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Citizenship and Participation in Government in Ancient Greek Political Thought

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I take my title from Aristotle's *Politics* III.1275a22: "A citizen (*politēs*), in the unqualified sense, is defined as none other than the one who participates in government and juries (*kriseos kai arches*)." Aristotle argues energetically for this definition, and it is often taken as if it were obviously correct.[2] But in its historical context this definition was clearly tendentious, for it did not completely fit the usage of the word "*politēs*" current at that time in Greek states (and Aristotle recognizes that fact), and it does not accord with the way that Plato, for example, used the word "*politēs*" in the *Republic* and elsewhere. In this paper I will describe the historical context for Aristotle's preferred definition of citizenship, its philosophical ancestry, political motivation, and some of its historical consequences.

a) Historical context of Aristotle's definition of "citizen"[3]

Aristotle knew that his preferred definition of "citizen" was not the one in practical use in his time.

i) "In practice 'citizen' is defined as someone descended from citizens on both sides" (*Pol.* III.1275b22).

This is an important observation, but just a little disingenuous in the context.

— In the first place, and most obviously, the requirement that one be descended

1. This paper was first presented to the SPEL colloquium and subsequently to the SAGP/SSIPS conference at Fordham University; I thank the participants for their many helpful comments.

2. A good example of a writer who accepts Aristotle's definition of "citizen" as if it were exactly that accepted in Athens is Charles Hedrick, "The Zero Degree of Society: Aristotle and the Athenian Citizen," in J. P. Euben, J. R. Wallach, and J. Ober, *Athenian Political Thought and the Reconstruction of American Democracy*, Cornell UP 1994.

3. I'm not going to get involved in a complete historical review of the use of the word "*politēs*" in Greek. The word appears in Homer, e.g. at *Il.* 15.558, and 22.429, where it is applied to the inhabitants of Troy as if it meant "all those who live in this particular polis"; in *Od.* 7.131. it refers to the Phaeacians; in both cases the peoples were of course subjects of kings. "*Politeia*", according to LSJ, does not appear until Herodotus 9.34, in the 5th century, where it means "citizenship": H. says that the Spartans granted Spartan citizenship to Tisamenus of Elis when they very badly wanted his help against the Persians.

from citizens "on both sides" was, at least for Athens, an innovation from the mid-5th century (450/1), when Pericles included that requirement in his reform of the laws of Athens.[4] Before that time, citizens were male Athenians, and their sons were citizens if enrolled by their (citizen) fathers as citizens (according to the rules established chiefly during the reforms of Cleisthenes, at the end of the 6th century),[5] with no questions about whom their mothers might have been.[6] But Cleisthenes not only established the "ethnic" ground of citizenship on a more or less solid foundation, he also essentially established the "democratic" definition of citizenship, assuring that all males counted as Athenians would in fact participate in some way in the government of the polis.[7]

— In the second place, ancient Greeks, like nearly everyone else in the world at nearly every epoch, considered "ethnic identity" central to their concept of citizenship. Athenians made a practice of fastening their cloaks with pins made in the shape of a cicada, to symbolize their belief that their ancestors had been born from the very soil of Attica, just as cicadas are born from the earth.[8] There is a lot that can be said about the "practical" importance of ethnic identity in the pervasive notion of citizenship; in any case it is obviously not necessarily the case that everyone with a

4. This law was re-enacted in 403, i.e. after the defeat of Athens in the Peloponnesian War, during the oligarchy, indicating that it had not been observed very strictly by the democracy.

5. "Enroll": in Athens, fathers took their sons to the office of their "deme" (roughly, precinct) essentially to sign them up for military service, much like our registering for "selective service". At that point the young man started (serious) military training; participation in the assembly usually did not begin at least until the young man was actually in military service, some two years later. The state used these "demotic" records for a variety of purposes, including determination of eligibility to serve on juries, for example. For an excellent account of the historical development of Athenian citizenship, see P. B. Manville, *The Origins of Citizenship in Ancient Athens*, Princeton UP 1990. Manville nicely outlines the process of registration as a citizen, pp. 8-9.

6. By the "both parents" standard, Cleisthenes, Themistocles, and Cimon, for three, would have been disqualified as Athenian citizens. Cleisthenes, in 507, granted citizenship to many metics and foreigners, increasing the number of Athenian citizens rather dramatically: *Pol.* III.1275b35; *Ath Pol.* XXI.4.

7. See Manville pp. 157-209. The classic self-assessment of Athenian democracy is surely Pericles' funeral oration, reported in Thucydides Book II. Befitting the occasion Pericles of course lays emphasis upon the willingness of citizens to die in battle for the sake of their country, but he also succinctly summarizes what he takes to be the soul of the democratic system, a state for which men willingly die. Manville summarizes the implications of the funeral oration for the understanding of Athenian citizenship pp. 14 ff.

8. See, e.g., Aristophanes *Knights* 1331. In the modern world, one can see strong application of an ethnic identity concept of citizenship at work in places as disparate as Japan, Norway, Switzerland, Greece, Israel, Saudi Arabia, and many other nations. American de-emphasis on ethnic identity sets it very much at odds with the ancient polis, and makes American citizenship much more similar to Roman Imperial citizenship, discussed toward the end of this paper.

given ethnic identity has the rights and duties associated with participation in the government.[9]

ii) "Gorgias of Leontini, partly puzzled and partly ironically, says that just as pots are made by potters, so Larisaeans are made by magistrates who are Larisaean-makers" (Pol. III.1275b27).

You need to know that Larissa was a new city, a colony populated by Greeks from many different places. So "in practice" citizenship was acquired by birth, by ancestry, except when citizenship was conferred by law. Conferral of citizenship by law is the dialectical antithesis of the "ethnic identity" concept of citizenship; in classical Greece it was true of some of the colonial communities – some colonies continued to identify with their mother polis, so that citizens of the colony continued to be citizens of the metropolis, while other colonies were composed of immigrants from a range of different places, not necessarily all Greek.

An interesting example of colonial movement away from the ethnic identity notion of citizenship may be found in fourth-century Cyrene, a polis in what is now eastern Libya.[10] Aristotle notes in *Pol* VI.1319b19 a revolution caused by over-extension of citizenship; in fact the democracy in Cyrene extended citizenship to anyone living in the polis either of whose parents was Greek. The aristocracy rebelled "for a small base element is overlooked, but when it grows too numerous it is more in evidence." Later, when Ptolemy took over the government of Cyrene as part of his empire, he established as law that men with Cyrenaian fathers and mothers would have the rights of citizens, and in addition men with Cyrenaian fathers and Libyan mothers would also have the rights of citizens.

Another way that citizens were "made" historically was by *synoikismos*, or the consolidation of several *poleis* into one; in the prehistoric period that evidently happened in Athens; we have more *historical* evidence for Rhodes, for example, a democracy much on the model of Athens that consolidated in the late fifth century; Polybius' history tells us that the "entire people" (*ho pas damos* or *ho sympas damos*) of Rhodes had "freedom of speech" and the right of proposing motions in the assembly; they also served, by lot, on the juries.[11] This of course does precisely suit

9. It should probably be noted that in a sense, the whole idea of Athens as a polis, and its governance by a (more or less) democratic body of citizens, was in a way invented by Solon at the beginning of the 6th century, or just a little before the time of Thales, see Manville pp. 124ff. So before that time, in a way there were no Athenian citizens. See also C. G. Starr, *Individual and Community: The Rise of the Polis 800-500 B.C.*, Oxford UP 1986. Starr's account is shorter than Manville's, but it tells the same basic story.

10. A. A. Kwapong, "Citizenship and Democracy in fourth-century Cyrene," in L. A. Thomson and J. Ferguson, *Africa in Classical Antiquity*, Ibadan 1969, pp. 99-109.

11. Gabrielsen in Flensted-Jensen et al. p. 190-191.

Aristotle's definition; not surprisingly Aristotle took some interest in the Rhodian system.[12] At the same time, the Rhodians were essentially the people who lived on the island of Rhodes, excluding slaves and resident foreigners.

It's pretty obvious that Aristotle's definition was NOT the definition "in practice", because, as Aristotle notes, his definition approaches equivalency with the usage of the term *only in a democracy* (1275b6). From our perspective, even there the equivalency is not all that close, because women descended from citizens "on both sides" tended to be regarded as citizens, but just as definitely did not participate in government.[13] As you move away from a democratic form of government of course the relationship between citizenship and participation in government becomes even less obvious. Historically, the people called "citizens" in Greek states were often far more numerous than those who actually had any share at all in the government of the state.

iii) "The earliest form of constitution among the Greeks after the kingships consisted of those who are actually soldiers, the original form consisting of the cavalry… but as states grew and the wearers of heavy armor became stronger, more people came to have a part in the government" (*Pol.* IV, 1297b17ff).

Aristotle here hits on a very important theme: in the Greek world: the right of participation in government (perhaps as distinguished from citizenship) was closely related to military service. It's an interesting exercise to relate the military history to the political history, state by state – in the bronze age, the wealthy princes who owned metal armor ruled over, and protected, their subjects; in the iron age, new military tactics tended to result in the rise to power of a newly crucial middle class, carrying shields and spears. The final step in Athens came with the enfranchisement of those who rowed the boats in the victory over the Persians at Salamis. Since no financial investment was required to participate in this crucial function, even the poorest citizen could claim an equal right to the vote in the assembly and in the law courts on the ground of essential military service.

We should not to be carried away by the military participation argument however, since despite the fact that all the Greek states participated in the change in modes of warfare, not all of them changed their form of government. It's a factor influencing, but by no means determining, the form of government of a Greek polis.[14]

12. Aristotle, Rose fragment 569.

13. Manville examines the ambiguous status of Athenian women pp.12-13. For additional discussion of the political role of women, see e.g. Bar On, ed., 1994; F. Sparshott, "Aristotle on Women," *Philosophical Inquiry* 7, 1985, 177-200, et al.

14. See Manville, op cit, p. 85, on the relationship of hoplite formation to extension of political rights to the middle class. Manville is somewhat skeptical, but gives good references to both sides in the debate.

Manville[15] points out that the simple fact of engaging in warfare tends to unify the state waging war (or warred upon), no matter what the military tactics might be, and those who have fought in the war, in whatever manner, have an expectation of continued involvement in the life of the state after the military campaign has ended.

We should probably note in this context that in Athens, as in other parts of the Greek world, there was a certain degree of connection between land owning and participation in government. In oligarchic Greek states, the people who controlled the government often also controlled all the land, or all the land desirable for agriculture at any rate. Requirements of land-ownership for political participation were very common in the Greek world, as indeed they have often been since. I think that Aristotle assumes that the citizens of the best state would be, on the whole, landowners whose farms are cultivated by hired hands and slaves, freeing the landowner for political activity.

iv) Fred Miller's analysis of *Pol.* III.1-3.

Fred Miller[16] gives a very perceptive and careful reading of the beginning of *Pol.* III. He rightly sees that Aristotle associates very closely his idea of citizenship with the various forms of government, and his goal is to see how citizenship and "rights" are associated with each other. In that context, he determines (p. 148) that there are the following "groups" in the Aristotelian polis:

A. Citizens
   1. Enrolled citizens with political rights.
   2. Children who will become enrolled citizens.
   3. Superannuated citizens removed from the rolls.
   4. Female citizens.

B. Non-citizens
   5. Free native inhabitants without political rights ('second-class citizens').[17]
   6. Metics (resident aliens).
   7. Foreigners.
   8. Slaves, helots, etc.

Obviously only "A1" citizens count under the official Aristotelian definition, but just as obviously, when we read the *Politics*, we find that all the "A" groups are in fact called "citizens" most of the time, very much in accord with standard Greek

15. Manville, p. 87.
16. Fred Miller Jr., *Nature Justice and Rights in Aristotle's Politics*, OUP 1995, ch. 5, pp. 143ff.
17. David Keyt, "Aristotle and Anarchism," *Reason Papers* 18, 133-52, is the one who calls these "second-class citizens." Of course according to the ethnic identity concept of citizen, these clearly *are* citizens, so one effect of Aristotle's definition of "citizen" is to cut these people out of the class of citizens.

practice. And in fact members of group 5 were normally counted as citizens; it's really just Aristotle who is reluctant to give them that appellation.

I should say something about groups 6, 7, and 8. *Metics* are defined mainly by the fact that they are NOT members of the same ethnic group as the (ethnic) citizens of the polis, but they may have significant freedoms in the state in which they reside. If you say that a "*metic*" is a "resident alien" they you have trouble distinguishing between groups 6 and 7. In fact *metic* families may have resided in the polis for generations, but not (yet) been made into citizens. And they might not identify with any particular "foreign" state – that's what distinguishes them from foreigners, *xenoi*. A *xenos* is a temporary visitor from an identifiable foreign state. Of course if a *xenos* stays around, sooner or later he'll be considered a *metic*.

A great deal has been written about Aristotle's theory of slavery; I'm not going to rehash that here.[18] In practice, slaves were prisoners of war, or hostages of war, or people taken by pirates and not redeemed. Many of them belonged to the state; others were purchased private property. In antiquity, unlike the antebellum South, there was no special ethnic identity of slaves, although Plato and Aristotle (and no doubt many others) disliked the idea of having Greek, as distinguished from barbarian, slaves. Also unlike the antebellum South, there was a strong tendency for slaves to become free, in which case, if they remained in the state (rather than going "home"), they would be counted as either *xenoi* or *metics*, roughly depending on how long they had lived in their "host" state. In fact it was not unknown for freed slaves to become citizens, particularly if they had been recruited into the army and served with distinction.

Helots, famous from the Spartan state, and other groups more or less similar to the helots, were a very different case from the slaves in Athens and elsewhere. The helots were in fact the original population of Lacedaimonia; the Spartans invaded the Peloponessus several hundred years before the time of Aristotle, and made the inhabitants into serfs, attached to the soil. The martial commitment of the Spartans was due in large measure to the fact that as a minority occupying population, there was a constant danger of a successful armed revolt. In fact that very thing DID happen on the west side of the mountain range that runs north and south through the Peloponessus – the "serfs" of Tripoli and Messene took control of the government, and in fact became quite a powerful political force in that part of the Greek world during Aristotle's lifetime.[19]

Summary of this part: Aristotle's favored definition of "citizen" is a person who shares in "*arche*" and "*krisis*", governance and judgment, in the state. This definition

18. See my *Notes* pp. 242-243 for an extensive bibliography on Aristotle's theory of natural slavery.
19. Cf. *Pol.* II.1269b4 and 127014.

was favored in ancient democracies, like Athens, because people who had these characteristics coincided fairly closely with the people who would have been considered citizens according to the traditional definitions of the term – either those who serve in the army, or those who live in the territory and whose ancestors, grosso modo, also lived in the land. But in non-democracies, as Aristotle notes and we emphasize here, it was quite typical for relatively small subset of the people uncontroversially called "citizens" to participate in the government. That would tend to indicate that Aristotle's definition is intended to be persuasive rather than lexical.

b) Some comments on Plato's accounts of citizenship.

Plato uses the idea of citizenship in several different ways in the dialogues. One of the most famous locations is the *Crito*, where Socrates in prison represents himself being lectured by the Laws of Athens on the obligations of citizenship. The point of the Laws is that if Socrates has been willing to accept the benefits of Athenian citizenship, he should also willingly accept the negative aspects of Athenian citizenship; in the present instance, staying in prison and awaiting execution.[20]

In order for the argument to make sense at all, the notion of citizenship has to be a fairly accurate account of a notion of citizenship shared at least by Socrates and Crito, one to which both of them are in principle committed. Well, at *Crito* 50 the Laws affirm that Socrates was a citizen in virtue of the fact that he was born of such and such parents, educated in accordance with the laws, expected to serve in the military, and did not exile himself. It says a lot about the persistence of the common Athenian notion of citizenship that our students read this passage and do not find it at all peculiar – our generally accepted notion of what it is to be an American is pretty similar.

And we have to note that Socrates does *not* say that he had the obligations of a citizen in virtue of the fact that he had in fact participated in government, and in a juridical capacity as well, although we know that he did, from the *Apology*. Socrates is not operating with the favored Aristotelian definition of citizenship, but something that is both broader and more emotionally charged.

The *Republic* is a very different dialogue; it is a discussion of an ideal state, rather than of any actually existing state, let alone Athens. The *Republic* constructs a class of individuals, both men and women, who have total responsibility for governance,

20. The "standard" discussion of the *Crito* is Richard Kraut's *Socrates and the State*, Princeton UP 1984. See also T.C. Brickhouse & N.D. Smith, *Socrates on Trial*, Princeton UP 1989. A recent comment can be found in Josiah Ober, "Living Freely as a Slave of the Law" in Flensted-Jensen et al., *Polis and Politics*, 2000.

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judgment, and military defense of the state. It is clear that the guardians are not the only citizens from Plato's point of view; that all three classes are "citizens": cf. 417b: we don't want the guardians to be "hostile masters of the other citizens". 464b: the guardians must receive their upkeep from "the other citizens as a wage for their guardianship and enjoy it in common." Cf. 543b.[21]

The *Laws* is a dialogue that is in many ways less idealistic and more practical than the *Republic*, but the implied views on citizenship are not that different from those in the *Republic*, in that in this dialogue too there are some who rule and some who are ruled, but the assumption carries through that all of them are citizens nevertheless, or anyway all that would have been citizens under Athenian law are also citizens in Magnesia – Plato does not grant blanket citizenship to slaves or *metics*.[22]

The major point that I would like to make about Plato's use of the word "citizen" is that he obviously is aware of the democratic definition of "citizen" that was to be co-opted by Aristotle, but he isn't drawn in by it at all. Plato assumed that the word "*politēs*" implies nothing by itself as to participation or non-participation in the governance of the state.

c) Political Motivation of Aristotle's definition of "citizen"

Aristotle attempts to co-opt the "democratic" definition of "citizen" that had become part of the self-image of Athenians in his time.[23] If a "*politēs*" is a person who

21. There is of course a huge bibliography on Plato's *Republic*. A good general introduction is Julia Annas, *An Introduction to Plato's Republic*, Oxford UP, 1981. As far as I have seen, nobody takes a special interest in the question of "citizenship" in Plato's ideal state as distinguished from "participation in government". To be sure, it has been widely noted that Plato expects "participation in government" from women of the guardian class (cf., e.g., Natalie Bluestone, *Women and the Ideal Society*, U. Mass Press, 1987), ensuring that these women, at least, would count as citizens in the "Aristotelian" sense. There are ambiguities in Plato's attitudes about women participating in government; see, e.g. Nancy Tuana, *Feminist Interpretations of Plato*, Penn State UP 1994, especially Arlene Saxonhouse, "Hairy Cobblers and Philosopher Queens".

22. *Laws* 3, 689: "ignorance" (hating the good and loving the unjust) should disqualify citizens from any sort of power in the state. A state necessarily has some people who govern and others who are governed, and the rulers are: parents who rule their children, aristocrats who rule the low-born, elders who rule the youth, masters who rule slaves, the strong who rule the weak, the wise who rule the ignorant, and the divinely ordained (by lot) those who lose out. (etc.). The bibliography on the *Laws* is much smaller than that on the *Republic*. The most recent writer on the *Laws*, Seth Benardete, *Plato's Laws: The Discovery of Being*, Chicago UP, 2000, takes no special interest in the question of who is a citizen and who not in the ideal state.

23. My interpretation of Aristotle on this point can be traced back to Leo Strauss, *The City and Man*, Rand McNally 1964. See also (for a more "leftist" version), E. M. & N. Wood, *Class Ideology and*

participates fully in the government of his polis, then, Aristotle reasons, full citizenship should be limited to those who *can and do* participate fully in the government of their polis. What that means to Aristotle is that people whose economic circumstances require them to work long hours to make ends meet cannot fulfill the obligations of citizenship, and so should not be counted as citizens. I don't think that he's *terribly* rigid about this, but he does think that proper citizens are people who are well enough off so that they can spend a very significant portion of their time engaged, largely at their own expense, in taking part in the business of the city. A very considerable portion of what Aristotle says in both the *Nicomachean Ethics* and the *Politics* is aimed at encouraging what we would call a "volunteerist" conception of participation in government. He very much envisages a state that operates much the way that many of our modern social organizations function, largely on the basis of donated money and time, because their leaders are committed to the ideals of the organization.

Aristotle believes that those who are economically dependent on others are not good participants in government because they are "slavish," they will look for people who will support their needs and not for what is best for the state. "It is the greatest good fortune if the men that have political power possess a moderate and sufficient substance."[24] He wants a "middle class" government, meaning by that a government which is not dominated by the super rich, nor one that is dominated by the "poor" – by which he means everyone who works hard for a living. He intends to accomplish that by a property qualification; the advantage of a middle class government is that the middle class are "readiest to obey reason". It's no accident that these are also the people who are hoplites (IV.1279b1-2). Undoubtedly it's also no accident that the "middle class" very obviously will tend to actualize the "mean" so well known from the theory of virtue of the *Nicomachean Ethics*.

Ancient Political Theory, OUP 1978. My own view is probably closest to R. G. Mulgan, *Aristotle's Political Theory*, OUP 1977. The disagreement between "democratic" and "aristocratic" interpretations of Aristotle's political theory is discussed very clearly by Mary P. Nichols, *Citizens and Statesmen*, Rowman & Littlefield 1992, in the introduction. Nichols characterizes her own interpretation this way: "Although my interpretation of political rule makes the distinctions among human beings upon which the aristocratic interpretation insists, it offers the community that the democratic interpretation seeks" p. 6. Her goal, in short, is to give an interpretation of Aristotle's *Politics* that will make it a fundamental text for liberal democratic theory (cf. p. 12). Her discussion of *Pol* III (Chapter 2), however, fails to answer the crucial questions about the extent of enfranchisement that Aristotle would wind up recommending. She returns to this question pp. 97ff.

24. *Pol* IV. 1295b39.

d) Historical Consequences of Aristotle's definition of "citizen"

Aristotle's vision of the good society was not to be actualized, at least not in antiquity. While he was writing, the world was changing rapidly away from an environment in which the polis could flourish toward an environment in which the polis was totally submerged. Alexander of Macedon, ironically the student of Aristotle, was unifying Greece and the entire area that we call the "Middle East" into what was briefly one great Macedonian empire, and for a much longer period of time about five quite significant empires, ruled by his generals and their descendants.[25]

The Hellenistic imperial system was able to work because unlike the polis system of government, it allowed for multiple layers of government. Let me explain that briefly. The Hellenic polis, which means most of the Greek communities of the classical period, and the ideal states of Plato and Aristotle, was essentially what we would, in our political language, call a "local government." There was effectively *only one* layer of government. It is true that Attica was divided into demes, but those subdivisions were political conveniences, much like our modern precincts; they had no independent deliberative or juridical functions. To find a sovereign nation that works much as an ancient polis operated, we might look at Malta or Jamaica.

But when Alexander took over truly vast numbers of formerly independent states, plus several formerly independent empires, he devised, or more likely learned from the Persians, a system of governance that is not included in either Plato or Aristotle, a system that includes at its heart "limited local autonomy". The Hellenistic emperors were able to govern because they tended, on the whole, to permit the local governments to continue very much they way they had in the past, except that the local governments no longer had a "foreign policy". A good example of the "Hellenistic" relationship in modern governments is that of Monaco in relation to France, for example. Monaco has a Prince, while France is a Republic, and Monaco has its local government that is not much regulated by Paris, but Monaco does not have a foreign policy; the foreign policy of France automatically includes that of Monaco.[26]

Citizenship in the Hellenistic period, then, tended to continue to be thought of in one's "local" jurisdiction – which could continue to be a polis, or even a single town, but could also be rather larger than that, if the traditions of a subject nation were of a larger citizenship group. "Participation in government" became somewhat

25. See especially Shipley, chapter 3, "Kings and Cities".

26. Shipley, p. 106: "Ptolemaic and Antigonid power relied on keeping cities contented." Shipley points out that to a large extent the cities did remain independent, and in many respects profited from their complex and not always clearly defined relationships with the imperial courts.

ambiguous, since the government of an empire was carried on at the level of the emperor, obviously, but the government of a locality could and did continue at that level much as it had before. So a democratic polis could continue to be democratic for internal affairs, but there was another level of government above that, a level that might wage war, collect taxes, and review judicial decisions. I don't want to get too involved in the intricacies of Hellenistic government; suffice it as summary to say that a citizen of Alexandria "near Egypt" (as they put it) certainly thought of himself as an Alexandrian and not as an Egyptian; but to a large extent that was also true of people who lived in other localities in Egypt – one would be a Theban first, and an Egyptian after that.[27]

So Aristotle's political theories must have looked somewhat quaint and only partially relevant to people who may have read his *Politics* in the centuries immediately after his death. Because there was a strong motivation on the part of the *higher* authority to include as many people under the heading of "citizen" of the locality in which they lived, for purposes of administrative convenience, but there was little or no motivation to extend the right of political participation beyond a sufficient group of people that would ensure a tranquil administration of the territory.

We see this tendency even more clearly during the Roman period. Rome had been, in its early days, a polis with oligarchic tendencies and some movement toward democratization. But as Rome expanded, it constantly had to face the issue of what sorts of rights and obligations they would extend to the subject peoples. The solution, as we know, was to *gradually*, over hundreds of years, extend Roman citizenship to people who had so to speak earned it by becoming more or less Romanized. But what did that citizenship amount to? Per se, Roman citizenship gave little or no capacity to participate in government, since ultimately government (at the top anyway) was carried on autocratically and bureaucratically; even the traditional oligarchy, the Roman Senate, had very little to say about the course of government. But Roman citizenship did make a difference about *dike*, participation in the system of justice – not so much as a judge, as in terms of which courts one's case would be tried in, should one be brought up on charges for example. To understand what I mean, let me call attention to two famous trials in the New Testament, those of Jesus and Paul. In the case of Je-

27. Shipley, 2000, pp. 128ff, has a nice summary of the situation in Athens: Antipater, Alexander's successor in Macedon, restricted participation in government in Athens to those with an estate worth more than 2000 drachmas; this probably cut out 2/3 of the voters. There was a brief elimination of the property qualification, and then it was reinstated by Demetrius of Phaleron (reigning from 317-307), but at a lower limit, so that it probably cut out the poorest quarter of the citizens from participation. In the next century the Athenians often imagined themselves free, but in practice participation in government was restricted to a smaller and smaller group of the propertied elite.

sus, the trial, such as it was, was carried on initially by the traditional religious court of Judaea, but since the judgment of that court was that Jesus should be put to death, it automatically went on appeal to Pontius Pilate, the Roman governor of Judea.[28] Pilate had to ratify or refuse to ratify the decision of the religious court for the sentence to be carried out. Paul, in contrast, was a Roman citizen, and thus was tried according to the Roman system of justice, with a right of appeal to the Emperor himself.[29]

So from the perspective of Roman government, Aristotle's definition of "citizen" does not work for *arche*, but works in a way for *dike* in terms of the sort of justice one could expect to find as a defendant.

But ultimately the Romans made *everyone* into Roman citizens, as much to ensure a consistent application of laws as anything else. Whence much of the modern conception of citizen.

Then, in the modern era, Aristotle's *Politics* was rediscovered, or read again in a new light anyway. If we start from the presupposition that everyone who lives in a territory is a citizen, or more or less all of those plus their descendants wherever they may be, and we read in the *Politics* that Aristotle believes that a citizen is by definition one who participates in government, then we have an argument from authority that everyone ought to participate in government, and we have come full circle, in a way, from the democratic theory of the ancient Athenians to the democratic theory of the modern Americans.

But it was not easy to get there in one step; along the way we passed by a view of citizenship much closer to Aristotle favored interpretation, with the property qualifications and so on that were so popular in the 18th and into the 19th centuries.

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28. Matt. 26.57, Jesus taken to the court of Caiaphas, the high priest; Matt. 27 tells the story of Jesus before Pilate. Cf. Mark 14.53-15.15; Luke adds (23.7) that Pilate used the opportunity to mend fences with Herod- since Jesus was a Galilean, he would technically be under Herod's jurisdiction. John (19.31) makes it clear that Jesus was brought to Pilate because the Jewish religious court did not have the authority to condemn someone to death.

29. *Acts* 22.25: Paul is able to stop being beaten by the Roman soldiers by telling them that he is a Roman citizen. He was however kept in custody by Felix, who wanted to keep good relations with the Jews who had wanted Paul condemned. Paul appealed to the Emperor, as a right of a Roman citizen. Felix was succeeded by Porcius Festus, the brother of Seneca by the way. Festus set up a hearing by Agrippa, the king of Judea, and Queen Berenice. Legally that would have to be simply advisory, since Paul was not really a subject of Agrippa, he was from Tarsus in Cilicia. Festus and Agrippa agreed that he could have been released, had he not appealed to Caesar (*Acts* 26.32). The complexities of the case indicate (especially in light of *Acts* 28.19) that the Romans believed that as a Jew, Paul was under Jewish law to a certain extent, so that if condemned by them, he was liable to some (unspecified) punishment, but since a Roman citizen, he could appeal to Caesar, to have his local sentence overturned. I don't fully understand why Festus, as agent of Caesar, could not have released him. Perhaps someone has figured that out, and I'll run into the solution somewhere.

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