

ON THE STRUCTURE  
OF  
GREEK TRIBAL SOCIETY

*AN ESSAY*



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## PREFACE

THESE notes, brief as they are, owe more than can be told to my father's researches into the structure and methods of the Tribal System. They owe their existence to his inspiration and encouragement. A suitable place for them might possibly be found in an Appendix to his recently published volume on the Structure of the Tribal System in Wales.

In ascribing to the structure of Athenian Society a direct parentage amongst tribal institutions, I am dealing with a subject which I feel to be open to considerable criticism. And I am anxious that the matters considered in this essay should be judged on their own merits, even though, in pursuing the method adopted herein, I may have quite inadequately laid the case before the reader.

My thanks are due, for their ready help, to Professor W. Ridgeway, Mr. James W. Headlam, and Mr. Henry Lee Warner, by means of whose kind suggestions the following pages have been weeded of several of their faults.

It is impossible to say how much I have consciously or unconsciously absorbed from the works

of the late M. Fustel de Coulanges. His *La Cité Antique* and his *Nouvelles Recherches sur quelques Problèmes d'Histoire* (1891) are stores of suggestive material for the student of Greek and Roman customs. They are rendered all the more instructive by the charm of his style and method. I have merely dipped a bucket into his well.

In quoting from Homer, I have made free use of the translations of Messrs. Lang, Leaf, and Myers of the *Iliad*, and of Messrs. Butcher and Lang of the *Odyssey*; and I wish to make full acknowledgment here of the debt that I owe to them.

Some explanation seems to be needful of the method pursued in this essay with regard to the comparison of Greek customs with those of other countries. The selection for comparison has been entirely arbitrary.

Wales has been chosen to bear the brunt of illustration, partly, as I have said, because of my father's work on the Welsh Tribal System, partly because the *Ancient Laws of Wales* afford a peculiarly vivid glimpse into the inner organisation of a tribal people, such as cannot be obtained elsewhere.

The *Ordinances of Manu*, on the other hand, are constantly quoted by writers on Greek institutions; and, I suppose, in spite of the uncertainty of their date, they can be taken as affording a very fair account of the customs of a highly developed Eastern people. It would be hard, moreover, to

say where the connection of the Greeks with the East began or ended.

The use made of the *Old Testament* in these notes hardly needs further remark. Of no people, in their true tribal condition before their settlement, have we a more graphic account than of the Israelites. Their proximity geographically to the Phœnicians, and the accounts of the widespread fame of Solomon and the range of his commerce, at once suggest comparison with the parallel and contemporaneous period of Achaian history, immediately preceding the Dorian invasion, when, if we may trust the accounts of Homer, the intercourse between the shores of the Mediterranean must have been considerable.

All reference to records of Roman customs has been omitted, not because they are not related or analogous to the Greek, but because they could not reasonably be brought within the scope of this essay. The ancestor-worship among the Romans was so complete, and the organisation of their kindreds so highly developed, that they deserve treatment on their own basis, and are sufficient to form the subject of a separate volume.

H. E. S.

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## CHAPTER I.

### *INTRODUCTORY.*

IN trying to ascertain the course of social development among the Greeks, the inquirer is met by an initial difficulty. The Greeks were not one great people like the Israelites, migrating into and settling in a new country, flowing with milk and honey. Their movements were erratic and various, and took place at very different times. Several partial migrations are described in Homer, and others are referred to as having taken place only a few generations back. The continuation of unsettled life must have had the effect of giving cohesion to the individual sections into which the Greeks were divided, in proportion as the process of settlement was protracted and difficult.

But in spite of divergencies caused by natural surroundings, by the hostility or subservience of previous occupants of the soil, there are some features of the tribal system, wherever it is examined, so inherent in its structure as to seem almost indelible. A new civilisation was not formed to fit into the angles of city walls. Even modification could take place

CHAP. I.  
Vitality of  
the tribal  
system.

CHAP. I. only of those customs whose roots did not strike too deeply into the essence of the composition of tribal society.

Its survivals form the subject of this inquiry. It is the object of these notes to try to put back in their true setting some of the conditions prevailing, sometimes incongruously with city life, among the Greeks in historical times, and by comparison with analogous survivals in known tribal communities, of whose condition we have fuller records, to establish their real historical continuity from an earlier stage of habit and belief.

The centres of political and tribal society. There were three important public places necessary to every Greek community and symbolical to the Greek mind of the very foundations of their institutions. These were :—the *Agora* or place of assembly, the place of justice, and the place of religious sacrifice. From these three sacred precincts the man who stirred up civil strife, who was at war with his own people, cut himself off. Such an one is described in Homer as being, by his very act, ‘clanless’ (*ἀφρήτωρ*), ‘outlaw’ (*ἀθέμιστος*), and ‘hearthless’ (*ἀνέστιος*).<sup>1</sup> In the camp of the Greeks before Troy the ships and huts of his followers were congregated by the hut of their chief or leader. Each sacrificed or poured libation to his favourite or familiar god at his own hut door.<sup>2</sup> But in front of Odysseus’ ships, which, we are told, were drawn up at the very centre of the camp, stood the great altar of Zeus Panomphaios—lord of *all* oracles—‘exceeding fair.’<sup>3</sup> ‘Here,’ says the poet, ‘were *Agora*, *Themis*, and the altars of the gods.’

<sup>1</sup> *Il.* ix. 63.

<sup>2</sup> *Il.* ii. 400.

<sup>3</sup> *Il.* xi. 807.

CHAP. I. The Trojans held *agora* at Priam’s doors,<sup>1</sup> and it is noticeable that the space in front of the chief’s hut or palace was generally considered available for such purposes as assembly, games, and so forth, just as it was with the ancient Irish.

The Prytaneum and Hestia. In the centre of most towns of Greece<sup>2</sup> stood the Prytaneum or magistrates’ hall, and in the Prytaneum was the sacred hearth to which attached such reverence that in the most solemn oaths the name of Hestia was invoked even before that of Zeus.<sup>3</sup> Thucydides states that each *κώμη* or village of Attica had its hearth or Prytaneum of its own, but looked up to the Hestia and Prytaneum in the city of Athens as the great centre of their larger polity. In just the same way the lesser kindreds of a tribe would have their sacred hearths and rites, but would look to the hearth and person of their chief as symbolical of their tribal unity. Thucydides also mentions how great a wrench it seemed to the Athenians to be compelled to leave their ‘sacred’ homes, to take refuge within the walls of Athens from the impending invasion by the Spartans.<sup>4</sup>

The word *Prytanis* means ‘chieftain.’ It is probable that, as the duties sacred and magisterial of the chief became disseminated among the other officers of later civilisation, the chief’s dwelling, called the

<sup>1</sup> *Il.* ii. 788.

<sup>2</sup> *Journal of Philology*, xiv. 145 (1885), Mr. Frazer on Prytaneum.

<sup>3</sup> Cauer, *Delect. Inscr. Graec.* § 121. (Crete, c. 200 B.C.) ‘I swear by Hestia in the Prytaneum (*τὰν ἐμ πρυτανείῳ*), by Zeus of the Agora, Zeus Tallaios, Apellon Delphinios, Athanaia Poliouchos,

Apellon Poitios, and Lato, and Artemis, and Ares, and Aphordite, and Hermes, and Halios . . . and all gods and goddesses.’ Cf. also § 116, and *Od.* xiv. 158.

Plato, in *Laws* § 848, says Hestia, Zeus and Athena shall have temples everywhere.

<sup>4</sup> *Thuc.* ii. 16.

CHAP. I. Prytaneum, acquiring vitality from the indelible superstition attaching to the hearth within its precincts, maintained thereby its political importance, when nothing but certain religious functions remained to its lord and master in the office of Archon Basileus.

Their origin.

Mr. Frazer, in his article in the *Journal of Philology*<sup>1</sup> upon the resemblance of the Prytaneum in Greece to the Temple of Vesta in Rome, shows that both had a direct connection with, if not an absolute origin in the domestic hearth of the chieftain. The Lares and Penates worshipped in the Temple of Vesta, he says, were originally the Lares and Penates of the king, and were worshipped at his hearth, the only difference between the hearth in the temple and the hearth in the king's house being the absence of the royal householder.<sup>2</sup>

Mr. Frazer also maintains that the reverence for the hearth and the concentration of such reverence on the hearth of the chieftain was the result of the difficulty of kindling a fire from rubbing sticks together, and of the responsibility thus devolving upon the chieftain unfailingly to provide fire for his people. Whether this was the origin or not, before the times that come within the scope of this inquiry, the hearth had acquired a real sanctity which had become involved in the larger idea of it as the centre of a kindred, including on occasion the mysterious presence also of long dead ancestors.

Qualification for share in

The basis of tribal coherence was community of blood, actual or supposed; the visible evidence of the

<sup>1</sup> *Journal of Philol.* xiv. 145. | <sup>2</sup> *Op. cit.* p. 153.

possession of tribal blood was the undisputed participation, *as one of a kindred*, in the common religious ceremonies, from which the blood-polluted and the stranger-in-blood were so strictly shut out.<sup>1</sup> It is therefore in the incidence of religious duties, and in the qualifications of the participants, that it is reasonable to seek survivals of true tribal sentiment.

CHAP. I.  
religious rites one of blood.

Although the religious life of the Greeks was always complex, there is not to be found in Homer the broad distinction drawn afterwards between public and private gods. It is noticeable that the later Greeks sought to draw into their homes the beneficent influence of one or other of the greater gods, whose protection and guidance were claimed in times of need by all members of the household. Secondary influences, though none the less strongly felt, were those of the past heroes of the house, sometimes only just dead, to be propitiated at the family tombs or hearth. Anxiety on this head, and the deeply-rooted belief in the real need to the dead of attentions from the living, were, it will be seen, most powerful factors in the development of Greek society.

The worship of ancestors or household gods as such is not evident in the visible religious exercises of the Homeric poems. But this can hardly be a matter of surprise. The Greek chieftains mentioned in the poems are so nearly descended from the gods themselves, are in such immediate relation each with his guardian deity, and are so indefatigable in their attentions thereto, that it would surely be

Ancestor-worship not obvious in Homer.

<sup>1</sup> Exception, however, was the stranger as a favoured guest, sometimes made in the case of *v. infra*, p. 99.



CHAP. I. extremely irrelevant if any of the libations or hecatombs were perverted to any intermediate, however heroic, ancestor from the all-powerful and ever ready divinity who was so often also himself the boasted founder of the family.<sup>1</sup>

Offerings  
of food to  
the gods,

The libations and hecatombs themselves, however, seem to serve much the same purpose as the offerings to the *manes* or household gods, and relieved the luxurious craving for sustenance in the immortals, left unsatisfied by their ethereal diet of nectar and ambrosia.<sup>2</sup>

and to the  
dead.

Yet it is strange that if libations and sacrifices were paid to the dead *periodically* at their tombs, no mention of the occurrence is to be found in Homer. That the dead were believed to appreciate such attentions may be gathered from the directions given by Circe to Odysseus.

‘Then pour a drink-offering to all the dead, first with mead (*μελικρήνη*), and thereafter with sweet wine, and for the third time with water, and sprinkle white meal thereon . . . and promise thou wilt offer *in thy halls*<sup>3</sup> a barren heifer, the best thou hast, and fill the pyre with treasure, and wilt sacrifice apart to Teiresias alone a black sheep without spot, the fairest of your flock.’

The con-  
tinuance  
of his name  
quite as  
important  
as offerings  
of food.

This done, the ghosts flock up to drink of the blood of the victim. But the ghost of Elpenor, who met his death at the house of Circe by falling from the roof in his drunken haste to join his already departed

<sup>1</sup> Plato (*Laws* 948) remarks that at the time of Rhadamanthos the belief in the existence of the gods was a reasonable one, seeing that at that time most men were sons of gods.

<sup>2</sup> *Il.* xxiii. 206. It is clear from *Il.* i. 466 *et seq.* that the

sacrifice was held to be a feast at which the choice portions were devoured by the god by means of the fire on his altar. *Cf.* p. 139, note.

<sup>3</sup> It was not therefore only at the mouth of Hades that the dead could benefit by such offerings.

comrades, and who had therefore received no burial CHAP. I. at their hands, demands no libations or sacrifices for the refreshment of his thirsty soul, but merely burial with tears and a barrow upon the shore of the gray sea, that his name may be remembered by men to come.

Nestor's son elsewhere is made to remark that one must not grudge the dead their meed of tears; for the times are so out of joint, ‘this is now the only due we pay to miserable men, to cut the hair and let the tear fall from the cheek.’<sup>1</sup>

Is the right conclusion then that the Homeric Greeks did not sacrifice at the tombs of their fathers, and that the so-called ancestor-worship prevalent later was introduced or revived under their successors? Or is it that the aristocratic tone of the poet did not permit him to bear witness to the intercourse with any deity besides the one great family of Olympian gods, less venerable than a river or other personification of nature?<sup>2</sup>

There exists such close family relationship amongst Homer's gods, extended as it is also to most of his chieftains, that taking into account the conspicuous

<sup>1</sup> *Od.* iv. 197. *Cf.* *Il.* xvi. 455.

ἔνθα ἔπαρχουσσι κασίγνητοὶ τε  
ἔται τε  
τύμβῳ τε στήλῃ τε · τὸ γὰρ γέρας  
ἔστι θανόντων.

<sup>2</sup> The speculative state of mind displayed in the *Iliad* may be illustrated from the effect on Achilles of the apparition of Patroklos after death in a dream. As he wakes suddenly the convic-

tion comes upon him:—‘Ay me, there remaineth then even in the house of Hades a spirit and phantom of the dead, albeit the life be not anywise therein: for all night long hath the spirit of hapless Patroklos stood over me, wailing and making moan, and charged me everything that I should do, and wondrous like his living self it seemed.’ *Il.* xxiii. 113 &c.

CHAP. I. reverence displayed towards the hearth and the respect for seniority in age, it may perhaps be justifiable to suppose that domestic religious observances, other than those directed to the Olympic gods, were thought by the poet to be as much beneath his notice as the swarms of common tribesmen who shrink and shudder in the background of the poems.

Offerings to the dead in the Old Testament.

Ancestor-worship would be as much out of place in the Old Testament; and yet there are references in the Bible to offerings to the dead which, unless they are held to refer only to importations from outside religions and not to relapses in the Israelites themselves to former superstitions of their own people, imply that the great tribal religion of the Israelites had superseded pre-existing ceremonies of ancestor-worship.

Deut. xxvi. 13. 'And thou shalt say before the Lord thy God, I have brought away the hallowed things out of mine house, and also have given them unto the Levite and the stranger, to the fatherless and to the widow, according to all thy commandments which thou hast commanded me: I have not transgressed thy commandments, neither have I forgotten them: I have not eaten thereof in my mourning, neither have I taken away ought thereof for any unclean use, nor given ought thereof for the dead.'

The transgressions of the Israelites in the wilderness are described in the Psalms:—'They joined themselves also unto Baalpeor and ate the sacrifices of the dead.'<sup>1</sup>

It was not necessary for an ancestor to become a god to be worthy of worship, or to need the attentions of the living. If he was thought to haunt tomb or hearth, and to keep his connection thus with his family in the upper world, he required nourishment on his visits. He was also considered

to keep a jealous watch on the continuance of his fair fame among the living. CHAP. I.

A close resemblance in this point lies between the Homeric poems and the Old Testament. Though actual food and drink is not provided for the dead, yet the stress laid on the permanence of the family, lest the name of the dead be cut off from his place, is quite in keeping with the request of Elpenor to Odysseus to insure the continuance of his name in the memory of living men. Resemblance between Homer and the Old Testament.

It is quite possible that, as the story of the interview of Odysseus with the dead reveals that the idea of the dead enjoying sacrifices of food and drink was familiar at that time, even though the periodical supply of such is not mentioned, so the existence of Laban's household gods and the gathering of the kindred of Jesse to their family ceremony<sup>1</sup> may bear witness to the presence of a survival of ancestor-worship in some equivalent form, underlying the all-absorbing religion of the Israelites. At this day the spirits of Abraham, Isaac, and Jacob are considered by the Mohammedans of Hebron actually to inhabit the cave of Machpelah, and, in the case of Isaac at any rate, to be extremely angered by any negligence shown to their altars, either by omission of the customary ceremonies or by admission within the sacred precinct of any stranger of alien faith.

It must not therefore be inferred altogether that the regular ancestor-worship so-called was of later origin amongst the Greeks, but rather that the constitution of society did not afford it the same

<sup>1</sup> Ps. cvi. 28. v. Maine's *Early Law and Custom*, p. 59.

<sup>1</sup> 1 Sam. xx. 6. Θυσία τῶν ἡμερῶν ἐκεῖ ὅλη τῆ φυλῆ.

CHAP. I. prominence to the mind of Homer and perhaps his contemporaries, as it acquired later.

ANCESTOR-  
WORSHIP IN  
INDIA AND  
ROME. M. Fustel de Coulanges, in *La Cité Antique*, has so well established the prevalence of ancestor-worship among the Greeks, drawing illustration both from Indian and Roman sources, that no further instances of its existence are needed here.

The ceremonies however and offerings at the tombs of their fathers did not supersede, amongst the Athenians at any rate, their worship of the Olympic gods. The Olympic gods themselves moreover were clearly connected with their family life. The protection of Zeus was specially claimed under the title of *γενέθλιος* or even *σύναιμος*;<sup>1</sup> and as *έρκειός* he received worship upon the altar that stood in the court-yard of nearly every house in Attica.<sup>2</sup> The permanent place of these gods in the homes of the people is further denoted by the use of such epithets as *έγγενείς*<sup>3</sup> and *πατρῶοι*.<sup>4</sup>

THE NEED  
OF FOOD FOR  
THE DEAD; The tombs, on the other hand, were not approached with the purpose of invoking powerful aid, but rather with the intent of soothing a troubled spirit with care and attention, and of providing it with such nourishing refreshment as could not be procured in the regions of the starving dead.

'I come, bringing to my son's sire propitiating libations, such as are soothing to the dead, from hallowed cow white milk, sweet to drink; the flower distiller's dew—clear honey; the virgin spring's refreshing draught; and undefiled from its wild mother, the liquid gladness of the time-honoured vine; also from the ever-

<sup>1</sup> Soph. *Antig.* 659.

<sup>2</sup> Coulanges, *Cité Antique*, p. 65.

<sup>3</sup> Soph. *Antig.* 199.

<sup>4</sup> Soph. *Phil.* 933. Soph. *Elekt.* 411.

leafy growth of the pale green olive fragrant fruit is here, and twined flowers, children of the teeming earth.'<sup>1</sup> CHAP. I.

The same idea of nourishment of the dead, though shared with the other gods, determines the offerings in the Egyptian *Book of the Dead*.<sup>2</sup> the same in Egypt.

'I live upon loaves, white wheat, beer, red wheat . . . Place me with vases of milk and wine, with cakes and loaves, and plenty of meat in the dwelling of Anubis.'<sup>3</sup>

'Grant to me the funereal food, the drinks, the oxen, the geese, the fabrics, the incense, the oil, and all the good and pure things upon which the gods live.'<sup>4</sup>

There is one passage that almost implies that the dead retained in idea a claim upon the produce of the land which nourished them whilst alive, or that they had a special allotment even in the other world:—

'I sit down among the very great gods of Nut. A field extends for me; the products of the ground are for me. I eat them; I am favoured with them; I live in plenty by them . . . I am given corn and wheat for my mouth.'<sup>5</sup>

Chapter cxliv. of the *Book of the Dead* is to be said,

'at the gate of every room while offering to each of them thighs and heads of red cows, the value of seven vases; while offering blood extracted from the heart, the value of a hundred vases; sixteen loaves of white bread, eight round cakes, eight oval cakes, eight broad thin cakes, eight measures of beer, and eight of wheat, a perfumed oil-basin full of milk from a white cow, green grass, green figs, mestem and beads of incense to be burnt.'

<sup>1</sup> Aesch. *Pers.* 609–618. The speaker in this case is a Persian and a woman; but many passages might be quoted from the Greek poets. Cf. Lucian, *De Luctu*, 9. Τρέφονται δὲ ἄρα ταῖς παρ' ἡμῶν χοαῖς καὶ τοῖς καθαγιζομένοις ἐπὶ τῶν τάφων· ὡς εἶ τῳ μὴ εἶη

καταλειμμένος ὑπὲρ γῆς φίλος ἢ συγγενής, ἄσιτος οὗτος νεκρὸς καὶ λιμῶντων ἐν αὐτοῖς πολιτεύεται.

<sup>2</sup> Edited by C. H. S. Davis (Putnam, 1894).

<sup>3</sup> *Id.* chap. liii.

<sup>4</sup> *Id.* chap. lxxii.

<sup>5</sup> *Id.* chap. lxxvii.

## Chapter cxlviii. ordains that there

'shall be placed offerings before them of loaves, beer, meat, incense, funereal dishes, bringing into favour with Râ and making that the *deceased is fed in the netherworld.*'

and in  
India.

In the next chapters frequent reference will be made to the offerings to ancestors, or *manes*, among the ancient Hindoos. With them the cake-offering to the dead became a most important symbol, uniting in a common duty all descendants from certain ancestors within fixed degrees, and marking them off in the matter of responsibility thereto from more distant relations, who owed similar duty elsewhere.

Ancestor-  
worship  
not  
necessarily  
post-  
Homeric.

Being thus surrounded by nations that believed intensely in the need in the dead of nourishment at the hands of their relatives on earth, it would indeed be surprising if the Greeks were found not to share in the belief. But the fact remains that in the earliest Greek literature it is least conspicuous, and the gulf seems widest between the living and the dead. Can this be laid to the charge of the artificial superstitions of a philosophical class of poets? Or is it due to the true evolution of such beliefs, that as long as our search touches upon the unsettled periods of semi-migratory life, the tombs of individual members of a family being scattered here or there wherever they meet their deaths, the offering to the dead takes a special form, inasmuch as the solidarity of the tribe eclipses the importance of the family as a unit, and the religious ceremonies of the chieftain absorb the attention of the lesser members of the tribe?

M. de Coulanges points out that the meaning of the Latin word *Lar* is lord, prince or master, and

that *Hestia* was sometimes designated by the Greeks with the similar title of mistress of the house, or princess.<sup>1</sup>

If, as long as the tribe was felt to be a real unit, the religious instincts of the tribesmen were concentrated upon the worship of their tribal deities—the great ancestors of the tribe, and more emphatically and directly the ancestors of their chieftain—it would be quite natural, in the weakening of the central worship, for the titles of honour and respect to be used equally towards those meaner ancestors who henceforth occupied the religious energies of the head of each family or household. In fulfilment of a similar sentiment, the later Greeks commonly used the word *ἦρος* in speaking of a dead friend, deeming that any one who departed this life passed to the ranks of those princes of the community from whom all were proud to trace descent.

M. de Coulanges considers that the sacred rites of the family at the hearth formed a more real tie than the belief in a common blood; and that upon this religious basis was built up the greater hearth of the Prytaneum as the centre of city life, to bind together the several families composing the community. But without pretending to come to a final decision on this the main tendency of social development, surely something may yet be said in favour of the contrary theory; that the reverence that centred in the hearth was in effect the expression of the sanctity of the tie of blood, as felt by all members of the house, and that this feeling drew its real importance for the com-

<sup>1</sup> *Cité Antique*, p. 93, *ἑστία δέσπονα*.

CHAP. I. munity, not from the founding of the city by the amalgamation of several families, but as a survival from an earlier stage of life, when society circled round what was then in more than name the Prytaneum of the tribal chieftain.

Facts are wanting to justify a conclusion as to which of these theories bears the closest resemblance to the truth, but it is easy to imagine what might be the line of development if the latter hypothesis be maintained.

Possible course of social development. During the wanderings and migrations of peoples in the search for greener pastures or broader lands, each community or tribe would be constantly under arms and subject to attack from the enemies they were passing through or subjugating. This constant sojourning in a strange land, surrounded by foes, would be a source of much solidarity to the tribe itself, drawing its members closely together for mutual defence and subsistence.

But when once the tribe had found a country to its taste, and had made a settlement with borders comparatively permanently established, emphasis would be transferred to the petty quarrels and internal dissensions arising between different sections within the community itself. The tie of common blood, uniting all members of the tribe, would be gradually disregarded and displaced by the less homely and more political relation of fellow-citizenship, which, though retaining many of the characteristics of the tribal bond, would necessarily be felt in a very different manner.

In this disintegration of the larger unit, the existence of kinship by blood would be acknowledged

only where the relationship was obvious and well known. And it would no longer be sufficient merely to prove membership of a kindred; as those outside certain limits would claim exemption from the responsibilities entailed by closer relationship.

So, too, in the matter of religious observance: the reverence of the individual for the Prytaneum and common hearth of the state would undergo a change into a less personal sentiment; the rites connected therewith would be delegated to an official priest; and it is with the head of each family, surrounded by those who are really conscious of their connection by blood in common descent from much more immediate ancestors, that the true tribal feeling would longest survive, though, of course, on much narrower lines.

The privileges of citizenship were, it will be seen, as carefully guarded as those of the tribe, but in a more perfunctory and arbitrary manner; whilst the intimate connection of the members of the family with the hearth and the graves of their ancestors stands out in strong relief.

By the time of Hesiod, besides the violation of the universal sanctity of a guest or suppliant, the chief sins are against members of the same household, defrauding orphans, or insulting an aged parent.<sup>1</sup> Behaviour to other than blood-relations is regulated by expediency, by what you may expect in return from your neighbours.<sup>2</sup>

Whether the family is to be regarded as the chief factor in the composition of the city, or how much of

<sup>1</sup> *Wks. & Days*, 327-332.

| <sup>2</sup> *Id.* 353-5.

CHAP. I. its composition the city owes to direct inheritance from the tribal system, must, as has been said, be left unsolved. Some small light may perhaps be shed upon the problem as this inquiry proceeds.

The study of the family introductory to the history of the tribe. At any rate, if the true basis of the organisation of the family and the kindred, as found in historic times in Greece, could once be established, material assistance ought to have been gained for rightly understanding the structure of that earlier society, whatever it was, from which the rules, that govern those within the bond of kinship, were survivals.

## CHAPTER II.

### THE MEANING OF THE BOND OF KINSHIP.

παῖδες γὰρ ἀνδρὶ κληδόνες σωτήριον  
θανόντι· φέλλοι δ' ὡς ἄγουσι δίκτυον,  
τὸν ἐκ βυθοῦ κλωστήρα σώζοντες λίνου.  
*Aeschylus.*

#### § 1. THE DUTY OF MAINTENANCE OF PARENTS DURING LIFE, AND AFTER DEATH AT THEIR TOMB.

As the hearth was the centre of the sanctity and reverence of the family, so the word *οἶκος* was the customary term to signify the smaller group of the composite *γένος*, consisting of a man and his immediate descendants. In the first place, the individual was absolutely committed to sacrifice all his personal feelings for the sake of the continuity of his *οἶκος*, and this was his supreme duty. But whereas several *οἴκοι* traced their descent from a common ancestor, a group of gradually diverging lines of descent were formed, sharing mutually the responsibility of the maintenance of continuity, and the privilege of inheritance and protection.

Before examining how far these parallel lines remained within the reach of claims of kinship, or how soon the reverence for the more immediate pre-

CHAP. II. decessors absorbed the memory of the more remote ancestor, it will be well to have a clear understanding of what the claims of kindred were, and how they affected the member of the *οἶκος*, in respect of his duties thereto.

Plato<sup>1</sup> declares that honour should be given to :—  
began with his living parents ;

1. Olympian Gods.
2. Gods of the State.
3. Gods below.
4. Demons and Spirits.
5. Heroes.
6. Ancestral Gods.
7. *Living Parents*, 'to whom we have to pay the greatest and oldest of all debts: in property, in person, in soul; paying the debts due to them for the care and travail which they bestowed on us of old in the days of our infancy, and which we are now to pay back to them when they are old and in the extremity of their need.'

The candidates for the archonship were asked, among other things, whether they treated their parents properly.<sup>2</sup> It was only in case of some indelible stain, such as wife-murder, that the debt of maintenance of the parent was cancelled.<sup>3</sup> Yet even when the father had lost his right of maintenance by crime or foul treatment, the son was still bound to bury him when he died and to perform all the customary rites at his tomb.<sup>4</sup>  
and extended to their tomb.

<sup>1</sup> *Laws* § 717, Trans. Jowett, cf. 729 c and 931 A.

<sup>2</sup> Arist., *Ath. Pol.* lv. 3. Isaeus, viii. 32. 'The law commands us to maintain (*τρέφειν*) our parents even if they have nothing to leave us.' Cf. Ruth iv. 15 *διαθρέψαι τὴν πολιάν σου*. *Iliad* iv. 477 and xvii. 302.

. . . οὐδὲ τοκεῦσιν  
θρέπτρα φίλοις ἀπέδωκε . . .  
Hesiod, *Works and Days*, 118  
οὐδέ κεν οἴγε  
γηράντεσσι τοκεῦσιν ἀπὸ θρεπτήρια  
δοῖεν  
χειροδίκα.

<sup>3</sup> Plato, *Laws*, 877 C.

<sup>4</sup> Aeschin. c. *Timarch.* § 13.

'Is it not,' says Isaeus, 'a most unholy thing, if a man, without having done any of the customary rites due to the dead, yet expects to take the inheritance of the dead man's property?'<sup>1</sup> CHAP. II.

The duty of maintenance of the parent thus extended even beyond the tomb, and this retrospective attitude of the individual gives us the clue to his position of responsibility also with regard to posterity. Continuity of the family ;

The strongest representation possible of this attitude is given in the *Ordinances of Manu*, where it is stated that a man 'goes to hell' who has no son to offer at his death the funeral cake.

'No world of heaven exists for one not possessed of a son.' The debt, owed by the living member of a family to his *manes*, was to provide a successor to perform the rites necessary to them after his own death. in the *Ordinances of Manu* ;

'By means of the eldest son, as soon as he is born, a man becomes possessed of a son and is thus cleared of his debt to the *manes*.'

'A husband is born again on earth in his son.'

'If among many brothers born of one father, one should have a son, Manu said all those brothers would be possessed of sons by means of that son.'

*i.e.* one representative was sufficient as regards the duties to the *manes* in the house of the grandfather.

'Thro' a son one conquers worlds, thro' a son's son one attains endlessness, and through the son's son of a son one attains the world of the Sun.'

'The sort of reward one gets on crossing the water by means of bad boats is the sort of reward one gets on crossing the darkness (to the next world) by means of bad sons.'<sup>2</sup>

<sup>1</sup> Isaeus, iv. 19 (*Nicostrat.*).

<sup>2</sup> *Ordinances of Manu*, translated by A. C. Burnell, edited by

E. W. Hopkins. London: 1884.  
Bk. ix. 106, 8, 132, 137, 161.

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and ac-  
cording to  
Plato.

Plato expresses the same feeling in the *Laws*:<sup>1</sup>

‘After a sort the human race naturally partakes of immortality, of which all men have the greatest desire implanted in them; for the desire of every man that he may become famous, and not lie in the grave without a name, is only the love of continuance . . . In this way they are immortal leaving [children’s] children behind them, with whom they are one in the unity of generation. And for a man voluntarily to deprive himself of this gift of immortality, as he deliberately does who will not have a wife and children, is impiety.’

The functions and duties of the individual towards his family and relations thus find their explanation in his position as link, between the past and the future, in the transmission to eternity of his family blood.

His duties to his ancestors began with the death of his father. He had at Athens to carry out the corpse, provide for the cremation, gather the remains of the burnt bones, with the assistance of the rest of the kindred,<sup>2</sup> and show respect to the dead by the usual form of shaving the head, wearing mourning clothes, and so on. Nine days after the funeral he must perform certain sacrifices and periodically after that visit the tombs and altars of his family in the family burying-place.<sup>3</sup> If he had occasion to perform military service, he must serve in the tribe and the deme of his parent (*στρατεύειν ἐν τῇ φυλῇ καὶ ἐν τῷ δήμῳ*).<sup>4</sup> Before he can enter into his inheritance he must fulfil all the ordinances incumbent on one in his position, and in the Gortyn Laws it is

<sup>1</sup> *Laws*, 721 B, Trans. Jowett, cf. 923 A.

<sup>2</sup> Dem. c. *Leoch.* 1090, and *Il.* xxiii. 163, xvi. 455, xxiv. 793.

<sup>3</sup> Dem. c. *Macart.* 1077.

<sup>4</sup> Isæus, ii. 36 and 42.

stated that an adopted heir cannot partake of the property of his adoptive father unless he undertakes the sacred duties of the house of the deceased.<sup>1</sup> Thus the right of ownership of the family estate rested always with the possession of the blood of the former owners; and such a representative demonstrated his right by stepping into his predecessor’s shoes and by taking upon himself all responsibility for the fulfilment of the rites, thereafter to be performed to him also when he shall have been gathered to the majority of his family.

#### § 2. THE DUTY OF PROVIDING MALE SUCCESSION.

BUT however piously and carefully he performed his many duties to his ancestors, his work was only transitory and incomplete, unless he provided a successor to continue them after him into further generations.

The procreation of children was held to be of such importance at Sparta<sup>2</sup> that if a wife had no children, with the full knowledge of her husband she admitted some other citizen to her, and children born from such a union were reckoned as born to the continuation of her husband’s family, without breach of the former relations of husband and wife.<sup>3</sup> This is the exact custom stated in the *Ordinances of Manu*

<sup>1</sup> Arist. *Pol.* 1, 2, 4, ‘Ἡ κτήσις μέρος τῆς οἰκίας ἐστί.’

<sup>2</sup> Plut. *Lycurg. and Numa* 4. Xen. *Rep. Lac.* i. 7 to 9.

<sup>3</sup> From Xen. *Rep. Lac.* i. 9,

it would seem that such children, born into a family where there were already children of both father and mother, had no share in the family property.

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CHAP. II. (ix. 59), where it is laid down that a wife can be 'commissioned' by her husband to bear him a son, but she must only take a kinsman within certain degrees, whose connection with her ceases on the birth of one son.<sup>1</sup> Otherwise it was a man's duty to divorce a barren wife and take another. But he must divorce the first, and could not have two hearths or two wives.<sup>2</sup>

A curious instance of how this sentiment worked in practice in directly the opposite direction to our modern ideas, is mentioned in Herodotus. Leaders of forlorn hopes nowadays would be inclined to pick out as comrades the unmarried men, as having least to sacrifice and fewest duties to forego. Whereas Leonidas, in choosing the 300 men to make their famous and fatal stand at Thermopylae, is stated to have selected all *fathers with sons living*.<sup>3</sup>

Hector is made to use this idea in somewhat similar manner. He encourages his soldiers with :—

'If a man fall fighting for his fatherland, it is no dishonourable thing : and his wife and his children left behind, and his *οἶκος* and *κλῆρος* are unharmed, if the Achaians go but back to their own country.'<sup>4</sup>

If the enemy are driven out, though he be killed himself, yet if he leave children behind, his household and their property will remain unharmed.

All about to die, says Isaeus, take thought not to leave their *οἶκος* desolate (*ἔρημος*),<sup>5</sup> but that there shall be some one to carry the name of their house

<sup>1</sup> This was the practice also in Arabia (Rob. Smith, *Kinship &c.*, p. 110).

<sup>2</sup> Herod. v. 40.

<sup>3</sup> Herod. vii. 205. Quoted by Hearn, *Aryan Household*, p. 71.

<sup>4</sup> *Iliad* xv. 497.

<sup>5</sup> Is. vii. 30.

down to posterity, who shall perform all the customary rites at the tomb due to them also when they shall have joined the ranks of ancestors.<sup>1</sup>

Where children were reckoned of the tribe of their father and not of their mother, and where a woman was incapable of performing sacred rites, a male heir was necessary for the direct transmission of blood and property. Sons entered upon their inheritance immediately on the death of their father, nor had he the power to dispossess them in favour of others, whilst brothers, cousins, legatees, had always to prove their title and procure judgment from the court in their favour.<sup>2</sup>

Failing sons however, the next descent lay through a daughter. Nor were her qualifications in herself complete or sufficient in theory to form the necessary link in the chain of succession. The next of kin male had to marry her with the property of which she was *ἐπίκληρος*;<sup>3</sup> but neither she nor he really possessed the property, and the sons born from the marriage succeeded thereto directly on attaining a certain age. The next of kin had in the meantime of course to represent his wife's father in all the religious observances, and was said to have power to live with the woman (*κύριος συνοικῆσαι τῇ γυναικί*), but not to dispose of the property (*κύριος τῶν χρημάτων*);<sup>4</sup> the sons becoming *κύριοι τῶν χρημάτων* at sixteen years old, and owing thence only maintenance (*τρέφειν*) to their mother from

<sup>1</sup> Is. ii. 36.

<sup>2</sup> Is. iii. 59 and 60, vi. 28.

<sup>3</sup> For want of a better translation implying 'going with the

property' this word will be rendered by 'heiress.'

<sup>4</sup> Is. viii. 31. Cf. *συνοικεῖν* in Dem. in *Neaeram* 1386.









































































































































