CHAPTER 1

THEORIZING CITIZEN IDENTITY

INTRODUCTION

This is a study of how social actors understood and imagined themselves as citizens in the Athenian democracy and the particular effects and consequences of how they did so. Although the question of identity is not usually singled out for special investigation in studies of Athens' democracy, it nevertheless frequently informs the questions historians ask of the democracy and the answers they formulate. For example, the ongoing inquiry into when democracy really began in Athens hinges on how citizenship is understood as a social identity.[1] Several scholars argue that in order for democracy to be possible, the social actors involved must, of necessity, have some identification – as soldiers or equals – that underwrites their capacity to act as democratic citizens.[2] Although this intuition is well founded – citizen identity is central to democracy – the question is not merely a genealogical one, confined to democracy's origins, but rather persists throughout the democracy's history.[3] In part, this is because the question of who deserved to be a

[1] For the argument that the democracy begins in 508/07, with the demos becoming a "self-conscious and willful actor," see Ober 1996, 1997, 69. For the democracy as beginning in 462, when the thetes or lower class citizens finally gained the confidence to participate in democratic politics, see Raaflaub 1997a, 1997b.

[2] In addition to the studies cited in note 1, see Dahl 1989; Burke 2005; Frost 1994; Hanson 1996; Morris 1996, 2000; Strauss 1996; Vlastos 1953, 350. The question of citizen identity also informs studies discussing "how democratic" the democracy was. For instance, Griffith's (1998) analysis of democracy in terms of "leaders and the led" assumes that "the led" – the ordinary citizens – lacked the confidence and the competencies for full participation in democratic decision making.

[3] The membership question remains central to modern democracies as well; as Danielle Allen puts it: "Democracy's basic term is neither 'liberty' nor 'equality' but the people" (2006, 69). Who the

citizen was never finally put to rest. In his seminal study of Athenian citizenship, J. K. Davies describes the situation this way:

> *. . . the questions "Who is to be, and who is not to be, in the Athenian community, and why" were continually being posed by pressures from within and without: . . . the process of finding answers, and of justifying them, was a very important component of Athenian public and intellectual life: and that process yielded tensions, prejudices and insecurities which affected individuals deeply and inescapably.*[4]

What Davies points to here is that democratic citizen identity lacked a completely *uncontestable* foundation. The question of citizen identity remained alive because it was always possible to question who deserved to be counted as a citizen. But during the second half of the fifth century and throughout the fourth, the Athenians began to develop and increasingly rely on an answer to this question rooted in ideas about birth and ancestry. For the city's use of birth and ancestry norms to identify and delineate the citizen body encouraged the production of a narrative or myth linking these norms to citizen identity. According to this story, having the right birth and ancestry not only qualified one for citizenship but also suggested that the citizen would possess an inherited love for the democracy as well as the capacity to develop as a good democratic citizen.[5] Thus, what I am suggesting, and what I will elaborate further in what follows, is that, at least from the mid fifth century onward, the criteria used to identify candidates for

people are or ought to be has never been self-evident or uncontroversial; see further Allen 2006, 70–2; Stevens 1999.

[4] Davies 1977/78, 106. The contested nature of Athenian citizenship's content (rather than its membership norms) is at the heart of McGlew's study of Old Comedy (2002).

[5] On the hereditary component of citizenship, Ober states that "the Athenians clearly accepted the possibility of inheriting from one's ancestors a love of the polis, of democracy, or both (1989, 266). According to Parker, "the obligation to protect the sacred places of Attica" fostered the belief that both piety and patriotism were inherited (2005, 454). By contrast, those with supposed foreign ancestry were said to be enemies of the gods; see, e.g., Dem. 21.150.

citizenship were intertwined and overlapping with the criteria social actors employed to identify as citizens. Simply put, social actors framed their identification as citizens in a language of birth and ancestry. This is not to say that there was only one way to identify as a citizen or that all citizens were committed to a birth and ancestry narrative. As is the case with other social identities, citizen identity was unevenly developed across the group to which it applied, meaning that not everyone who identified as a citizen did so on precisely the same basis. And, like other social identities, citizen identity was composed of multiple coordinates or narratives that were activated at different times and in differing contexts, according to the needs of the moment. Yet, despite this variability, the history of Athenian citizenship practices and discourse clearly reveals that birth and ancestry provided an enduring framework through which many Athenians developed a story about who they were and what made them democratic citizens.

In this study, I investigate a particular birth-based narrative of citizen identity, which, for the sake of analytic clarity, I refer to as a racial identity. The use of the term "racial" is, I realize, controversial in the context of classical Athens and, to a certain extent, in the pre-modern period generally. I will explain why I have elected to employ this term, and a cluster of related concepts (racialism, racism, and racial ideology) in more detail later. For present purposes, I stress that nothing in this study's argument hinges on the use of these terms per se. This is an investigation of citizenship as a social identity, and racial citizenship is the label I am applying to one component of that identity narrative.[6]

[6] An identity must fulfill three conditions, according to A. Appiah, in order to qualify as a social identity. First, there must be a label "L" for the identity and a vocabulary to specify the content of "L"; second, some who bear the label "L" must identify as "L's"; this means that being an "L" shapes one's self-understanding, attitudes, and actions; finally, others must (at least sometimes) treat those who identify as "L's" as "L's". See further Appiah 2005, 65–9. This schema is rooted in the social identity tradition (see the following discussion). In this study, I am treating Athenian citizen identity as a social identity that has a racial element.

Although it might be possible to use other labels, though with substantial modifications and caveats (e.g., ethnoracism, kinship nationalism), I have elected to employ the concept of racial citizenship because it requires less tinkering and because it mostly closely reflects the phenomena under consideration.

Racial citizenship emerged and became more intense from time to time, I argue, because it provided a rationale for preexisting practices and norms, equality in political institutions, inequalities in the distribution of the polis's resources, and because it supplied ready answers to issues the Athenians did not wish to interrogate too deeply. Accordingly, the argument is not that racial citizenship emerged for reasons related to a prior sense of racial superiority or inferiority. Rather, my basic claim is that citizenship practices broadly construed provided a context for formulating a narrative of racial citizenship in response to pressing needs and problems. According to J. K. Davies, the citizen body has a twofold identity: it is both a "descent group" and an "interest group" insofar as the citizens shared special economic privileges.[7] What I would add to this observation is that these identities are not incidentally related but rather existed in a dynamic codependence. The norms linking citizenship to birth and ancestry encouraged citizens to appeal to considerations of birth and ancestry to justify and explain why they deserved to share in the interest group (and hence in the goods of citizenship) and why others did not. In other words, the material perks of citizenship incentivized the development of the racial myth of Athenian citizenship and the racist practices that went with it. In order to cash out this claim, and the content and work of racial citizenship more generally, in this chapter I describe the development of racial

[7] Davies describes the citizen interest group as follows: "Citizens monopolized the economic privileges of owning landed property and house property in Attika, of inheriting property from Athenians, of purchasing the leases of the silver mines, of being recipients of regular windfall distributions of money or corn which came through the state, or of participating in tribal feasts or in the maintenance associated with some public festivals" (1977/78, 106).

citizenship in the context of two interrelated and alchemical interactions, one between law and cultural practice and the other between democratic ideology and its aristocratic forebear.

The historical emergence of Athenian citizenship as both an institution and an ethos or identity has been well demonstrated by scholars in the last generation or so.[8] Hoplite warfare, cultic practices, and the passage of laws defining the privileges and protections of all free male inhabitants of Attica have been seen as integral to the development of a robust conception of citizen identity.[9] These domains offered practical and symbolic resources through which individuals could identify as citizens, while at the same time providing activities that served to define citizenship itself. Yet, while military, politico-legal, and cultic practices are important for the evolving history of Athenian citizen identity, they offer only part of the story. These practices tell us "what makes the citizen" or "what the citizen does," but they do not tell us *who* the citizens are.[10] In Athens, competence and capacity were never decisive factors in identifying the citizen. In all periods – with the possible exception of the Cleisthenic revolution – there was a

[8] Manville 1990; 1994, 21–33; Loraux 1993; Frost 1994, 45–56; Connor 1994, 34–44; Hanson 1996.

[9] For hoplite service and citizen identity, see Burckhardt 1996; Hanson 1996; Hunt 1998, 218–21; for naval service and citizen identity, see Burke 2005; Hunt 1998, Strauss 1996; for cult participation and citizen identity, see Borgers 2008; Connor 1988; for ritual activity and female political identity see Goff 2004.

[10] The same problem crops up even if we move away from strictly political-institutional conceptions of citizenship. For instance, Ostwald suggests that the ancient Greek citizenship was conceived as "sharing in" rather than having a bundle of rights (Ostwald 1996). While this language captures the Athenian vocabulary of citizenship (sharing in: *methexis*), the question of *who* gets to share remains. Similarly, some scholars urge a rethinking of citizenship to capture its "religious" and cultic dimensions; see, Borgers 2008, Connor 1988, Evans 2004, Goff 2004, Jameson 1997. Although participating in feasts and cultic activities is an integral aspect of citizenship in Athens, and indeed can be used as evidence that one is a citizen in law court speeches, the mere fact of such participation does not tell us *who* is entitled to that privilege. Again, in order to avoid begging the question, assuming that the group in question already exists as such, we also need to examine exactly how the group comes into being and reproduces over time.

stark discrepancy between the number of residents in Attica capable of fulfilling at least some of the duties associated with citizenship and the actual number of citizens.[11] This disparity was in no way regarded as aberrational or problematic: in Athens, as elsewhere in the Greek world, citizenship was expected to be exclusive rather than inclusive.[12]

From the very earliest period in which we can detect a conception of citizenship (roughly the seventh century), the Athenians used birth to identify citizens and to delineate the citizen body; but birth was construed differently in different historical periods.[13] As far as can be reconstructed from the extant evidence, the birth criteria for citizenship evolved in three stages – from "free birth from an Athenian father," to "free and legitimate birth from an Athenian father," to "free and legitimate birth from an Athenian father and an Athenian mother." Over time, these criteria – along with the beliefs they fostered and the rituals they required – became central to the ongoing process of democratic citizen identity. To put it another way, the criteria for citizenship became inflected with the values and ideology of the political community to which they delineated access, despite the fact that democracy's ancient critics, as well as many modern historians, have denied the political salience of birth, however it is defined.[14] Rather

[11] Only about 10 percent of the inhabitants of Attika were citizens; see Hansen 1991. For the number of citizens in the fourth century, see further Hansen 2006 and Chapter 6 of this study.

[12] On exclusivity as a norm of Athenian citizenship, see Ober and Strauss 1990, 237–70. For the norms of citizenship in other Greek poleis and in oligarchies, see Ostwald 2000b; Whitehead 1991, 135–54.

[13] In the pre-Solonian period, noble birth was used to control access to political power. For the *eupatridai*, see *Ath. Pol.* 13.2, Plut. *Thes.* 24–5. For the composition of the *eupatridai* and their powers, see further Ober 1989, 55–60 with references, and Rhodes 1981, 75–6.

[14] Aristotle seems to deliberately elide the significance attached to birth-based citizenship norms in ancient democracies; see *Pol.* 1275b22ff., 1278a28ff. This is likely related to the habit of elite critics (Aristotle, Plato, Pseudo-Xenophon) to refer to democratic citizens and the demos in factional terms, i.e., as the poor, whereas democratic citizens employ the term *demos* in an inclusive sense or perhaps what Allen calls an aspirational one; for the factional versus aspirational meaning of the people (demos), see Allen 2006, 70–2.

than leaving their birth identities behind upon entering the political domain, the Athenians viewed the circumstances of their birth as intimately connected to their political identity and, at times, to their competencies as democratic citizens.[15]

Law, Ethnic-Nationalism, and the Making of Citizen Identity

What were the basic reference points of Athenian citizen identity? What stories encouraged individuals to recognize themselves first and foremost as Athenian (and eventually) democratic citizens? There is a growing body of work that seeks to answer these questions by taking seriously at least some invocations of birth and ancestry.[16] In different ways, this material links Athenian citizen identity to what might be called ethnic-nationalism, suggesting that processes of ethnic and/or national identity worked together to create and maintain citizen identity.[17] Accordingly, I begin by building on this work, reviewing

[15] For the idea that the Athenians and Greeks in general were able to suppress their private identities upon entering the political domain, see Arendt 1958, Hannaford 1996.

[16] See Smith 1991, 79–84. Athenian citizen identity is implicitly conceptualized in terms of ethnic-nationalism in Loraux 1993. The ethnic-national dimension of Athenian citizen identity is more explicit in E. Cohen 2000a; Cohen 2001, 235–74; Hall 1997.

[17] Smith (2000, 63) offers the following working definition of the nation: "a named human population occupying a historic territory or homeland and sharing common myths and memories; a mass public culture; a single economy, and common rights and duties for all members." He adds that premodern collective identities may conform to this ideal type of the nation, "at least for limited periods of time" (63). This claim would seem to imply that Smith does not see the nation and its ideology as distinctively modern, as some theorists argue; see Anderson 1991, Connor 1994, Gellner 1983, Hobsbawm 1990. In a subsequent study, Smith (2004, 128–33) argues that there was no nationalism in ancient Greece because Greece as such did not exist as a unified political entity. See also Finley 1954, 1986, 126; Gellner 1983, 145; Hobsbawm 1990, 64. Smith also investigates whether or not nationalist ideology existed at the polis level, considering E. Cohen's argument for the existence of Athenian nationalism. E. Cohen (2000a) argues that Athens was both large enough to qualify as a nation and had a large-scale public culture allowing for widespread national participation. Smith (2004, 132) rejects Cohen's argument, on the grounds that "Athens was hardly distinctive, being a variant of Ionian Greek culture and ethnicity" and that political participation was confined to an elite. Smith's last two objections are easily countered: there was in fact relatively widespread political participation in Athens (as compared to other poleis), and

the rise of ethnic-nationalist components of Athenian citizen identity in the fifth and sixth centuries. In so doing, I aim not only to show that processes of ethnic-nationalism were important to citizen identity – in ways that have yet to be fully explored and appreciated – but also to suggest that these theoretical rubrics as currently configured in classical studies lack the precision needed to analyze and characterize the evidence dating from after the passage of the Periclean citizenship law in 451/0 BCE. This law tightened the birth requirements for citizenship, mandating that citizens have two Athenian parents (rather than only one), and hence drew attention to the circumstances of the citizen's birth, that is, his conception and the implications of his parentage. In so doing, the law encouraged hereditarian narratives that, I argue, articulate a racial conception of citizen identity.

To begin, then, what is ethnic-nationalism? For present purposes, I use this term as a shorthand to characterize various modern views linking citizen identity to ethnic identity, nationalist processes, and/or a combination of the two.[18] Ethnic and national identities appear to have much in common: both are defined with reference to a belief in shared ancestry and an association with a specific territory (inter alia).[19]

there were numerous occasions for broader engagement in civic life; further, whether or not Smith is correct to call Athens a variant of Ionian Greek culture, the Athenians themselves obviously did not see it this way. They were at pains to differentiate themselves from the Ionians and from all other Greeks; see, e.g., Connor 1993, 194–206. In the end, Smith (2004, 129) seems to hedge in denying the existence of premodern nationalism, while identifying "comparable pre-modern collective cultural identities." For nationalism in premodern periods, see also E. Cohen 2000a, Roshwald 2006, Stevens 1999, Walbank 2001, Yuval-Davis and Anthias 1989.

[18] For ethnicity and nationalism as two sides of the same coin, see Balibar 1991b, 96–100; Connor 1994, 212; Jenkins 1997, 142–6; Roshwald 2006. Connor coins the term "ethnonationalism" to highlight this connection, defining nationalism as the love of the ethnic nation (1994, 212). See also Smith 2000 on this interconnection.

[19] According to Hall (2002, 29), "the definitional criteria or core elements which determine membership in an ethnic group are . . . a putative subscription to a myth of common descent and kinship, an association with a specific territory and a sense of shared history. According to Malkin (2001, 10), "the notion of kinship is obviously central to perceptions – ancient and modern – of ethnicity. Having the same blood (*homaimon*) seems to be a universal aspect." For a belief in common

In addition, both recruit kinship ideology to figure the individual's connection and obligation to the larger collectivity.[20] The difference between ethnic and national identities can be viewed as a matter of emphasis: whereas ethnic identities attach more weight to the element of common descent, national identities often give priority to the element of territory (which, in turn, is usually figured in terms of kinship, as in the mother- or fatherland) and, in some cases, to public and/or political institutions;[21] it should be noted, however, that some scholars explicitly oppose ethnic and national identities to political identities like citizenship. They point out that political identities are defined politically, that is, by legal rules, a political culture, and perhaps by a presumed compact among members.[22] Accordingly, they view the emphasis on common descent associated with ethnic-nationalism as, by definition, nonpolitical. The problem with this distinction, however, is that it begs the question by assuming the existence of the political entity in question. As soon as we attempt to identify who the citizens are, we are brought back to notionally nonpolitical considerations of birth and ancestry – in other words, to the domain of ethnic-nationalism (at least in the classical Athenian context).[23]

From the beginning, Athenian citizen identity had something to do with nationalist processes and likely with ethnicity as well, although the evidence is too sparse to be certain here. The first written legal code at Athens was passed by Draco in 622/1 in response to the Cylonian crisis.[24] For a variety of reasons, scholars have seen the passage of this

ancestry/shared descent as a core feature of ethnic identities, see also Connor 1994, 74–8; Eriksen 1993, 12; Hall 1997; Smith 2000, 67; Thomas 2001, 217; Weber 1996, 35–9.

[20] For nationalism as relying on kinship ideology, see Balibar 1991b; Isaacs 1975, 38–9; Stevens 1999; Walzer 1983, 52.

[21] For ethnic versus civic nationalism, see Ignatieff 1995, 3–6; Smith 2000, 65–7.

[22] See Konstan 2001, 30.

[23] For this problem in modern political contexts, see especially Balibar 1991b; Stevens 1999.

[24] For Draco's laws as an attempt to curtail violence in the aftermath of the killing of Cylon's supporters, see Carawan 1998, 43; Forsdyke 2005, 84; Humphreys 1991, Stroud 1968; Effenterre 1994.

code as pivotal to the development of citizenship at Athens, though their arguments have necessarily been speculative, since all that survives of the code, if indeed it was a fully elaborated code, is part of the homicide law.[25] In describing the penalty for the unjust killing of a man accused of involuntary murder, the law states "if anyone kills the killer or is responsible for his death, as long as he stays away from the frontier markets, games, and Amphictyonic sacrifices, he shall be treated as one who kills an Athenian."[26] What is significant here is that the law employs the *ethnikon* "*Athênaios*" to designate the polis insider who is privy to better legal protections than the outsider.[27] As Frank Frost remarks, this is the first extant evidence of a "legal distinction between Athenians and non-Athenians."[28]

In the fifth and fourth centuries, the use of the polis ethnic, *Athênaios*, appears to be the exclusive prerogative of citizens.[29] The typical way that speakers in forensic and deliberative oratory refer to jurors and assembly members – to people in an explicitly political role – is as "Athenians" or "Athenian men."[30] According to Cynthia Patterson, *Hoi Athênaioi* "is more than an ethnic adjective; it is a substantive term for the Athenian state."[31] Similarly, the *ethnikon Athênaios* in the homicide law refers to the Athenian as a citizen – keeping in mind, of course, that the law itself is involved in forging the category of

[25] The homicide law is partially preserved on an inscription from 409/08 (*IG* I^{3}104, published in Stroud 1968; Effenterre 1994). Scholars agree that the inscription is a nearly exact copy of Draco's original law; see Gagarin 1981, 1986, 86; Manville 1990, 80–1; Stroud 1968. For the homicide law, see also Grace 1973, Humphreys 1991, MacDowell 1963, Tulin 1996.

[26] Lines 26–9 (*IG* I^3 104), following Stroud's text (1968).

[27] In keeping with ancient practice, names indicating polis identity are referred to as *ethnika*. The *ethnikon* need not be interpreted in terms of ethnicity.

[28] Frost 1994, 48.

[29] See Blok 2005; Hansen 1996, 185–6; Patterson 1986; 52–3. For Athenian naming practices, see also Hansen 2004, which updates and expands Hansen 1996.

[30] For example, Socrates in Plato's *Apology* addresses the jurors as "Athenian men" thirty-nine times.

[31] For example, 1986, 52.