

## PLATO AND ARISTOTLE ON THE EXPOSURE OF INFANTS AT ATHENS \*

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In a fragment from his *Zoika* (fr. 283, Rose) Aristotle opposes the view that children born prematurely after eight months, never remain alive. That such infants do live, he argues *inter alia*, "appears especially in Egypt, due to the fact that the Egyptians rear all their children that are born". Also Strabo (p. 824) mentions it as something noteworthy that the Egyptians rear all their children. From these casual remarks — and it is their very casual nature which increases their importance — it appears to follow by implication that the Greeks were *not* accustomed to rear all their children<sup>1</sup>; or, to put it more positively, that it was a quite common idea for a Greek, under certain circumstances, to dispose of his newborn infant, whether by putting it to death or by the less gruesome and not directly polluting way of exposure.

From the available evidence there is no doubt that after the fourth century B.C. the exposure of infants became increasingly frequent throughout the Greek world, and that in the course of time it was freely and arbitrarily practised by parents to get rid of *any* unwanted children after birth, even and especially from purely economic motives and in particular with regard to baby daughters. It had become a kind of delayed method of birth control. It was especially general poverty, economic depression, difficult and dangerous political conditions, wars, confiscations, increasing taxes and liturgies, which created a general sense of insecurity of life and goods and an attitude of excessive self-interest.<sup>2</sup> In a famous passage Polybius (36.17.7) ascribes the childlessness and lack of manpower throughout Greece, during the Macedonian wars in the second century B.C., to the people's spiritual decadence which he characterises as: *ἀλαζονεία καὶ φιλοχρημοσύνη ἔτι δὲ ῥαθυμία* — for this reason they refuse to rear more than one of the children born to them.<sup>3</sup>

\* The research from which this paper resulted was done in 1954 under supervision of Prof. W. den Boer at Leiden, for whose advice the author would like to record his indebtedness.

<sup>1</sup> Cf. also Diodorus I. 80. A. Cameron *Cl. Rev.* 46 (1932) p. 113, warns that "the writers subsequent to Aristotle who report the custom are drawing not on experience but on literary tradition, and the custom itself appears as a commonplace in the descriptions of foreign lands with a moral tendency" (cf. Dio Cass. LXXVI. 12 on the Picts, Theopompus in Athen. XII. 517d on the Etruscans, Tacitus *Germ.* 19 and *Hist.* V. 5 on the Jews). He does admit, however, that "these reports are in effect criticisms of Greek practice".

<sup>2</sup> Rostovtzeff *Social and Economic History of the Hellenistic World*, Oxford 1941, p. 623 ff.

<sup>3</sup> The important sources for this later period are: the Greek New Comedy and its Roman adaptations (this evidence should, however, be used with great circumspection); papyri from Egypt (discussed by Tolles *Untersuchungen zur Kindesaussetzung bei den Griechen*, diss. Breslau 1941, p. 64—74); a Delphic emancipation inscription (*B.C.H.* 1893, p. 383, no. 80); Theban and Ephesian legislation of uncertain date combating the evil of exposure (*Aelian Var. Hist.* II. 7, Plutarch in *Hesiodum* 28.1); demographic evidence analysed by W. W. Tarn *Hellenistic Civilization*, third edition revised by G. T. Griffith, London 1952, p. 100 ff.; pronouncements concerning the Roman period, in Plutarch *de amore prolis* V. 497e, the Stoic Hierocles in Stobaeus 75. 14 (at the be-

Until 1920 it was generally assumed, particularly on the authority of the extensive and richly documented article *Expositio* by Glotz in the *Dictionnaire des Antiquités*,<sup>4</sup> that the state of affairs sketched above obtained also in the classical period and was "surtout en vigueur" in Athens. Glotz and his followers,<sup>5</sup> however, generally committed two errors of method. First, they combined evidence from different periods and parts of the Greek world, as if this world, in studying a social problem in it, could be considered as a local and temporal unity. Second, they did not sufficiently distinguish those aspects of the exposure of infants which are manifested generally, also in other communities, and therefore cannot be considered as peculiar to the Greek world. For example, the exposure of illegitimate offspring can hardly be presented as an unusual phenomenon, for, particularly in societies where the father still has extensive power over his children, and where, as is after all the case in most societies, the birth of an illegitimate child is considered a disgrace, the exposure of such a child by its unmarried mother, through fear of her disgrace before her family and the community and of the wrath of her father, would occur at all times,<sup>6</sup> and cannot be treated as evidence of a special frequency of exposure.

In 1920 and 1922, however, there occurred on both sides of the Atlantic Ocean two remarkable reactions against the accepted view, almost simultaneously but yet quite independent of one another. Professor La Rue van Hook in 1920 published an article "The Exposure of Infants at Athens"<sup>7</sup> in which he re-examined the evidence and concluded that though "in the late Hellenistic period (the abandonment of infants) became... an actual menace and evil" (p. 144), nevertheless "there is no sound evidence which proves the prevalence of the exposure of new-born infants at Athens of the Classical Period... as a repellent evil of great proportions" (p. 145). The same conclusions were reached by Professor H. Bolkestein of Utrecht in 1922 in an article on 'Het te Vondeling leggen in Athene' in the Dutch *Tijdschrift voor Geschiedenis*.<sup>8</sup> He found that for historical times it can be proved only that a Greek father was entitled to reject and expose a new-born infant of his wife if he suspected that it was an illegitimate child or if the child was deformed. As for Athens in the fifth and fourth centuries, there is no proof that actual exposure of infants "gewoon

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ginning) and Musonius Rufus in his *εἰ πάντα τὰ γινόμενα τέκνα θροπέον* (in Stobaeus 75.15 and 84.21); the treatment of exposure in Longus's pastoral *Daphnis and Chloë* in the third century A.D.

<sup>4</sup> ed. Daremberg et Saglio, tome II, Paris 1892.

<sup>5</sup> For earlier literature, cf. Hermann-Blümner *Lehrbuch der griechische Privataltertümer*, 3. Aufl. 1882. After Glotz, cf. Mau s.v. 'Aussetzung' R.E. II. 2588 (1896); L. Beauchet *Histoire du Droit Privé de la République Athénienne*, 1897, vol. II p. 85; J. H. Lipsius *Das attische Recht und Rechtsverfahren*, Leipzig 1905-1915, p. 500; Wilamowitz *Staat und Gesellschaft der Griechen*, 1910, p. 35; Ph. E. Legrand *Daos*, 1910, p. 270 ff.; A. E. Zimmern *The Greek Commonwealth*, Oxford 1911, p. 324 ff.; John L. Myres in *The Eugenics Review* 1915, p. 199; J. J. B. Mulder *Quaestiones nonnullae ad Atheniensium matrimonia... pertinentes*, diss. Utrecht 1920, pp. 124 ff., 107, 130; E. Weiss s.v. 'Kinderaussetzung' in R.E. XI. 1. 463 ff. (1921).

<sup>6</sup> See esp. H. Bolkestein *Tijdschrift voor Geschiedenis* 37 (1922) p. 277-8.

<sup>7</sup> *T.A.P.A.* 51 (1920) p. 134-145.

<sup>8</sup> See note 6. His results were summarised in his article on the meaning of the word *ἐγχυρίστριαι* which is reported by scholiasts to have been the name of a class of women who discharged the function of exposing infants in pots or *χύτραι*, cf. *Clas. Phil.* 17 (1922) p. 222-239.

is gewest of als gewoon is beschouwd" (p. 292). In 1933 A. (W. Gomme analysed the evidence for the population statistics of Athens in the classical period, in Note C of his *Population of Athens in the Fifth and Fourth Centuries B.C.*, and concluded that "the effective birthrate" must have been high, which suggests that there is no reason to assume "that infanticide by exposure was at all common, was in any sense a regular practice".

Against this point of view, however, R. Tolles in a Breslau dissertation of 1940, *Untersuchung zur Kindesaussetzung bei den Griechen*, reacted back to the old opinion of Glotz.<sup>9</sup> In his chapter on Athens he found that the Athenian father possessed an *arbitrary* power of life and death over his new-born infants by virtue of a Solonian νόμος περί τῶν ἀρρίτων.<sup>10</sup> The only evidence for this law is afforded by two authors of the late second century A.D., namely the sceptic Sextus Empiricus<sup>11</sup> and the rhetor Hermogenes.<sup>12</sup> As for the actual practice, Tolles concludes (p. 48) that exposure of infants "auch im Athen des 5. und 4. Jahrhunderts üblich gewesen ist als ein Mittel, das zu starke Anwachsen einer Familie zu verhindern, als eine Massnahme, sich unerwünschter Kinder in qualitativer und quantitativer Hinsicht zu entledigen". Though Tolles's interpretation of the evidence for the *practice* of exposure will impress very few persons who are acquainted with La Rue van Hook's and Bolkestein's analyses, we shall have to consider Tolles's arguments on the νόμος περί τῶν ἀρρίτων in some detail below.

In this paper it is not intended to re-examine the whole field of evidence relevant to Athens of the classical period.<sup>13</sup> In general the results of La Rue van Hook, Bolkestein and Gomme are obviously more acceptable than those of Tolles.<sup>13a</sup> Apart from the question of the νόμος περί τῶν ἀρρίτων, it is

<sup>9</sup> Also A. Cameron in a paper on 'The Exposure of Children and Greek Ethics' *Cl. Rev.* 46 (1932) p. 105—114, found: "It seems legitimate to conclude from this evidence, though it is admittedly slight, that exposure was familiar even in Athens of the classical period" (p. 107). P. Roussel in a discussion of Plutarch's passage on exposure in Sparta (*Lyc.* 16), in *Rev. Et. Anc.* of 1943, still accepts Glotz's thesis that in most Greek cities of the classical period the father had full power to accept or reject his new-born infant.

<sup>10</sup> Op. cit. p. 38—43.

<sup>11</sup> *Hypot. Pyrrh.* III. 24 (211).

<sup>12</sup> *περί εὐθρασύως* I. 67 and II. 7.

<sup>13</sup> This evidence includes the following: the theme of exposure in Greek mythology; the treatment of exposure in fifth century Attic tragedy (esp. in the *Oedipus Rex* 717—9, 1025, 1037, and the *Ion* 44—5, 344—5, 954, 958); a few passages from Aristophanes with the scholia (*Vespae* 289, *Nubes* 530—2, *Thesm.* 505—6, *Ranae* 1189—91); the evidence of the scholia on Plato *Minos* 315c and on Aristoph. *Vesp.* 289 that the word *ἐγγυσιολογία* denotes virtually a professional class of women who exposed unwanted infants in *χῆρα* (refuted by Bolkestein, see note 8 above); a passage on the Athenian family festival of the amphidromia in Plato *Theaet.* 160c—161a; Plato's point of view in his *Republic* 415bc, 459d, 460c, 461c and *Tim.* 19a; Aristotle's statement in *Politics* 1335b 20ff.; a remark by Isocrates in his *Panathenaicus* 121ff.; Demosthenes's speeches *Against Boeotus* (XXXIX an XL) on the proof of the legitimacy of a new-born infant, wrongly interpreted by Gomme (op. cit., p. 81); comparative material on Sparta in Plutarch *Lyc.* 16 and on Crete in the Gortynian Code III. 45—53, IV. 9—17; evidence on the possible relation of exposure to the growth of population and to the size of families.

<sup>13a</sup> Their findings are substantiated by the conclusion of E. Westermarck *Origin and Development of Moral Ideas*, 1906—1908, vol. I p. 393—413, after an extensive investigation of the occurrence of exposure among primitive peoples and in early Indo-European communities: "The custom seems to have been in favour *only under certain circumstances*" (p. 408) such as illegitimacy, deformity, sickness or uncanny circumstances. Cf.

further proposed only to offer some suggestions in connection with what Plato and Aristotle have to say about the exposure of infants.

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The νόμος περὶ τῶν ἀκρίτων is reported as follows by Sextus Empiricus: καὶ ὁ Σόλων Ἀθηναίσις τὸν περὶ τῶν ἀκρίτων νόμον ἔθετο, καθ' ὃν φρονεῦειν ἐκάστω τὸν ἑαυτοῦ παῖδα ἐπέτρεψεν, while Hermogenes quotes as the subject for a forensic speech οἷον ἐνώπιόν τις τῆς μητρὸς ἀπέκτεινεν τὸν υἱὸν κατὰ τῶν ἀκρίτων νόμον. This evidence is about eight centuries later than the time of Solon, and no other mention of such a law has survived from antiquity.<sup>14</sup>

If such a law empowering a father to kill his own child did in fact exist, having been enacted by Solon, it must follow *a fortiori* that a father had the power to dispose of his new-born infant by exposure.<sup>15</sup> In the meantime we must keep in mind that our sources say nothing about any limitations laid down by this law, and we are certainly not justified to assume *ex silentio* that this power of killing was unlimited and arbitrary. This point is nowhere properly appreciated by Tolles. He does argue for the probability of the Solonian origin of such a law: in early Athens, as in classical Sparta, the community (i.e. the φύλη or γένος) had the power to decide about the life of children, and it seems most likely that Solon, whose legislative programme represented "a first step towards a democratic way of life and so towards emancipation of the individual citizen from the bonds of families and tribes" (p. 39), would have been the author of a law transferring that power to the individual father concerned. But did Solon's legislative programme really represent an emancipation of the individual? The influence of the γένη and the old φύλαι, in the political sphere at least, was curbed only by Cleisthenes. Moreover, the evidence about Sparta and about the Athenian amphidromia (where the attendance of relatives is supposed to be an indication of an earlier control by the family over the decision to accept or reject the new-born infant) shows that the supposed earlier power of the family extended only over new-born infants before their acceptance into the family (not over all children), and that it could be exercised only on the grounds of disease, debility or deformity<sup>16</sup> (and not arbitrarily, as Tolles seems to assume). If Solon had extended this previously limited power when transferring it to the individual father, such a drastic innovation could hardly have remained so unnoticed in our sources, particularly in Plutarch's *Life of Solon*. At any rate, Tolles's own analysis of the meaning of the term περὶ τῶν ἀκρίτων leads to the alternative interpretations: "about the

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also A. M. Hocart 'Infanticide' in *Encycl. of Soc. Sciences* VIII (1932), p. 27—28. And recently R. Kassel *Quomodo... apud veteres scriptores Graecos infantes atque parvuli pueri inducantur*, diss. Würzburg 1954, pp. 57—8 and p. 198, also rejected Tolles's interpretation, esp. of passages from tragedy.

<sup>14</sup> The reliability of this evidence is rejected by L. Beauchet, *op. cit.*, vol. II, p. 84ff., and J. H. Lipsius, *op. cit.*, p. 500f. Cf. also Libanius *Declam.* XXXIV.

<sup>15</sup> Though Beauchet rejects the Solonian law περὶ τῶν ἀκρίτων, he does assume an "unquestioned right" of the father to expose his new-born infant (*op. cit.*, p. 83).

<sup>16</sup> Plut. *Lyc.* 16, Plato *Theaet.* 160e—161a. Plutarch refers to the rejection of a child who was not εὐπαγὲς καὶ ἰσχυρὸν but ἀγεννὲς καὶ ἄμορφον, and again that the child should be καλῶς... πρὸς εὐεξίαν καὶ ἰσχυρὸν πεφυκός. Plato with reference to the amphidromia speaks in a figurative passage of a child who is ἀνεμαῖόν τε καὶ ψεῦδος as unworthy of being reared.

unjudged" or "about those who cannot be tried or judged", i.e. about children who have not yet been judged in the *κρίσις* as to whether they will be reared or not, or alternatively, about children who cannot be tried, by reason of their not yet being legal persons, i.e. not yet formally accepted into the family. So in either case we have a law about *new-born* infants, and not about children generally.

The appeal to Aeschines *adv. Timarchum* 182 for a father's right to kill his unmarried daughter for having been seduced, is therefore irrelevant. It has nothing to do with *ἄκριτοι* in the above mentioned sense; there is no mention of a "right" but only of a *single*,<sup>17</sup> *ancient*<sup>18</sup> incident of a father who killed his unchaste daughter by walling her up in an empty house;<sup>19</sup> if this kind of punishment had still been practised at all, Aeschines would not have needed to remind his audience that the foundations of the house concerned can still be seen in the city; in fact, this punishment must have fallen into disuse already before the time of Solon, for as instances of laws which Solon had enacted *ἀρχαίως καὶ σεμνῶς* concerning adulterous women Aeschines mentions no punishment worse than exclusion from the public cult.

It seems also that the conferring of the supposed extensive power of killing *ἄκριτοι* is in conflict with the humane spirit of Solon's law forbidding parents to *sell* their children.<sup>20</sup> Would Solon have abolished the parent's power of *selling* his child and at the same time have granted him the power of arbitrarily *killing* his new-born infant? Tolles, however, points out that in a manumission inscription of 73 B.C. from Delphi<sup>21</sup> a manumitted woman is empowered to decide for herself whether to strangle or rear a child born after but conceived before her manumission, "but under no circumstances may she sell the child". Killing is here considered a lesser evil than selling, which after all meant slavery; and so: rather death than slavery. Yet Plutarch's account clearly shows that the selling of children had become a quite common practice in pre-Solonian Athens, so that one may assume that public opinion had in those times lost much of its sensitivity on this point. Also the late Theban law, mentioned by Aelian *Var. Hist.* II, 7, forbade a man from poverty to expose his new-born child to die and ordered him to bring the child to the magistrates who will then sell it as a slave to somebody else: so here too selling is considered a lesser evil than death by exposure.

On the whole it does not seem that a good case has been made for the existence of a Solonian law *περὶ τῶν ἀκρίτων* empowering fathers to kill their new-born infants or even older children. On the other hand it seems clear that even arbitrary exposure of infants was not *forbidden* by law.<sup>22</sup> There are no indications that a father who exposed his child tried to conceal the fact, and an unmarried mother concealed her disgrace rather than her act of exposure as such. Had the mere act of exposure been criminal, the father would not, as

<sup>17</sup> ἀνὴρ εἰς τῶν πολιτῶν. No other similar case is reported in the sources.

<sup>18</sup> καὶ τῶν ἡμετέρων προγόνων μνησθήσομαι.

<sup>19</sup> Ephorus (Diodorus VIII, 22) and Aristotle (quoted by Heraclides Lembus; Arist. fr. 611.1 Rose) relate the same event and both name the Codrid Hippomenes as the father concerned.

<sup>20</sup> Plut. *Solon* 13.5 and 23.2. See Beauchet, op. cit., p. 84.

<sup>21</sup> *B.C.H.* 1893, p. 383, no. 80.

<sup>22</sup> Glotz, op. cit., p. 936—7; Beauchet, vol. II, p. 90—91.

unquestionably appears from the papyri, later have claimed back his child, when recognizing it, from its foster parents or owners, for then he would have had to prove that he had committed a crime. Also the later laws of Thebes and Ephesus against arbitrary exposure show that there at least it had not formerly been legally prohibited. The absence of such a prohibition of arbitrary exposure explains how it was possible that the father's limited right to reject and expose his new-born child could in the course of time have developed into an accepted practice of arbitrary and unlimited rejection.

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We now direct our attention to what Plato in his *Republic* has to say about accepting or rejecting new-born infants. Though all scholars agree that what Plato stipulates here for his eutopia may not be used as evidence for the practice in contemporary Athens<sup>23</sup> — the imperfect society from which he is actually trying to escape by means of his ideal state — yet I should like to consider his views in more detail, as several scholars<sup>24</sup> are of the opinion — wrongly, in my view<sup>25</sup> — that Plato is here advocating the rejection and killing of unsuitable infants.

When Plato treats of the marriages and children of the guardian class in his ideal state, on two occasions he apparently expresses himself in favour of infanticide or the rejection of infants. In the *Republic* 459d he prescribes that the offspring of the better guardians *should* and those of the inferior guardians *should not* be reared (μη τρέφειν);<sup>26</sup> and in 461c that guardians who have already passed beyond the prescribed age limit for the procreation of children, may still have intercourse but should prevent any children conceived from being born (i.e. should apply abortion), or if children are actually born, "should deal with them (οὐτω τιθέναι) on the understanding that there is no rearing of such children" (ὡς οὐκ οὐσης τροφῆς).<sup>27</sup> Read by themselves these two phrases very strongly appear to indicate an instruction for the killing of certain children.<sup>28</sup>

<sup>23</sup> Eg. Glotz, op. cit., p. 938; La Rue van Hook, loc. cit., p. 143; Bolkestein *Tijdschr. v. Gesch.*, p. 291.

<sup>24</sup> Glotz, p. 938: "mais les philosophes... conservent l'odieuse coutume; ils la déclarent bonne, nécessaire; ils lui donne ses titres et comme une consécration métaphysique". Tolles, p. 18—19 (also p. 20); Jowett and Campbell's edition of the *Republic*, vol. III, Oxford 1894, p. 231—2; Adam *The Republic of Plato*, Cambridge 1926—9, vol. I, app. IV (p. 357—360). La Rue van Hook and Bolkestein, loc. cit., leave the interpretation an open question. The summary in A. Croiset *La République de Platon*, Paris 1946, p. 194, is not very accurate.

<sup>25</sup> Also R. L. Nettleship *Lectures on the Republic of Plato*, 2nd ed., London 1901, p. 174, n. 3; F. M. Cornford in his translation of *The Republic*, Oxford 1941, p. 155 n. 2, p. 157 n. 1; A. E. Taylor *A Commentary on Plato's Timaeus*, Oxford 1928, p. 47—8; J. H. Lipsius, op. cit., p. 501 n. 9.

<sup>26</sup> καὶ τῶν μὲν τὰ ἔκγονα (δεῦ) τρέφειν, τῶν δὲ μὴ, εἰ μέλλει τὸ ποιμνιον οὐ ἀκρότατον εἶναι (459d). Cornford, op. cit. p. 155 n. 2, renders freely "that only the offspring of the better unions should be kept", that is, "kept as Guardians". In view of the reference to the ποιμνιον he adds: "A breeder of race horses would keep (a common meaning of τρέφειν) the best foals, but not kill the rest".

<sup>27</sup> διακελευσάμενοι προθυμεισθαι μάλιστα μὲν μὴδ' εἰς φῶς ἐκφέρειν κτήμα μὴδ' ἔν, εἰάν δέ τι βιάσθαι (sc. εἰς φῶς), οὐτω τιθέναι ὡς οὐκ οὐσης τροφῆς τῷ τοιοῦτω (461c).

<sup>28</sup> This is apparently also how Aristotle interpreted them in *Politics* 1262 a 6 where he raises the objection against Plato's ideal state that in it it is ἀδηλον... ᾧ συνέβη γενέσθαι τέκνον καὶ σωθῆναι γενόμενον.

But if we set certain other passages beside these, we begin to doubt about the exact nature of the instruction. The first case (children of better and inferior guardian parents respectively) is worked out in more detail in 460c by prescribing that the children of the better guardians (i.e. those in respect of whom *δεῖ τροφῆν* has been ordered) should be brought up by being entrusted to the care of a special crèche, while the children of the inferior guardians (i.e. those in respect of whom *μὴ τροφῆν* has been ordered) should receive their *μὴ τροφῆν* as follows: "they shall be hidden in a secret and unknown place, as is fitting", and it is added that any deformed offspring of other parents (i.e. also of the better guardians) should meet with the same fate.<sup>29</sup> And this fate of being hidden away we can hardly regard, with Adam,<sup>30</sup> as a mere "euphemism for infanticide", in an effort to harmonise this statement with the interpretation of the phrases *μὴ τροφῆν* and *οὐκ οὐσίας τροφῆς* as prescribing infanticide. Even more light is shed upon Plato's intention with these children of inferior guardian parents by a passage in the introduction of the *Timaeus*,<sup>31</sup> where the contents of the dialogue held in the *Republic* are briefly summarised, and in connection with the children of guardians it is repeated that the offspring of good guardians should be reared (*θρεπτέον*), but the offspring of bad guardians "should secretly be allotted places all round in the other parts of the state", so that again there is clearly no order that they should be killed. Moreover, in this summary there is added that as the children grow up, they should repeatedly be re-examined with regard to their *οὐν* qualities, and, if necessary, be promoted or demoted in respect of their class<sup>32</sup> — i.e. a second selection should be held beside that at the time of their birth. Now, in this stipulation a phrase is used in respect of promotion (*πάλιν ἀνάγειν*) which quite clearly shows that the

<sup>29</sup> τὰ δὲ (ἔκγονα) τῶν χειρόνων, καὶ εἴαν τι τῶν ἐτέρων ἀνάτηρον γίγνηται, ἐν ἀπορρήτῳ τε καὶ ἀδήλω κατακρύψουσιν ὡς πρέπει. (460c). Cornford, op. cit. p. 157 n. 1, implies that the defective children will be destroyed while the rest will be relegated to a lower class. The "vague expression" will therefore have to bear a sort of double meaning! It seems that we simply have to accept that Plato not even intended that defective children of guardian parents should be killed, however much he was influenced by Spartan practices in other respects. In the lower classes he apparently felt that even the defective or deformed could fulfil a useful task. It is also noteworthy that Plato does not expressly extend his measure about deformed children to those of the lower classes, which may be a further indication that he had in view degradation and not exposure or infanticide.

<sup>30</sup> Adam commentary ad 460c 1.18. Also B. Bosanquet *A Companion to Plato's Republic*, 2nd ed. 1895, p. 187; E. Chambry in the Budé-edition (Paris 1933) and G. Krüger & R. Rufener *Platon: der Staat*, Zurich 1950, n. 2 on p. 272.

<sup>31</sup> *Timaeus* 19a: καὶ οὐ τι τὰ μὲν τῶν ἀγαθῶν θρεπτέον ἔφαμεν εἶναι, τὰ δὲ τῶν κακῶν εἰς τὴν ἄλλην λάθρᾳ διαδοτέον πόλιν. ἐπαυξανομένων δὲ σκοποῦντας αἰετὸς τοὺς ἀξιόους πάλιν ἀνάγειν δεῖν, τοὺς δὲ παρὰ σφίσι ἀναξίους εἰς τὴν τῶν ἐπανόντων χώρᾳ μεταλλάττειν;

<sup>32</sup> This point refers back to an earlier passage in bk. III of the *Republic* 415bc, where Plato in figurative language describes the different classes as represented by different metals, and prescribes that if an offspring of the higher class appears to be of inferior quality "he should by no means be pitied but should be given the status proper to his nature" and be demoted to a lower class, while an offspring of the lower class proving to be of superior quality should be given due honour and promoted to the leaders' classes. In his further discussions in the *Republic* Plato, however, paid no further attention to this second selection in later life; but his recapitulation in the *Timaeus* clearly shows that he did not forget or abandon it.

stipulation refers to those children of bad guardians who had been demoted at their birth, but who afterwards proved to possess the necessary good qualities in themselves, and so are "being promoted *again*"; so obviously they had formerly *not* been *killed*!<sup>33</sup>

In view of 460c and *Timaeus* 19a it therefore seems fairly certain that in 459d μή τρέφειν in respect of the children of inferior guardian parents does not mean "to kill or to reject by exposure", i.e. "to deny any further existence at all", but simply "to deny further existence in the capacity as members of the guardian class", i.e. to degrade from the guardian class.<sup>34</sup> In the light of this conclusion we should now also interpret the instructions τῷ ἐναί ὡς οὐκ οὕσης τροφῆς with regard to children conceived and born beyond the prescribed age limit (in 461c). For why should Plato have acted more harshly against this type of undesirable offspring of guardians than against those who were born from bad guardians or born deformed themselves?<sup>35</sup>

An ancillary argument in favour of the interpretation suggested above can be found in Plato's *Laws* V 740c–741a. There Plato expounds a second best and more attainable political ideal than that of the *Republic*. In his discussion of the problem of surplus population, however, he never mentions the abandonment or killing of new-born infants as a possible solution. This, it seems, may be regarded as an indication that the proposed measures of the *Republic* indeed only aimed at the degradation and not at the liquidation of the offspring concerned. After all, with the abandonment in the *Laws* of the differentiated class system of the *Republic*, the degradation measures would ipso facto fall away too; measures for the abandonment and liquidation of infants, on the other hand, would not depend upon the class system for their existence,<sup>36</sup> and so could well have been retained in the *Laws* had they already been introduced in the *Republic*.

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<sup>33</sup> The *Timaeus* summary clearly does not cover all aspects treated in the *Republic*: its first sentence recapitulates the stipulations of *Rep.* 459d and 460c (except the case of ἀνάητοι added there) and its second sentence those of *Rep.* 415bc; the case of *Rep.* 461c is not mentioned again — perhaps because the intercourse between guardians of advanced age was not likely to produce considerable offspring, and so did not constitute a serious problem (see Taylor, *op. cit.*, p. 48). And if we interpret 459d and 460c, with Adam, as prescribing infanticide, there is an even more serious omission in the *Timaeus* passage. The discrepancy is variously explained as due to the fact that Plato had changed his view when writing the *Timaeus*, or due to a lapse of memory (sic!), or by a chorizontic theory supposing that the *Timaeus* refers to an earlier, separate publication of the earlier books of the *Republic*, or — as Adam does (*op. cit.*, p. 359) — by supposing that *Tim.* 19a refers only to *Rep.* III 415bc and that the supposed instructions about exposure or infanticide in *Rep.* V were omitted in the *Tim.* "because it seemed to him . . . by no means one of the most peculiar and distinctive features of his commonwealth". Absolute completeness can hardly be expected in a recapitulation, but inaccuracy or an incompleteness such as Adam assumes is most improbable.

<sup>34</sup> See authors quoted in n. 25 above.

<sup>35</sup> Taylor, *loc. cit.*, assumes that in this special case only Plato did enjoin exposure, though in practice it was most unlikely to occur. Cornford also renders here: "that no such child can be reared".

<sup>36</sup> The argument in Tolles p. 19, n. 20 is therefore unsound. Taylor, *loc. cit.*, says of the position in the *Laws*: "This seems to indicate that he did not count on infanticide as a regular social remedy for over-population, though it hardly proves that he would have condemned it in exceptional cases".

We therefore conclude that Plato intended that all undesirable guardian children — even those born crippled, who in Sparta certainly and probably also in Athens would have been refused further existence — should only be demoted to some other part of the state, and this in a secret way so that, for the sake of peace, quiet and good order, nobody would know whether they had been transferred or that such and such a person was really born as a guardian child. This conclusion shows that Plato at any rate apparently did *not* consider the practice of exposing new-born infants, as it obtained in his city of Athens, as salutary for the purposes of his eutopia; and *perhaps* we may further conclude that in his time this was apparently not such a generally accepted practice at all (for which point we shall find further support below in the words of Aristotle).

\* \* \*

We now direct our attention to what Aristotle in his description of his ideal state has to say about the exposure of children — *Politics* VII 1335 b 20 ff. There we shall learn something not only about this philosopher's personal views on the matter, but also — and this is of importance — about public opinion on it in his time.<sup>37</sup>

The first sentence of the passage reads as follows: *περὶ δὲ ἀποθέσεως καὶ τροφῆς τῶν γυγνομένων ἔστω νόμος μηδὲν πεπηρωμένον τρέφειν* — “As to the exposure and rearing of children born, let there be a law forbidding the rearing of any deformed child”. From the contrast between *ἀπόθεσις* and *τροφή* it is clear that Aristotle's intention with *μηδὲν . . . τρέφειν* is that such a deformed child should be done away with, be exposed. Moreover, the way in which he introduces the passage (*περὶ δὲ . . . γυγνομένων*) is a strong indication that he accepts it as a matter of course that at the birth of every child (note the present participle!) the question was regularly considered whether that child should be reared or rejected, done away with. On this point his attitude that *deformed* infants should be rejected is in line with what appears from Plato's reference to the amphidromia to have been the Athenian practice and public opinion, and with what we know from Plutarch's *Life of Lycurgus* c. 16 to have been the practice in Sparta.<sup>38</sup>

Aristotle then proceeds with a sentence which has often been misunderstood (and which Tolles conveniently omits when dealing with the philosopher's attitude<sup>39</sup>): *διὰ δὲ πλήθος τέκνων, εἴαν ἢ τάξις τῶν ἐθῶν κωλύη μηδὲν ἀποτίθεσθαι τῶν γυγνομένων, ὠρίσθαι δεῖ τῆς τεκνοποιίας τὸ πλήθος, εἴαν δέ τισι γίγνηται παρὰ ταῦτα συνδυασθέντων, πρὶν αἰσθησθαι ἐγγενέσθαι καὶ ζῶην, ἐμποιεῖσθαι δεῖ τὴν ἄμβλωσιν. Τὸ γὰρ οἶσιον καὶ τὸ μὴ διωρισμένον τῇ αἰσθήσει καὶ τῷ ζῆν ἔσται.*

<sup>37</sup> Cf. Cameron *Cl. Rev.* 46 (1932) p. 109; Tolles, *op. cit.*, p. 74. La Rue van Hook and Bolkestein have too hastily rejected Aristotle's evidence, with that of Plato, as “of course not . . . reflecting Athenian conditions which were general”, as “referring to heroic measures for limitation of population, which *might* be resorted to in their imaginary politics” (*T.A.P.A.* 51 (1920), p. 143), and in the words of Bolkestein: “omtrent de werkelijkheid van het leven uit hun tijd leeren hun opvattingen, juist ook in deze materie, niets” (*Tijds. voor Gesch.* 37 (1922), p. 291; cf. however n. 3 there.)

<sup>38</sup> Plato *Theaet.* 160e—161a and note 16 above. Plutarch mentions that the Spartan father had to submit his newly born child to a council of elders from among his *φυλῆται* who *εἰ μὲν εὐπαγὲς εἶη καὶ ὁμαλῶν, τρέφειν ἐκέλευον . . . εἰ δ' ἀγεννὲς καὶ ἄμορφον, ἀπέπεμπον* to a place called *Ἀποθέται* on the Taygetus, to die there.

<sup>39</sup> *Op. cit.*, p. 53; he does quote it in a different context at p. 74.

A textual problem affects the vital part of the sentence: one recension omits  $\epsilon\acute{\alpha}\nu$  before  $\eta\ \tau\acute{\alpha}\xi\iota\varsigma$  and reads  $\eta\ \tau\acute{\alpha}\xi\iota\varsigma \dots \kappa\omega\lambda\acute{\upsilon}\eta\iota$ , which then has to be construed as an explanatory parenthesis — hence the supplement  $\eta\ <\gamma\acute{\alpha}\rho>$   $\tau\acute{\alpha}\xi\iota\varsigma$  proposed by Wallies<sup>40</sup> and accepted by Immisch in his Teubner edition of 1929.

The formerly current interpretation of this passage, however, connected this second sentence grammatically with the first, reading a comma before  $\delta\iota\acute{\alpha}\ \delta\epsilon\ \pi\lambda\eta\theta\omicron\varsigma$  and also one after  $\kappa\omega\lambda\acute{\upsilon}\eta\iota$ , thereby taking  $\acute{\alpha}\pi\omicron\tau\iota\theta\epsilon\sigma\theta\alpha\iota$  as a second infinitive with  $\epsilon\acute{\sigma}\tau\omega\ \nu\omicron\mu\omicron\varsigma$ . This line of approach again showed two variations, depending upon whether the implied object of  $\kappa\omega\lambda\acute{\upsilon}\eta\iota$  is taken to be  $\pi\lambda\eta\theta\omicron\varsigma\ \tau\acute{\epsilon}\kappa\eta\eta\omega\upsilon\upsilon$  (thus Newman<sup>41</sup> and Barker<sup>42</sup>) or  $\tau\omicron\ \acute{\alpha}\pi\omicron\tau\iota\theta\epsilon\sigma\theta\alpha\iota$  (as Wallies<sup>43</sup> interprets this older punctuation), i.e. upon whether the law forbidding exposure of infants for the purpose of limiting the number of children should do so when the customs of the state are opposed to an excessive number of children, or when the customs are opposed to exposure for purposes of limiting the number of children. The objection to the former interpretation is that it makes Aristotle regulate only for states which already have some limitation of children, while in fact he laid down the need of such a limitation as a general rule, e.g. in his criticism of Plato's *Laws* in *Politics* 1265 b 1 ff. This interpretation also implies that exposure was a usual or customary means of limiting the number of children but that Aristotle is opposed to it — an implication which seems most questionable in view of what has already been said above about the actual practice of exposure, while Aristotle himself clearly indicates in *Politics* 1265 b 1 and 11 that limiting the number of children was unknown in most states of his time. As for the second interpretation (suggested by Wallies), apart from forcing an awkward double function upon  $\acute{\alpha}\pi\omicron\tau\iota\theta\epsilon\sigma\theta\alpha\iota$  (with  $\nu\omicron\mu\omicron\varsigma$  and with  $\kappa\omega\lambda\acute{\upsilon}\eta\iota$ ), it results in the tautology of specially prescribing a law against a kind of exposure which is already opposed by the customs of the community.

We may now turn to what seems to me the correct punctuation of this passage, as printed above, and translate it as follows: "But on the ground of abundance of children [sc. as a consideration in deciding about rearing or not a new-born babe], if<sup>44</sup> the norm of the customs<sup>45</sup> hinders that any of the

<sup>40</sup> *Philologische Wochenschrift* 1923, p. 176.

<sup>41</sup> Newman in vol. III, p. 473—4, of his commentary (Oxford, 1902) translates the passages as follows: "and with respect to the exposure or rearing of children, let there be a law that defective offspring shall not be reared, but that offspring shall not be exposed on the ground of an excessive number of children [as distinguished from that of imperfection], in case the customs of the State, as regulated by the lawgiver (literally, 'the ordering of the customs') are opposed to an excessive number, for the amount of reproductive intercourse should be fixed". (My italics)

<sup>42</sup> "On the other hand there should also be a law, in all states where the system of social habits is opposed to *unrestricted increase* (my italics), to prevent the exposure of children to death *merely* in order to keep the population down" (in his translation, Oxford 1948, p. 327).

<sup>43</sup> "dagegen wegen der Zahl der Kinder, wenn die herkömmliche Ordnung dem (d.h. dem Aussetzen) im Wege steht, keines nach der Geburt auszusetzen" (loc. cit.).

<sup>44</sup> With the reading  $\eta\ <\gamma\acute{\alpha}\rho>$   $\dots \kappa\omega\lambda\acute{\upsilon}\eta\iota$  render: "— <for> the norm... — a (statutory) limit..."

<sup>45</sup> The phrase  $\eta\ \tau\acute{\alpha}\xi\iota\varsigma\ \tau\omega\upsilon\iota\ \epsilon\acute{\theta}\omega\upsilon\iota$  is interpreted by Newman as "the customs of the

children born be exposed (on this ground),<sup>46</sup> then a (statutory) limit must be fixed to the number of procreations. And if a child be conceived for any people as a result of intercourse in contravention of these regulations, abortion must be practised before it has developed sensation and life, for (in this) the line between what is permissible and what not will be marked by (the presence of) sensation and life".

Under the general heading, then, of motives relevant at the decision about rearing new-born babes, abundance of children is considered as a second specific motive beside that of deformity.<sup>47</sup> In this connection Aristotle recommends a conditional (with the reading *ἐάν . . . κωλύῃ*) or an absolute, general (with the reading *ἢ < γὰρ > . . . κωλύει*) substitution of exposure by an alternative method of limiting the number of children, depending upon whether the customs, i.e. the public opinion, hindering exposure, is being described as something of limited (*ἐάν . . . κωλύῃ*) or of general (*ἢ < γὰρ > . . . κωλύει*) occurrence. But even with the reading *ἐάν . . . κωλύῃ* Aristotle is apparently referring to a quite frequent or wide-spread custom averse to this kind of exposure, since he would hardly have taken the trouble of inserting this provision for a purely hypothetical or highly exceptional type of case. This assumption also squares with — or, at any rate, is not contradicted by — the evidence analysed by La Rue van Hook and Bolkestein as revealing no definite proof of an alleged general *power or competence* of arbitrary exposure. The fact that Aristotle does not mention or consider the customs or public opinion in connection with his first stipulation, dealing with the exposure of deformed babies, is apparently an indication that it existed — at least to any noteworthy extent — only against exposure from motives of child limitation and not also against exposure of deformed or cripple babies. This assumption also squares with what we learn about Athenian practice from the *Theaetetus* passage. In passing we may note again that Plato in his utopia — if we have interpreted above the relevant passages convincingly — actually proposed to treat crippled children more humanely and leniently than the general practice, or rather public opinion, demanded of him.

As for child limitation, it appears that Aristotle's *personal* opinion was in

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State, as regulated by the lawgiver" (cf. Tolles p. 74 "das Gesetz und die Sitte"). But if *τάξις* indicates a statutory measure, why is it then necessary for Aristotle to add that in such cases the number of procreations should be limited? It is hardly likely that a statutory provision would have prohibited an excess of children (taking, with Newman, *πλήθος τέκνων* as the implied object of *κωλύῃ*) without stipulating what exactly should be considered as a sufficient number of children! — Barker renders "the system of social habits" and Rackham (Loeb Library edition) "the regular customs". I prefer to take *τάξις* as "prescript, norm".

<sup>46</sup> The whole context shows that an *absolute* opposition to exposure is not meant. Tolles p. 74 wrongly renders: "wenn aber das Gesetz und Sitte gegen *jede* Aussetzung von einmal geborenen Kindern ist".

<sup>47</sup> For our purpose it would make no difference if we took the clause *ἐάν ἢ τάξις . . . τῶν γιγνομένων* (or *ἢ < γὰρ > τάξις . . . τῶν γιγνομένων*) as indicating the circumstances which can lead to a *πλήθος τέκνων*, and so the reason why *ὀρίσθαι δεῖ*. This would mean, however, that the argument has shifted from a consideration of the motives (e.g. deformity) relevant when deciding about rearing or exposing a child, to a consideration of the effects of an absence of exposure, generally or in specific Greek communities.

favour of accepting it as a motive for exposure. The express reference to the norm of the customs as a hindrance, seems to imply that he *himself* would have no objections to exposure of excess children, and the reading  $\epsilon\acute{\alpha}\nu \dots \kappa\omega\lambda\acute{\upsilon}\eta$  seems to imply that such exposure would be recommended — or at least quite permissible — in *other* communities.<sup>48</sup> Also, the discussion of child limitation as a possible motive under the general heading of “considerations in deciding about rearing or exposing newly born infants” seems to imply that according to Aristotle this is a consideration which really belongs here. Whatever his private opinion or personal preference might have been, Aristotle at any rate meets the prevalent public opinion by stipulating that in case of pregnancy in contravention of the statutory maximum of procreations, abortion should be practised before the foetus has developed sensation and life. But, we may ask, what if pregnancy has already progressed so far that abortion would according to Aristotle’s own words become  $\mu\grave{\eta} \sigma\acute{\alpha}\iota\omicron\nu$ ?<sup>49</sup> Then, apparently, the confinement may not be hindered; and after the birth, it seems, the particular public opinion or customary norms of the community concerned will decide the further issue: the purport of the whole passage is that Aristotle is unwilling or unable to disregard prevailing customs.

To summarize our results: In the case of deformed new-born infants, Aristotle recommends exposure without giving any indication of any public opinion opposed to this kind of exposure; in the case of excess procreations he personally by implication, apparently, also considered exposure a suitable means of limitation, but as he was conscious of a general or at any rate widely spread public opinion against this kind of exposure, he recommends a limitation of the maximum number of procreations, coupled with early abortion, as substitutes for exposure in communities where the public opinion is so opposed to it.

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<sup>48</sup> A. W. Gomme in his *Population of Athens in the fifth and fourth Centuries B.C.*, 1933, p. 82 remarks that Aristotle here “hesitatingly advocates exposure in order to keep population stationary”; it would be more correct to say “advocates by implication”. He further adds: “it suggests to me that Aristotle is advocating a new method (for a new purpose), but is conscious that general opinion would oppose it, rather than an old one which men were beginning to dislike”.

<sup>49</sup> Cf. the Hippocratic Oath:  $\delta\mu\acute{\omega}\iota\omega\varsigma \delta\epsilon \sigma\acute{\upsilon}\delta\epsilon \gamma\upsilon\upsilon\alpha\iota\kappa\acute{\iota} \pi\epsilon\sigma\acute{\sigma}\acute{\omicron}\nu \varphi\theta\acute{\omicron}\rho\acute{\iota}\omicron\nu \delta\acute{\omega}\sigma\omega$ . Mulder *Quaestiones* p. 132ff. (see note 5) discusses public opinion against abortion. Remember Plato’s unqualified precept in *Rep.* 461c.

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