

The Periclean Citizenship Law of 451/0 B.C.

Paul Waring

19th June 2007

Abstract

This paper will explore the effects of the citizenship law enacted by Pericles in 451/0 B.C. on the residents of Attica during the second half of the fifth century. I will begin by providing a brief historical account of the situation of Athenian citizenship before 451/0 B.C. and the relevant events leading up to the enactment of Pericles' law, as well as a short bibliographical account of Pericles' relevant political life up to this point. I will then examine a variety of reasons why Pericles may have chosen to implement this measure and why it might have been accepted by the existing citizenship body, as well as considering the various objectives that the law may have intended to achieve. In concluding I will examine the events following the enactment of the law and evaluate whether or not the law achieved any of its previously discussed objectives.

Who was Pericles?

Pericles was a prominent figure in fifth century Athens, leading a relatively long life from c. 495 - 429 B.C. He is generally considered to have been a popular leader, wielding a great deal of political influence during his career, to the extent that Thucydides went as far as to describe him as the "first citizen" of Athens¹. He had a high degree of involvement with Athens' public building programme of the 440s and 430s, and was also responsible for introducing pay for jurors. Pericles was a successful general and was re-elected to this position for fifteen consecutive years. However, his defensive strategy at the start of the Peloponnesian War slowly eroded his support amongst his fellow

¹Thucydides 2.65

Athenians, and eventually he was deposed by them. Although they later had a change of heart and re-instated Pericles, he died soon after from the plague that was ravaging the city.

What was Pericles' citizenship law?

The situation before 451/0 B.C.

It is generally thought that before 451/0 B.C. citizenship in Athens was heredity in the male line, that is to say that if you were male and your father was a citizen, then you would be enrolled in your deme (which was the point at which you actually became a citizen) in your eighteenth year. As was the case with many ancient civilisations, the granting of citizenship did not extend to women, children or slaves.

Pericles' citizenship law

The standard source for Pericles' citizenship law is the Constitution of Athens, which is usually attributed to Aristotle. Here it is stated that "it was decreed, on a motion of Pericles, that a person should not have the rights of citizenship unless both of his parents had been citizens"². A similar statement is made in Plutarch's Lives, where it is written "he [Pericles] proposed a law that only those who could claim Athenian parentage on both sides could be counted as Athenian citizens"³. In other words, citizenship was no longer to be heredity purely on the male side, and although women would not gain the benefits of citizenship, their status would now affect whether or not their sons became citizens.

The reasoning behind the law

After reading the text of the decree, the main question that springs to mind is why did Pericles put forward this motion and why did the demes accept it? One possible reason would have been to attempt to reduce the number of people who were entitled to the benefits of citizenship. Aristotle suggests that

²Ath. Pol. 26.4

³Plutarch, *Pericles*, 37.2-5

the law came about as a consequence of “the increasing number of citizens”,⁴ but I am not convinced that this is the main motivating factor, for a number of reasons. First of all, the sources that we have suggest that the law was not applied retrospectively, so anyone who was an Athenian citizen before the decree was enacted would not have their status stripped if they did not meet the stricter requirement of citizenship in both parents. If this is the case, the measure would not reduce the total number of citizens, although it might reduce the rate at which the citizenship body was increasing in size.

Secondly, although Aristotle does specifically say that the increasing number of citizens was a driving factor for the introduction of a more stringent requirement for citizenship, he offers no explanation whatsoever as to why a larger citizenship body would be something which the people of Athens would want to avoid. Indeed, there are several reasons why an increase in the number of citizens could be considered to be of benefit to everyone. The major reason which the Athenians appear to have been aware of is the strength of democracy when it comes to war – a particularly relevant issue at this point in Greek history. When people are given an active role and a degree of influence in the running of the polis, they will usually fight much harder to defend it because they are fighting to retain their freedom and autonomy as well as a territory. This is in contrast to other forms of government, such as oligarchy or monarchy, where the people are often less willing to fight because the outcome of a war is likely to leave them with the same restrictions on freedom and political influence, albeit possibly under a different group of rulers.

Another possible reason, put forward by S. C. Humphreys, is that the citizenship law was trying to counter the “aristocratic practice of contracting marriage-alliances with leading families in other states – a practice which created sympathies and loyalties which were liable to obstruct rational policy both towards Athens’ subjects and towards her rivals.”⁵ However, I believe that this motive is flawed for several reasons. Firstly, the decree in question concerned citizenship, not marriage, and if the purpose of the decree was to target such marriage alliances then why not simply attack them directly? Admittedly there is a possibility that a tightening up of the requirements for citizenship could have an indirect effect on marriage decisions, but this surely cannot be the main reason for Pericles’ motion being accepted. Secondly, Humphreys’ assertion implies that such marriage alliances were exclusive to the aristocracy, yet she offers no indication of the criteria that

⁴Ath. Pol. 26.4

⁵S. C. Humphreys, “The Nothoi of Kynosarges”, *The Journal of Hellenic Studies*, Vol. 94 (1974), p. 84

she would like to see satisfied in order for someone to be considered to be a member of the aristocracy. Finally, there is the question of whether marriage alliances with other states would actually have been seen as something to be actively discouraged. Such relationships could be extremely useful in diplomatic situations, and indeed Humphreys herself points out in a later article that ‘private’ qualifications (which could include family ties such as marriage alliances) often determined the selection of ambassadors from Athens⁶. She also makes particular reference to the fact that “the more patrimonial and personal power relations were in a foreign state, the greater the importance of the private resources and connections of the ambassadors sent to it.”⁷

Finally, there is the argument that during the mid fifth century there existed a feeling of self-interest amongst existing citizens, under the possible slogan of “Athens for the Athenians”⁸ – in other words the existing citizens were trying to restrict the benefits of citizenship to people who could be considered ‘pure’ Athenians. It would appear, however, that Athenians tended to marry other Athenians for the most part anyway, so it is possible that the decree was a formal attempt to enforce what was already considered to be the status quo, rather than a real change in what people thought should be one of the requirements for citizenship.

Events following the enactment of the decree

As there was no central registrar of citizens that we are aware of, it is very difficult to evaluate whether the tightening up of the requirements for citizenship actually satisfied any of the possible motivations for the enactment of the decree proposed by Pericles, especially any motivations that deal with reducing the total size of the citizenship body. However, we do have an application of the more stringent requirement for citizenship from 445/4, shortly after the decree was made, when the king of Egypt presented Athens with a gift of forty thousand measures of grain, which was to be distributed amongst the citizens. This caused a string of lawsuits to be launched against people who were not legitimate citizens under Pericles’ law, yet who had escaped attention in the intervening years. As a result, around five thousand people were convicted and sold into slavery, bringing the total number of citizens

⁶S. C. Humphreys, “Public and Private Interests in Classical Athens”, *The Classical Journal*, Vol. 73 (1977-78), p. 100

⁷S. C. Humphreys, “Public and Private Interests in Classical Athens”, *The Classical Journal*, Vol. 73 (1977-78), p. 101

⁸Patterson (1981), p. 104

down to just over fourteen thousand. This could be said to show that the motivation of reducing the rate at which the citizenship body was expanding was satisfied, because without this tightening up of the requirement there would potentially be five thousand extra Athenians. It would also be in line with the self-interest of the demes motivation, because sharing forty thousand measures of grain between a significantly smaller number of citizens would mean that, in theory at least, each remaining 'true' citizen would receive more.

In a final twist, Pericles himself almost became a victim of his own law when he bore an illegitimate son from his relationship with his mistress Aspasia. In theory this child should never have become a citizen because of the requirement to have citizenship in both parents, but the people are said to have taken pity upon Pericles for some of his misfortunes and he was allowed to enrol his illegitimate son into the family phratry lists and give him his own name.