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**Per parte di madre.
Donne e trasmissione del *kleros* nelle *Leggi di Platone*¹**

I propose to analyze Plato's law of intestate succession in the *Laws* (Lg. XI, 925 c3-d5) in comparison to Athenian law, which is the main – though not unique – source of inspiration of the philosopher.

In the case of intestate succession, Plato alters the Athenian model, enjoining the nearest male relative of the childless deceased to marry the nearest female relative of the deceased himself - as if she was his *epikleros* - in order to found a new family in the deserted house. In a sense, then, the female relative is to take precedence, as the male can not inherit unless he marries her. This runs counter the male bias of classical Athens' inheritance regime, which the *Laws* usually maintain and even radicalize, most notably abolishing dowries.

Actually the same logic underlying dowry legislation - that is the neutralization of devolution through the female line - is operating also in the law of intestate succession. The latter grants women inheritance rights but compensates for them with extreme family endogamy; as a result, women can not take property outside their natal family, as it happens with dowry legislation.

Still, Plato wants at all costs to give women a significant role in the inheritance process: a contradiction which mirrors and highlights the tension – inherent to Athenian family law - between the reduction and the persistence of a certain 'matrilineal logic'.

This tension is maybe most evident in the dowry system, which downplays devolution through females but at the same time implies the permanence of the married woman's tie to her natal family, and her children's membership in the maternal family. It is striking that, although Plato abolishes dowries, he legally acknowledges kinship through mothers as well as fathers, and sometimes even gives to maternal relatives a more important role than in classical Athens.

¹ relazione presentata per la prima volta durante il convegno *Aspects of Family Law in the Ancient World - A Cross-cultural Perspective*, 22-24 April 2015, UCL London, con il titolo: *From the mother's side: the status of women in Plato's law of intestate succession* <https://www.ucl.ac.uk/classics/events/2015FamilyLaw>