II, in Archiades' estate and returned to Eleusis. Leokrates II, however, died unmarried and without issue (44.24, 32), and his brother, Leochares, was then put forward by Leostratos II as the adoptee to Archiades' estate. It was at this point that Meidylides' descendant (daughter's son's son) contested the adoption, citing the law forbidding an adoptee from adopting (19ff.).

A curse tablet dated to the late 320s records an Archiades of Otryna who, Davies conjectures, may refer to Leokrates II or Leochares "taking the name of his adoptive father as an advertisement of his title to the estate."<sup>6</sup> If the curse tablet refers to Leokrates II and indicates a name change, then the situation is further complicated by the gravestone *IG* II<sup>2</sup> 7016, which was missed by both Kirchner and Davies.<sup>7</sup> The stone, dated generally to the fourth century, was found at Laurion. It depicts a young armed man leading a horse and displays a *loutropho*

<sup>3</sup> Davies, *Athen. Prop. Fam.* 86, conjectures that Makartatos was an infant when adopted.

<sup>4</sup> These events are outlined by Davies, *Athen. Prop. Fam.* 194-96.

<sup>5</sup> A.R.W. Harrison, *The Law of Athens* (Oxford 1968) 85-87 for the debate on this point and bibliography.

<sup>6</sup> Davies, *Athen. Prop. Fam.* 195; E. Ziebarth, *SPAW* 33 (1934) 1023 1A line 15.

<sup>7</sup> J. Kirchner, *Prosopographia Attica* I-II, Berlin 1901-1903, does not cite the gravestone either under the entry for Euthymachos of Otryna, the father of Meidylides and Archiades, or under the entries for Leokrates. Nor did Kirchner see the connection in his commentary on the stone in *IG* II<sup>2</sup>.

*ros*. This inscription reads simply, Λεωκράτης Ὀτρυνεύς.<sup>8</sup> Given the youthfulness of the man depicted, and the fact that he was depicted alone, the *loutrophoros* on the stone suggests that Leokrates died unmarried;<sup>9</sup> this man may well be identified with our actor, Leokrates II, in [Dem.] 44. If so, the *loutrophoros* on his stone was reminiscent of the ἡ λουτροφόρος placed on the tomb of his adoptive father, the original Archiades I (44.18-19, 30). In other words, if the curse tablet which records Archiades II, and the gravestone refer to the same person, Leokrates II, then he was called by his given and adoptive names simultaneously; this is not a bizarre possibility since adoptees could be adopted in their adult years.<sup>10</sup> It is, of course, equally likely that the curse tablet refers to Leokrates II's brother, Leochares. The fact that the gravestone, *IG II<sup>2</sup> 7016*, was found at Laurion, may suggest that the Eleusinian branch held property there or that part of Archiades' estate may have lain there. Otherwise, the extent and nature of the properties of both families are unknown.<sup>11</sup>

Inscriptions may also give us some insight into the naming and adoption practices for another family in the orations. In Demosthenes 41, the testator, Polyuktos, had two daughters but no sons. He gave one daughter in marriage to the speaker, apparently a non-kinsman, and the other to his wife's brother. These daughters were potential *epikleroi*, or heiresses. In the strictest sense, an *epikleros* was a daughter who had no brothers and who was not married at her father's death. Or perhaps she was married but had no sons.<sup>12</sup> In any event, she was required by law to marry her father's agnate, preferably his brother or the latter's son. The daughter's son or sons by such a union would then inherit her father's estate.<sup>13</sup>

<sup>8</sup> The inscription and stone were catalogued by G. Kokula, *Marmorloutrophoren*, Berlin 1984, *AM Beiheft* 10, 153 no. L6 without prosopographical comment.

<sup>9</sup> R. Garland, "A First Catalogue of Attic Peribolos Tombs," *ABSA* 77 (1982) 130 n. 20 points out that *loutrophoroi* did appear on the graves of married people.

<sup>10</sup> Davies (*Athen. Prop. Fam.* 45-47) makes a case for suggesting that Thrasyboulos, son of Aischines, in Is. 7.19ff. was known by his adoptive name, Hippolochides, simultaneously. Of the thirty, perhaps thirty-one, known adoptions, only five certainly involve the adoption of a minor: Is. 5.6-7; 11.8ff., 41; [Dem.] 43.12; 58.31. (See n. 3 above for a possible sixth instance). This discussion is based on Gernet's list of adoptions in Athens, but his list of twenty-seven adoptions needs revision: L. Gernet, *Droit et société dans la Grèce ancienne*, Paris 1955, 129. One of these cases, Isoc. 19.12, does not involve an Athenian family. Furthermore, Gernet's nos. 16 and 22 are the same incident: the attempted "adoption" by Hagnias of one of his half-brothers. Gernet's no. 9, the inheritance by Eupolis of his brother's estate, might not refer to an adoption but rather intestate succession. To the remaining 24 instances must be added the adoptions in 9.2, 23 (Davies, *Athen. Prop. Fam.*, 229), [Dem.] 44.19 and Is. 11.49-50. Gernet was not aware of the adoption of Thrasyboulos of Lousia by Hippolochides (Is. 7.9 and Davies, *Athen. Prop. Fam.*, 45-47) nor did he mention the adoption of Themistokles' son by the politician's wife's father (Plut. *Them.* 32.1-2). For completeness' sake, we should mention the dubious case of Diokles' adoption by his mother's second husband (Is. 8.40-41) and Davies' plausible reconstruction (*Athen. Prop. Fam.*, 172) which posits the adoption of Polyuktos II of Bate by his mother's father.

<sup>11</sup> Davies surmises that Archiades' estate was largely real property: *Athen. Prop. Fam.*, 195-96.

<sup>12</sup> For the definition of the *epikleros*, the classic discussion is L. Gernet, *REG* 34 (1921) 338; see also, J. Karnezis, *The Epikleros*, Athens 1972, 206-12.

<sup>13</sup> For the laws regulating the epiclerate: L. Beauchet, *Histoire du droit privé dans la république athénienne*, I Paris 1897, 398-487; Gernet (above n. 12) 337-77; Harrison (above n. 5) 132-38, esp. bibliography 132 n. 2; W.K. Lacey, *The Family in Classical Greece*, Ithaca 1968, 139ff.; D.M. Schaps, *The Economic Rights of Women*, Edinburgh 1979, 25ff.; R. Just, *Women in Athenian Law and Life*, London 1989, 95ff.

Yet the situation in which a daughter found herself unmarried and without brothers at the time of her father's death is rare in our sources (And. 1.117ff.; Dem. 57.41; Lys. fr. 23, 26 (?) [Th]). Rather, the father, before his death, fully realized that the daughter would be his only heir and would attempt to marry the daughter off to his brother.<sup>14</sup> Or the father could adopt a son who then by law had to marry the daughter (Harrison [above n. 5] 135), or the father simply gave his daughter in marriage to an outsider (Plut.*Them.* 32.2; Dem. 42.21; 58.30-31; [Dem.] 44.10; Is. 10.4, 7), with the intention that the son from the union be posthumously adopted into the father's estate.

To return to Demosthenes 41.3ff., Polyeuktos resorted to two options: he gave one daughter to an outsider, the speaker, and he gave the other to his adopted son, Leokrates.<sup>15</sup> Polyeuktos and Leokrates quarrelled, however, and Polyeuktos initiated a divorce between his daughter and adopted son and gave her in marriage to a certain Spoudias, who was apparently a non-kinsman and whom Polyeuktos appears not to have adopted.<sup>16</sup>

Epigraphical evidence can both correct and complement the picture drawn by the orations. Although Polyeuktos' deme is given in the manuscripts as Thria (41.3), the discovery in the Agora in 1936 of a dedication to Demeter and Kore by Polyeuktos of Teithras, his daughter and her husband, Spoudias, leaves little doubt that Polyeuktos' deme was Teithras (T.L. Shear, *Hesperis* 6 (1937) 341-42). Later readings of the stone established that Spoudias' deme was Aphidna (*SEG* 17.83).

Although Spoudias was a non-kinsman of Polyeuktos, it appears from inscriptional evidence that Spoudias had a line of descendants adopted into Polyeuktos' estate. *SEG* 32.118 (*IG* II<sup>2</sup> 791 + *Hesperia* 11 (1942) 287-292 n. 56), dating to 244/3, is a catalogue of donors. Although the text is usually cited as evidence for a break in the secretary cycle in the third century,<sup>17</sup> it is, for the present purpose, prosopographically valuable in that a Spoudias of Teithras appears in line 37. If Spoudias of Teithras is a direct descendant of the actor in Demosthenes 41, and if the dating of the Agora dedication to the mid-fourth century is correct, then the implication of the inscriptions is that a line of descendants from the mid fourth century, or shortly thereafter, was adopted into Polyeuktos' estate for a century and a half. Furthermore, another inscription, *SEG* 25.106.7, dated eighteen years after *SEG* 32.118, records a Spoudias of Aphidna, which was the deme of the fourth-century homonym. This Spoudias is intriguing: he is probably, and most simply, a member of a collateral branch, but there is a possibility that he was the very Spoudias of Teithras recorded in the earlier inscription (*SEG* 32.118). If so, this Spoudias left a son in the estate of Polyeuktos of Teithras and

<sup>14</sup> [Dem.] 44.10. Lys. 32.4-5 may have been the result of such concerns but Diogeiton, the woman's father, subsequently remarried and sired other children: Davies, *Athen. Prop. Fam.*, 151-52.

<sup>15</sup> There is no relation, as far as we know, between this Leokrates and his homonym in [Dem.] 44.

<sup>16</sup> For the probability that Spoudias was not adopted: Harrison (above n. 5) 152.

<sup>17</sup> For instance, B.D. Meritt, *Historia* 26 (1977) 163-64, 176.

returned to the deme of his patriline, Aphidna. This reconstruction, which is speculative,<sup>18</sup> at least shows how Spoudias and his descendants advertised their patriline of origin while retaining an estate through adoption. At the very most, the reconstruction will let us appreciate the long tenure of an estate through adoption and will let us appreciate why the hand of an heiress was so desirable.

Furthermore, although naming practices could differ, they often displayed an attempt to show the unity between two *oikoi*, that of the adoptee's origin and that of his adoption, despite laws that severed the adoptee from his patriline. Naming practices could also indicate the fluidity of *oikos* boundaries, as an adoptee's own presence in the estate of adoption might be temporary but his tenure could continue through descendants for generations. Names, therefore, could be a symbol to the outside world of the conflation of two *oikoi*.

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Postscript: For an updated list of adoptions the reader may consult L. Rubinstein, *Adoption in IV. Century Athens*, Copenhagen 1993.

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<sup>18</sup> This reconstruction gains strength by the fact that although the name Spoudias was popular in the fourth century it does not appear frequently in the third. Besides the individuals in Aphidna and Teithras, there is one other Spoudias with demotic (Plotheia) cited for the third century (*SEG* 16.63.8). There is one Spoudias cited without demotic on a lead tablet which records purchasers of horses: K. Braun, *AM* 85 (1970) 229.475-79. I would like to thank Professor John Traill for sending me the relevant entries from the prosopographical file which has been compiled on database from the inscriptions.