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and the Bestowal of Privileges upon Foreigners in  
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# **(De)constructing *Politeia***

## **Reflections on Citizenship and the Bestowal of Privileges upon Foreigners in Hellenistic Democracies\***

*Christel Müller*

**In the field of ancient Greek history**, the notion of personal status was used by Moses Finley over the course of the 1960s and 1970s as the linchpin for his theory of embeddedness. Thus, in 1973, he proposed using “the word ‘status,’ an admirably vague word with a considerable psychological element.”<sup>1</sup> Setting out status in a deliberately ill-defined manner made it possible to avoid having the individual behave as a “pure economic agent”<sup>2</sup> and thus to eliminate concepts of “order” or “class,” which were deemed outdated or loaded.<sup>3</sup> Nevertheless, in a recent analysis that can be described as “neo-marxist,” Julien Zurbach has suggested reconnecting status and class, following a path previously explored by Maurice Godelier in order

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1. Moses I. Finley, *The Ancient Economy* (Berkeley: University of California Press, 1973; repr. 1999), 51.

2. Jacques Oulhen opportunely recalls this in his chapter on Athenian society in *Le monde grec aux temps classiques*, vol. 2, *Le IV<sup>e</sup> siècle*, ed. Pierre Brulé et al. (Paris: PUF, 2004), 274.

3. The three terms are sometimes used today in a misleadingly interchangeable manner, as is the case in Virginia Hunter’s introductory chapter “Status Distinctions in Athenian Law,” in *Law and Social Status in Classical Athens*, ed. Virginia Hunter and Jonathan Edmondson (Oxford: Oxford University Press, 2000), 1-29.

to show that “legal and political divisions constituted ancient Greek society’s infrastructure, [and] politics functioned as a relation of production.”<sup>4</sup> In doing so, Zurbach strongly opposes a particular fringe of historical anthropology for which “the problem of status tend[s] to give way to the question of how a community is united and cemented,”<sup>5</sup> currently exemplified, in his opinion, by the notion of social performance employed by Alain Duplouy in his work on the elite of the Archaic period.<sup>6</sup> Duplouy seeks to demonstrate how the social hierarchy of this period was constructed “to a certain extent outside of legal statuses.”<sup>7</sup> From his point of view, the position of each individual was the result of a perpetual negotiation that was particularly evident in the case of the aristocracy and which expressed itself first and foremost through behaviors, practices, and discourses designed to maintain an unstable position within a competitive world—in short, a “performance” pertaining to the notion of agency (taken in the sense that some sociologists use this term, that is, the free and intentional aspect of individual action, including in the philosophical sense). Such a viewpoint places less importance on legal status, birth, land ownership, and wealth, precisely the elements that Zurbach suggests emphasizing under the term “infrastructure.” However, revitalizing the notion of status from the standpoint of economic history allows Zurbach to move beyond the opposition, which he considers sterile, between those who support a history of (and through) statuses and self-proclaimed historians of social dynamics. Following Nicole Loraux, Zurbach refuses to take sides between what she termed the “city of classical historians” and the “city of anthropologists”<sup>8</sup> and, subsuming the political within infrastructure, moves to identify the “economic origin of the ancient city-state.”

Let us return to Finley’s work. His conception of status was not always psychological and enjoyed a more promising legal phase, albeit one that remains somewhat underexploited. In two articles published in the early 1960s, Finley argued that ancient societies were initially characterized by a multiplicity of statuses during the Archaic period, then hardened around an opposition between slaves and freemen before rediscovering, under the Roman Empire, a diverse spectrum of statuses that led directly into the medieval world.<sup>9</sup> Yet one of the most interesting notions used by Finley—and, until now, more or less left out of heuristic

4. Julien Zurbach, “The Formation of Greek City-States: Status, Class, and Land Tenure Systems,” *Annales HSS (English Edition)* 68, no. 4 (2013): 617-57, here p. 626.

5. *Ibid.*, 624.

6. Alain Duplouy, *Le prestige des élites. Recherches sur les modes de reconnaissance sociale en Grèce entre les X<sup>e</sup> et V<sup>e</sup> siècles avant J.-C.* (Paris: Les Belles Lettres, 2006).

7. *Ibid.*, 258.

8. Nicole Loraux, “To Repoliticize the City,” in *The Divided City: On Memory and Forgetting in Ancient Athens*, trans. Corinne Pache with Jeff Fort (New York: Zone Books, 2002), 45-62; Vincent Azoulay and Paulin Ismard, “Les lieux du politique dans l’Athènes classique. Entre structures institutionnelles, idéologie civique et pratiques sociales,” in *Athènes et le politique. Dans le sillage de Claude Mossé*, ed. Pauline Schmitt Pantel and François de Polignac (Paris: Albin Michel, 2007), 271-309.

9. Finley, “Between Slavery and Freedom” [1964], and “The Servile Statuses of Ancient Greece” [1960], in *Economy and Society in Ancient Greece* (London: Chatto and Windus, 1981), respectively 116-32 and 133-49, especially pp. 131-32.

approaches to the Greek world<sup>10</sup>—is that of the continuum of statuses: “All men, unless they are Robinson Crusoes, are bundles of claims, privileges, immunities, liabilities and obligations with respect to others. A man’s status is defined by the total of these elements which he possesses or which he has (or has not) the potential of acquiring. ... [I]t is not a matter of one man having one more privilege or one more liability than another. Rather it is a matter of location on a spectrum or continuum of status.”<sup>11</sup> Finley went on to propose “a typology of rights and duties,” a paradoxically achronic endeavor, followed by a conclusion arguing that the evolution of these statuses eventually led to a crystallization into two primary personal conditions—the slave and the freeman—in both Classical Athens and Rome. Even if one accepts that “the metaphor of a continuum breaks down”<sup>12</sup> for Athenian Classicism, confined as it is to the fifth century BCE, what happened in the Hellenistic cities of Greece between the end of the fourth and the first century BCE, which are barely explored by Finley?<sup>13</sup>

These cities are known first and foremost through a specific kind of source: inscriptions, the often normative documents that were created in soaring numbers during this period. It is for this reason that they are almost exclusively the preserve of epigraphists. Classical Athens might be a common object of study, but anthropologists are interested in a city that is more Archaic or Classical and, well, *Attic*, while epigraphists, generally legal historians despite themselves,<sup>14</sup> are more concerned

10. With the exception of Deborah Kamen, *Status in Classical Athens* (Princeton: Princeton University Press, 2013).

11. Finley, *Economy and Society*, 131. Duploux cites the term “continuum” in *Le prestige des élites*, 258. However, he uses the notion of status in a social rather than a legal sense, whereas in 1964 Finley was still using it in the strict sense.

12. Finley, *Economy and Society*, 132.

13. For Finley circa *The Ancient Economy*, only the Classical Greek city—essentially Athens—seems to have had real importance before the Roman Empire. Even though this work was a panorama covering 1,500 years of history (pp. 29 and 58), only rare examples are drawn from the Hellenistic period, such as the Delian leases (pp. 114-15) or what he calls the “credit crisis” at Ephesus at the beginning of the third century BCE (p. 143). Finley’s lack of knowledge about the epigraphic richness of the Aegean basin is striking when, in discussing the honors granted to benefactors, he mentions “the numerous brief epigraphical texts at our disposal” (p. 164)—a considerable error even in 1973. In his book on the *horoi* or “hypothecation-markers” used to mark lands placed in security, the author hardly ventured beyond the beginning of the second century BCE. See Finley, *Studies in Land and Credit in Ancient Athens, 500-200 B. C.: The Horos Inscriptions* (New Brunswick: Rutgers University Press, 1951).

14. I say “despite themselves” because the notion that “Greek law” legitimately existed is not unanimously upheld, especially for the Classical period: see Michael Gagarin, “The Unity of Greek Law,” in *The Cambridge Companion to Ancient Greek Law*, ed. Michael Gagarin and David Cohen (Cambridge: Cambridge University Press, 2005), 29-40. According to Joseph Mélèze-Modrzejewski, on the other hand, the Hellenistic period saw the development of a common and “universal” Greek law: see his foreword to Julie Vélissaropoulos-Karakostas, *Droit grec d’Alexandre à Auguste, 323 av. J.-C.-14 ap. J.-C. : personnes, biens, justice* (Athens: Centre de recherches de l’Antiquité grecque et romaine, Fondation nationale de la recherche scientifique, 2011), 1-20.

with a Hellenistic, democratic,<sup>15</sup> and increasingly multiple city.<sup>16</sup> This article takes up the challenge of breaking away from this traditional division in order to reconstruct the notion of civic “participation” in a different way, without relying on the purely descriptive lens of institutional categories.<sup>17</sup> Is it possible to consider both status and performance together when analyzing the civic societies of post-Classical Greece? In what follows, I shall first revisit how historians of institutions, in the long nineteenth-century tradition of the *Griechische Staatskunde*,<sup>18</sup> formulated the notion of “participation” based on a famous passage from Aristotle’s *Politics*. I shall then explore the pertinence of Finley’s concept of a spectrum of statuses by examining the privileges granted to foreigners in the honorific decrees voted by cities during the Hellenistic period.

## Philippe Gauthier, Aristotle, and the Greek *Politeia*

I will not enumerate the growing list of works that, beginning with Emil Szanto’s seminal *Das griechische Bürgerrecht* in 1892, have explored the citizen’s status—*politēs*—in both its individual and collective forms (such as *isopoliteia* and *sympoliteia*), which in turn encompassed complex institutional and legal realities.<sup>19</sup> Rather, my purpose

15. Democracy, embodied by institutions that recurred from one city to another (Assembly, Council, courts, supervision of magistrates, etc.), was a model that experienced unprecedented expansion throughout the Hellenistic period, especially during the third century BCE—a kind of golden age for this type of political regime: see Philippe Gauthier, “Les cités hellénistiques,” in *The Ancient Greek City-State*, ed. Mogens Herman Hansen (Copenhagen: Munksgaard, 1993), 211-31, especially pp. 217-18, which evokes a “democratic *koinē*.”

16. The *Inventary of Archaic and Classical Poleis* (Oxford: Oxford University Press, 2004), compiled under the direction of Mogens Hansen and Thomas H. Nielsen, counts no less than 1,035 items for both periods combined (p. 6), even if all of these cities did not necessarily exist simultaneously. Their number must have been greater during the Hellenistic period, considering the hundreds of *poleis* founded in the east after Alexander the Great’s death.

17. A number of inroads have already been made in both chronological directions: Pauline Schmitt Pantel, *La cité au banquet* (Paris: Publications de la Sorbonne, 1992; repr. 2011); Paulin Ismard, *La cité des réseaux. Athènes et ses associations VI<sup>e</sup>-I<sup>er</sup> siècle av. J.-C.* (Paris: Publications de la Sorbonne, 2010). In the opposite sense, Henri Van Effenterre and Françoise Ruzé have compiled a list of legal practices during the Archaic period, thanks to the collection of inscriptions in their *Nomima. Recueil d’inscriptions politiques et juridiques de l’archaïsme grec* (Rome: École française de Rome, 1994-1995).

18. See the account given in Azoulay and Ismard, “Les lieux du politique.”

19. *Isopoliteia* was the reciprocal or unilateral granting of citizenship by a Greek community to all the members of another community through a decree or a treaty: see Wilfried Gawantka, *Isopolitie. Ein Beitrag zur Geschichte der zwischenstaatlichen Beziehungen in der griechischen Antike* (Munich: C. H. Beck, 1975). *Sympoliteia* was the merging of two or more civic bodies, which led to the creation of a shared citizenship. It was therefore simultaneously connected to federalism and the absorption of one or more cities by another larger one: Gary Reger, “*Sympoliteiai* in Hellenistic Asia Minor,” in *The Greco-Roman East: Politics, Culture, Society*, ed. Stephen Colvin (New York: Cambridge Univer-

here is to highlight the assumptions that have underpinned the conception of the Greek *politeia*, in the sense of citizenship, within the work of the epigraphic school of the French tradition for more than fifty years.

While this school acknowledges Louis Robert as its *ktistēs*, or founding father, it fell to Philippe Gauthier to systematize his predecessor's thinking and to develop reflections that have often been accepted as unsurpassable achievements from the viewpoint of cumulative science. In addition to broaching specialized subjects such as the relations between foreigners and the justice system or euergetism,<sup>20</sup> Gauthier expressed his conception of the Greek *politeia* across a series of three articles, one of which, dated 1979, is still striking today for its virulence.<sup>21</sup> This text was a review of Claude Nicolet's recently published *The World of the Citizen in Republican Rome* (1976), in which Nicolet set out to show that the life of a conscientious Roman citizen was filled with political obligations extending beyond the question of the nature of the political regime: "A Roman citizen who wanted to play a full and effective part in political life would be summoned at least twenty times a year for operations which might last altogether forty or sixty days ... . It is hardly an exaggeration to say that being a citizen was a full-time profession."<sup>22</sup> Nicolet thus emphasized the fact that the Roman citizen fulfilled a political "function" without being content to benefit from a "status" understood as a series of civil rights, as Adrian Sherwin-White had previously proposed.<sup>23</sup>

Little did it matter whether Nicolet was right or wrong, or whether he later partially reconsidered his positions<sup>24</sup>; what mattered was that he had provided a starting point for Gauthier's thinking, even if its main premises had been germinating before this date. Gauthier strongly criticized Nicolet's method, which he faulted for its naïve confidence in Greek or Hellenized authors on the question of *ciuitas* (Polybius was apparently a "great mystifier"<sup>25</sup> because of the confusion he created between the Roman city and the Greek city). Following on from these criticisms, Gauthier in a way turned Nicolet's argument on its head in order to go back to

city Press, 2004), 145-80; José Pascual, "La *sympoliteia* griega en las épocas clásica y helenística," *Gerión* 25, no. 1 (2007): 167-86.

20. Philippe Gauthier, *Symbola. Les étrangers et la justice dans les cités grecques* (Nancy: Université de Nancy II, 1972); Gauthier, *Les cités grecques et leurs bienfaiteurs, IV<sup>e</sup>-I<sup>er</sup> siècle avant J.-C. Contribution à l'histoire des institutions* (Athens/Paris: École française d'Athènes, 1985).

21. Gauthier, "Sur le citoyen romain," *Commentaire* 6, no. 2 (1979): 318-23; Gauthier, "'Générosité' romaine et 'avarice' grecque : sur l'octroi du droit de cité" [1974] and "La citoyenneté en Grèce et à Rome : participation et intégration" [1981], in *Études d'histoire et d'institutions grecques. Choix d'écrits* (Paris/Geneva: Droz, 2011), respectively pp. 1-12 and 13-34.

22. Claude Nicolet, *The World of the Citizen in Republican Rome*, trans. Paul S. Falla (Berkeley: University of California Press, 1980), 237.

23. Adrian Nicholas Sherwin-White, *The Roman Citizenship* (Oxford: Clarendon Press, 1939; repr. 1973).

24. As he did, for example, in the introduction to the English translation of his work, admitting that there was a wide gap between the ideal and reality.

25. Gauthier, "Sur le citoyen romain," 320.

the concepts developed by Sherwin-White. Accordingly, Romans were said to have benefitted from the privileges of a status, whereas Greeks had a *politeia*-function pertaining to communal life or *koinōnia*, meaning “living together.” For Gauthier, this distinction between “status” and “function” also incorporated a second distinction between civil rights and political rights, the former consisting of a series of significant privileges (the right to engage in commerce, the right to intermarriage, etc.)<sup>26</sup>—especially after the end of the tax obligation in 167 BCE, when Roman citizens stopped paying the *tributum*.<sup>27</sup> Finally, these two dialectic couplings refer to a third one that synthesizes them and more broadly opposes integration and participation. For Gauthier, the Roman city was, at least from the third century BCE, based on structures of integration: for him, the structural elements of Roman political life (for example, the thirty-five tribes) formed simple subdivisions of the civic body. The structural elements of the Greek city, however, (*phratries* or *dēmes*, among others) were “the living cells of the political organism”<sup>28</sup> and hence structures of participation.

Thus, the Romans granted *ciuitas* widely because it was a status, whereas the Greeks bestowed *politeia* sparingly because it primarily implied political participation. This was the basis for Gauthier’s notion that there was no Roman “generosity” that could be contrasted with Greek “avarice” (to take up the famous title of one of his articles). For him, the Ancients themselves were mistaken, including in the famous speech where Emperor Claudius contrasted the blindness of the Athenians and Lacedaemonians—who dismissed their defeated enemies as foreigners (*victos pro alienigenis arcebant*)—with the Romans’ great success, which lay precisely in their consenting to open up citizenship to others.<sup>29</sup> In fact, according to Gauthier, the different natures of *ciuitas* and *politeia* prevented any comparison between the two. However, such a notion limits and constricts both the Roman *ciuitas* and the Greek *politeia*, taking political substance away from the former and minimizing the latter’s capacity to allow for rights related to various domains of civic activity.

This view essentially<sup>30</sup> originates in a specific reading of a passage from Aristotle’s *Politics*,<sup>31</sup> in which the philosopher attempts to define *politeia* first in

26. “The foreigner who obtained the *ciuitas Romana* on an individual basis obtained civil rights in particular: the protection of his person, his property, and his activities were equal to those who were henceforth his *cives*, meaning his fellow citizens. He became part of a community of law.” Gauthier, “‘Générosité’ romaine et ‘avarice’ grecque,” 212.

27. This refers to the direct tax on wealth: see Claude Nicolet, *Tributum. Recherches sur la fiscalité directe sous la République romaine* (Bonn: R. Habelt, 1976).

28. Gauthier, “La citoyenneté en Grèce et à Rome,” 169.

29. Tacitus, *Annals*, 11.24. Claudius’s speech, as reported by the historian, is a reconstruction. For a comparison with the original text, refer to the Claudian tables in *Corpus Inscriptionum Latinarum* 13.1668 or *Inscriptiones Latinae selectae* 212.

30. Gauthier also draws on the recurrent reference to the granting of “participation” (*metousia, metechein*) to foreigners in the inscriptions. However, this reference raises more problems than it solves, as shall be seen.

31. Gauthier makes constant reference to Aristotle throughout his writings, as is the case in “La citoyenneté en Grèce et à Rome,” 18. Many other examples can also be cited.

terms of activities (what the citizen does)<sup>32</sup> before elaborating a more essentialist definition (what the citizen is),<sup>33</sup> stating that the status of *politēs* is acquired by kinship—namely via a double paternal and maternal ancestry, with both parents required to be of citizen stock.<sup>34</sup> This passage has been the subject of numerous commentaries that have generally endeavored to describe its normative character,<sup>35</sup> whether this norm stems from theory (*gnōsis/theōria*) or practice (*chrēsis/empēiria*).<sup>36</sup> Nevertheless, it is worth briefly returning to the first part of the definition: what the citizen does.

The first conclusion that can be drawn from the passage is that the *politēs* is very difficult to describe,<sup>37</sup> not only because its definition varied according to the political regime (democracy, oligarchy, etc.) but also and especially because citizens shared essential rights with other statutory categories. Aristotle therefore gives a definition of the citizen that is primarily negative, and notably eliminates anything connected to residence (*oikēsis*)—which citizens shared with resident aliens (*metoikoi*, or metics) and even slaves—and access to courts as a defendant or claimant, which the *politēs* shared with the same metics in instances when judiciary agreements (*symbola*)<sup>38</sup> existed between his city and theirs. Aristotle also excludes children and the elderly from his definition on the grounds that the former are imperfect citizens (*ateleis*) and the latter citizens in decline (*parēkmakotes*). Moreover, without giving a specific reason, he also proposes setting aside those granted citizenship by the city (*poiētoi politai*),<sup>39</sup> a group whose identity poses certain questions. Deserving

32. Aristotle, *Politics* 3.1274b38-1275b21.

33. Aristotle, *Politics* 3.1275b21-34.

34. This requirement obviously troubled Aristotle, for it could not account for the original citizenship of those who founded the cities, as highlighted by Cynthia Patterson, “Athenian Citizenship Law,” in Gagarin and Cohen, *The Cambridge Companion to Ancient Greek Law*, 267.

35. David Whitehead, “Norms of Citizenship in Ancient Greece,” in *City-States in Classical Antiquity and Medieval Italy: Athens and Rome, Florence and Venice*, ed. Anthony Molho, Kurt Raaflaub, and Julia Emlen (Stuttgart: F. Steiner, 1991), 135-54, especially pp. 137-41 (on Aristotle). See also: Claude Mossé, “La conception du citoyen dans la *Politique* d’Aristote,” *Eirene* 6 (1967): 17-21; and the detailed analysis of Curtis Johnson, “Who is Aristotle’s Citizen?,” *Phronesis. A Journal for Ancient Philosophy* 29, no. 1 (1984): 73-90. Since Jacqueline Bordes excludes Aristotle from her analysis, there is no discussion of the passage from *Politics* regarding the individual definition of *politeia* in her *Politeia dans la pensée grecque jusqu’à Aristote* (Paris: Les Belles Lettres, 1982). This includes the conclusion, which is nevertheless about the philosopher and is entitled “L’histoire institutionnelle : Aristote” (ibid., 434-54). A subsequent article by the same author mentions *politeia* only in the collective sense of political regime: see Bordes, “La place d’Aristote dans l’évolution de la notion de *politeia*,” *Ktēma* 5 (1980): 249-56.

36. For how these terms were employed, see Aristotle, *Politics* 1.1258b9-10. The use of *chrēsis* in the definition of the citizen through dual paternal and maternal ancestry directly stems from this distinction: see 3.1275b21-34.

37. Aristotle, *Politics* 3.1275a2.

38. Gauthier, *Symbola*.

39. “We need not here consider those who acquire the title of citizen in some exceptional manner.” Aristotle, *Politics* 3.1275a6.



foreigners to whom the city granted *politeia* by decree in a series of honors would not be considered a part of this last category, as proven by Aristotle's subsequent reasoning, which provides a logical explanation. Since the second criterion in the definition of citizen is linked to birth, the *poiētoi politai* were in fact freemen with imperfect ancestry: he later specifies that, in certain cities, not only was the "son of a citizen-mother" made a citizen, but illegitimate children (*nothoi*) were too. Aristotle's reasoning thus blends the functional criterion of citizenship (through activities) with that of birth, without notifying his reader.<sup>40</sup> In doing so, he excludes "naturalized" foreigners with no family connections in their host city without even discussing their case.

A second conclusion is that although this negative definition is firstly a rhetorical construction using deduction to show who is at the top of the pyramid, it is also more than that.<sup>41</sup> Aristotle is in fact trying to establish a definition of the citizen *haplōs*<sup>42</sup> or "in the absolute sense" by preserving what might be called "the smallest common denominator" between citizens of the same community on the one hand and the constitutions of different cities on the other. This conclusion is important because it has widely influenced the thinking of modern historians on the content of the Greek *politeia*. According to Aristotle, the central activity of the *politēs* lay in the *metechein*, the dual participation in the *krisis* (ability to judge in the courts) and the *archē* (the function of magistrate in its broadest sense, including participation in the Assembly and the Council): "A citizen pure and simple is defined by nothing else so much as by the right to participate (*metechein*) in judicial functions (*krisis*) and in office (*archē*)." <sup>43</sup> This definition reappears on numerous occasions in the text.<sup>44</sup> In contrast to certain modern interpretations such as that of David Whitehead,<sup>45</sup> Aristotle's use of the word *timai* as a general term for the things that the citizen participates in<sup>46</sup> should be understood in the narrow sense of "public office"—encompassing everything relating to deliberative and judicial authority without referring to the

40. Aristotle, *Politics* 3.1278a26-29.

41. On the semantics employed in this construction of the citizen, see Josine Blok's ongoing work, which deconstructs the Greek *politeia* (in Aristotle) by carefully distinguishing levels of participation (and by integrating female citizens). While awaiting the forthcoming release of her book *Citizenship, Cult and Community* (to be published by Cambridge University Press), see Josine Blok, "Becoming Citizens: Some Notes on the Semantics of 'Citizen' in Archaic Greece and Classical Athens," *Klio* 87, no. 1 (2005): 7-40.

42. Aristotle, *Politics* 3.1275a22.

43. *Ibid.*

44. For example, see Aristotle, *Politics* 3.1275b18-19: ἐξουσία κοινωνεῖν ἀρχῆς βουλευτικῆς ἢ κριτικῆς, or "the right to participate in deliberative or judicial office." Here, the word "*archē*" is used in the distributive sense and not to refer to the sole power of the magistrate.

45. Whitehead, "Norms of Citizenship," 139-40.

46. Aristotle, *Politics* 3.1278a35-36: φανερόν ἐκ τούτων, καὶ ὅτι λέγεται μάλιστα πολίτης ὁ μετέχων τῶν τιμῶν, "... a citizen in the fullest sense means the man who shares in public office" (and not "in honours" as indicated in Rackham's English translation).

entirety of the privileges that make up citizen status—otherwise Aristotle would contradict the restrictive definition that he gave at the outset. Moreover, the philosopher clarifies his thinking when he later writes that “by *timai* we mean public offices”<sup>47</sup> and notes that those excluded from them are “like metics,”<sup>48</sup> which would not make sense if *timai* did not signify political privileges.

What Aristotle is seeking to set out in the “functional” portion of his definition is thus the specific, and not the entire, means of action that the citizen has at his disposal. The result is a willfully restricted definition, which Aristotle fully recognizes. Not only does this definition apply especially to democratic political regimes, as he emphasizes,<sup>49</sup> it also ignores an entire series of components that modern historians have in turn minimized in their desire to invest the *politeia* with primarily “political” content. Here one comes back to the definition offered by Gauthier (among others), setting aside everything that does not appear to be part of the very nature of Greek citizenship itself; in other words, everything that tends to be anachronistically called “civil rights,” conversely supposed to be the heart of the Roman *ciuitas*. Symmetrically, the importance of the Greek citizen’s political rights lies behind the idea that Athenian metics—as Whitehead wrote in his seminal study of this category—were not “quasi-citizens,” but in fact “anti-citizens” because they had access to neither the *krisis* nor the *archē*.<sup>50</sup>

## End of a Decline, the City as an *Entre-Soi*

In Gauthier’s line of thinking, the importance of political rights in the definition of *politeia* goes hand in hand with the suggestion that “the Greek city did not die at Chaeronea,” one of the most justified and sound commonplaces of the French epigraphic tradition.<sup>51</sup> In fact, if it can be demonstrated that the Aristotelian *metechein*—or participation—in a city continued to function in a wholly satisfactory way, then it could also be said that the city was bursting with vitality, rather than being an organism in decline. The ongoing analysis of all facets of *metechein* thus led to the construction and crystallization (if not the reification) of the idea of

47. Aristotle, *Politics* 3.1281a31: τιμὰς λέγομεν εἶναι τὰς ἀρχάς [translation modified]. It seems to me that despite the function of attribute carried by the word τιμὰς, which could imply that “[the] offices are honours,” here it is more a matter of an equivalence between the two terms than an inclusion of the second term in the larger sphere of the first.

48. “A native not admitted to a share in the public *timai* is like a metic.” Aristotle, *Politics* 3.1278a38.

49. Aristotle, *Politics* 3.1275b5-6.

50. David Whitehead, *The Ideology of the Athenian Metic* (Cambridge: Cambridge Philological Society, 1977), 70.

51. The expression was coined by Louis Robert, “Théophraste de Mytilène à Constantinople,” *Comptes rendus des séances de l’Académie des Inscriptions et Belles-Lettres* 113, no. 1 (1969): 42-64, here p. 42: “The Greek city did not die at Chaeronea, nor under Alexander, nor at any point during the Hellenistic period.”

distinct early and late Hellenistic periods,<sup>52</sup> the second being characterized by notables taking on a much more important political role to the detriment of the *dēmos*. Referring to the period beginning around 150 BCE, even Gauthier does not challenge Paul Veyne's<sup>53</sup> idea of a "government of notables."<sup>54</sup> However, he does argue that citizens continued to control these notables even then, albeit passively, by granting them their trust and approval: they therefore never entirely lost control of their own institutions.<sup>55</sup>

The second, and this time negative, corollary of this conception of the *politeia*, almost exclusively focused on the political activity of the citizen, was the development of the idea of a city in which "everyone was where they belonged," or, if not, then at least of the city as an exclusive community or *entre-soi*, where those who enjoyed the title of citizen were reluctant to abandon their privileges for the benefit of foreigners except under exceptional circumstances—the opposite, therefore, of the Roman model. This marked a return to the Platonic vision of the ideal city as one without neighbors, like the city of the Magnetes,<sup>56</sup> or to the Aristotelian objective of *autarkeia*, which was first conceived as political self-sufficiency.<sup>57</sup> The traditional, and even orthodox, conception of the Classical and early Hellenistic city was constantly shaped by this vision of the *polis* as an island (Plato's Magnesia is an island within another island, Crete). In this city, a phenomenon such as multiple citizenship was unthinkable—absurd, even—only becoming conceivable from the late Hellenistic period on. The conventional interpretation of this period thus becomes one of the depreciation (and therefore, according to a well-known model, the decline) of the *politeia*—understood here as the access to citizenship, which, in this analysis, was more widely granted to foreigners.<sup>58</sup>

52. On this conception of the Hellenistic period, see Philippe Gauthier's introduction to *Citoyenneté et participation à la basse époque hellénistique*, ed. Pierre Fröhlich and Christel Müller (Paris/Geneva: Droz, 2005), 1-6.

53. "The regime of the notables was the normal outcome of a direct democracy. ... Since social inequality entailed inequality in talent, leisure and prestige, the result was never in doubt." Paul Veyne, *Bread and Circuses: Historical Sociology and Political Pluralism*, trans. Brian Pearce (London: The Penguin Press, 1990), 85.

54. Gauthier, *Les cités grecques*, 72.

55. Gauthier, "Introduction," 4.

56. Responding to the Athenian's question whether there "will ... be any State bordering close on it," Clinias answers: "None at all, and that is the reason for settling it." Plato, *Laws* 4.704c. On the city of the Magnetes, see Jean-Marie Bertrand, "L'utopie magnète : réflexions sur les *Lois* de Platon," in *The Imaginary Polis*, ed. Mogens H. Hansen (Copenhagen: Det Kongelige Danske Videnskaberne Selskab, 2005), 152-63.

57. This is expressed, for example, in Aristotle, *Politics* 3.1275b20-21: "A city is a collection of such persons sufficiently numerous, speaking broadly, to secure independence of life (*autarkeia*)" [translation modified].

58. This is, for instance, the opinion of Michael J. Osborne, *Naturalization in Athens*, vol. 3, *The Testimonia for Grants of Citizenship*, and vol. 4, *The Law and Practice of Naturalization in Athens from the Origins to the Roman Period* (Brussels: Paleis der Academie, 1981-1984), respectively pp. 144-45 and 167-68. According to Osborne, the Athenians became more liberal on this issue from the second half of the second century BCE. Graham J. Oliver calls his premise into question in an article showing, on the contrary, that their parsimony continued (including during the second century BCE), and that it was only

The conclusion of a recent volume on the phenomenon of multiple citizenship is representative of this type of reasoning, suggesting that “the concept of multiple citizenship irritates a historian of Archaic and Classical Greece,” that during the Hellenistic period such a practice “would assume a complete severing of all ties with the former country,” and that “when multiple citizenships did develop, it was in the cities of the *Roman period*.”<sup>59</sup> Aside from the fact that in the case of dual citizenship the break with the city of origin has never been proven (indeed quite the contrary),<sup>60</sup> one can observe how the supposed evolution of the *politeia* from the late Hellenistic period on was more or less explicitly attributed to a Roman presence in a way that was not really specified. Yet in a doubly paradoxical manner, dual citizenship was not conceivable in Rome before the end of the Republic. Furthermore, the same volume clearly shows that it was certain perfectly Greek practices that laid the groundwork for later developments,<sup>61</sup> especially dual citizenship within Classical and Hellenistic leagues—along the model of Achaia<sup>62</sup> or Boeotia, for example. It must be admitted, once and for all, that the spread of multiple citizenship in the late Hellenistic period depended as much on the other rights originally attached to the status of *politēs* as on the political content (in the narrow sense) of the *politeia*. Thus, the Boeotian *sympoliteia*—the citizenship shared by members of the Boeotian *koinon* during the early Hellenistic period—was not simply founded on access to political participation at the federal level, but also and primarily on the various rights that members of the cities enjoyed within the confederate space, such as the *enktesis*, or the right to acquire a house and/or land.<sup>63</sup> In other words,

from the second third of the first century BCE that the situation changed substantially. See Graham J. Oliver, “Citizenship: Inscribed Honours for Individuals in Classical and Hellenistic Athens,” in *Individus, groupes et politique à Athènes de Solon à Mithridate*, ed. Jean-Christophe Couvenhes and Silvia Milanezi (Tours: Presses universitaires François-Rabelais, 2007), 273-92.

59. Olivier Picard, “De la citoyenneté classique à la citoyenneté d’époque romaine : essai de conclusion,” in *Patrie d’origine et patries électives. Les citoyennetés multiples dans le monde grec d’époque romaine*, ed. Anna Heller and Anne-Valerie Pont (Bordeaux: Ausonius, 2012), 341-45, here p. 341 (author’s emphasis).

60. Julien Fournier, “L’essor de la multi-citoyenneté dans l’Orient romain : problèmes juridiques et judiciaires,” in Heller and Pont, *Patrie d’origine et patries électives*, 79-98, here p. 83 and n. 14; Christel Müller, “De l’époque classique à l’époque hellénistique : la citoyenneté des Grecs, une citoyenneté en mutation ? Réflexions sur la question de l’appartenance multiple,” in *Studi Ellenistici* 29 (2015): 355-69.

61. See the article by Ivana Savalli, “Collections de citoyenneté et internationalisation des élites civiques dans l’Asie Mineure hellénistique,” in Heller and Pont, *Patrie d’origine et patries électives*, 38-59. Here Savalli partially revises (in terms of chronology) the point of view adopted in her previous article on new citizens: see Savalli, “I neocittadini nelle città ellenistiche. Note sulla concessione e l’acquisizione della *politeia*,” *Historia. Zeitschrift für Alte Geschichte* 34, no. 4 (1985): 387-431.

62. On the Achaean league and the notion of *sympoliteia*, see Athanase D. Rizakis, “La double citoyenneté dans le cadre des *koina* grecs : l’exemple du *koinon* achéen,” in Heller and Pont, *Patrie d’origine et patries électives*, 23-38.

63. On *enktesis* as a constitutive element of the federal *politeia* in Boeotia, see Christel Müller, “La procédure d’adoption des décrets en Béotie de la fin du III<sup>e</sup> s. av. J.-C au I<sup>er</sup> s. ap. J.-C.,” in Fröhlich and Müller, *Citoyenneté et participation à la basse époque hellénistique*, 95-119, here p. 100.

these civil rights were essential, and Aristotle himself never asserted that they were not part of the definition of the *politēs*.

The terms of the issue are becoming clear. It is not simply a matter of taking a position within the endless debate between those who believe it is possible to draw parallels between *ciuitas* and *politeia* and those who, like Gauthier, reject this idea due to the different natures of each institution.<sup>64</sup> Nor is it a question of challenging the importance of the exercise of political power in the Greek *politeia*. Rather, what is important is to reestablish the significance of other rights by showing that they in turn established other forms of participation, even if Aristotle reserves the *metechein* for the *krisis* and the *archē*.<sup>65</sup> While the Roman *ciuitas* also seemed like a profession for Nicolet, the Greek *politeia*—conversely, one might say—was not only that. It is thus necessary to return to the root of the problem by showing how the existence of personal statuses can be articulated with that of various rights, which, although they were at the very foundation of the *politeia*, could also exist independently as privileges within a complex system of values, namely the system of honors as practiced by Greek cities. It is here that epigraphic evidence takes on its full significance.

## Legal Statuses as the “Infrastructure” of Hellenistic Cities

It is evident that people’s status, understood as “a collection of legal arrangements,”<sup>66</sup> constituted a cornerstone of ancient Greek civic societies, not only during the

64. Gauthier, “‘Générosité’ romaine et ‘avarice’ grecque,” 207 (which clearly evokes the terms of this debate).

65. I thus completely agree with what is proposed in Blok, “Becoming Citizens,” 8-9. According to the author, “the most common word for ‘male citizen’ in classical Athens, *politēs*, is often taken to carry generally the meaning of ‘a citizen with political power.’ The fact that Aristotle in his ‘Politics’ (1275b12) defines the citizen in precisely this way, has seemed to be a convincing argument for this perception.” Through scrupulous terminological analysis, Blok goes on to demonstrate the rich semantic range of *politeia*, especially for the city’s female population. The same dissatisfaction is present in John K. Davies, “The Concept of the ‘Citizen,’” in *Poleis e politeiai*, ed. Silvio Cataldi (Turin: Edizioni dell’Orso, 2004), 19-30, here p. 21: “The model of the development of the state and of the idea of citizenship set out by Aristotle, though still influential among historians of political theory, tells us a great deal about Aristotle and about the activity of reflection about political practice which culminates in his work, but virtually nothing about the actual historical processes which engendered the Greek concept of citizenship.”

66. I borrow this simple and clear definition from Nicolas Tran, “The Work Statuses of Slaves and Freedmen in the Great Ports of the Roman World (First Century BCE-Second Century CE),” *Annales HSS (English Edition)* 68, no. 4 (2013): 659-84, here p. 659. My intention is not to discuss the validity of this definition—certain historians continue to use the term “order,” as in Mogens H. Hansen, *Athenian Democracy in the Age of Demosthenes* (Oxford: Blackwell, 1991), 86, or Duploux, *Le prestige des élites*, 257—nor to discuss the operative nature, within social space, of the concept of status. On this last point, I refer the reader to the introduction I co-authored with Claudia Moatti for the volume *Statuts personnels et espaces sociaux. Questions grecques et romaines* (Paris: Éditions de la MAE, forthcoming).

Archaic and Classical periods<sup>67</sup> but also throughout the Hellenistic period. The sources recognized three general statuses: citizens, foreigners, and slaves, and Aristotle clearly distinguishes between these three categories, even if they share the “right of residence.”<sup>68</sup> This foundational tripartition lasted in a clear form at least until the first century BCE,<sup>69</sup> as demonstrated by several inscriptions from the late Hellenistic period, three significant examples of which will be discussed here.

At Delphi, the threefold division continued to be expressed in its strictest form, as demonstrated by an Amphictyonic decree pertaining to the exchange rate for Attic tetradrachms at the end of the second century BCE, which provided for punitive measures “if an inhabitant of the cities, whether a foreigner (*xenos*), citizen (*politēs*), or slave (*doulos*), man (*anēr*), or woman (*gunē*), neither accepts nor gives silver money at the stipulated rate.”<sup>70</sup> The situation in Asia Minor proved somewhat more complex. In Pergamon in 133 BCE, after Attalus III bequeathed his kingdom to Rome under difficult circumstances, the city effectively “increased the rank” of several groups of people by decree, granting the *politeia* to those possessing the status of *paroikoi* (or another equivalent status), and the status of *paroikoi* to those possessing a status that was servile or of servile origin.<sup>71</sup> This double process of status change was set out as follows: “may the *politeia* be conferred on the people listed hereafter” and “may the following be transferred to the *paroikoi* category,” with a list of individuals of servile status.<sup>72</sup> Put simply, the term *paroikoi*—the precise meaning of which is debatable and varied according to the city or context—referred to a free population living within the territory of a *polis* but deprived of the political rights enjoyed by the *politai*. Of course, the parameters of this group were not

67. Zurbach, “The Formation of Greek City-States.”

68. “Citizenship is not constituted by domicile in a certain place (for metics and slaves share such a right with the citizens).” Aristotle, *Politics* 3.1275a7-8 [translation modified].

69. I thus agree with Éric Perrin-Saminadayar, who observed that “civic divisions,” or “clivages civiques,” to use his term, were strongly maintained in Hellenistic Athens. See Perrin-Saminadayar, “Images, statut et accueil des étrangers à Athènes à l’époque hellénistique,” in *Le barbare, l’étranger : images de l’autre*, ed. Didier Nourrisson and Yves Perrin (Saint-Étienne: Publications de l’université de Saint-Étienne, 2005), 67-91, citation at p. 80.

70. François Lefèvre, ed., *Corpus des inscriptions de Delphes*, vol. 4, *Documents amphictyoniques* (Athens: École française d’Athènes, 2002), 127.3-5; also Wilhelm Dittenberger, ed., *Sylloge inscriptionum graecarum*, 3rd ed. (Leipzig: apud S. Hirzelium, 1915-1924) (hereafter *Syll.*<sup>3</sup>), 729.3-5. The mention of women is a well-known rarity, even if it does not directly pertain to my argument. On the notion of participation in connection with gender regimes, see Violaine Sebillotte Cuchet, “Gender Regimes and Classical Greek Antiquity in the Fifth and Fourth Centuries BC,” *Annales HSS (English Edition)* 67, no. 3 (2012): 401-30, especially pp. 426-27.

71. Max Fränkel, *Die Inschriften von Pergamon*, vol. 1, *Bis zum Ende der Königszeit* (Berlin: W. Spemann, 1890), no. 249; also Wilhelm Dittenberger, ed., *Orientalis graeci inscriptiones selectae*, 2 vols. (Leipzig: 1903-1905), 338; and Michael M. Austin, *The Hellenistic World from Alexander to the Roman Conquest, A Selection of Ancient Sources in Translation* (Cambridge: Cambridge University Press, 2006), 430-31, no. 248.

72. *Ibid.*, δεδόςθαι πολιτείαν [τ]οῖς ὑπογ[ε]γραμμέ[ν]οις (l. 11-12) and εἰς δὲ τοῦς παροίκους μετατεθῆναι τοὺς (l. 20).

quite the same as those of the group of *metoikoi* in Classical Athens or other cities during the Hellenistic period<sup>73</sup> insofar as they enjoyed a form of access to ownership in certain locations,<sup>74</sup> but in this inscription they constituted a category of resident aliens. A similar measure was taken at Ephesus in 86/85 BCE during the First Mithridatic War: “The *isoteleis*, *paroikoi*, temple dependents, freedmen, foreigners who take up arms and register with officers will all become citizens, with equal and similar rights [by implication to those of citizens by birth]; ... public slaves who take up arms will become free and *paroikoi*.”<sup>75</sup>

However, the situation was not simple, since the two cities were dealing with multiple groups and subgroups, generically called *genē* in the Pergamon inscription (l. 9), in order to describe a particularly heterogeneous population. Pergamon and Ephesus sought, nevertheless, to clarify their statutory makeup by classifying almost all their inhabitants into three large groups, which corresponded on the whole to the three fundamental statuses mentioned above. In other cities, the threefold structure was sometimes less evident, but the process remained clear: only the city could alter the lines, and it rarely did so. The kind of statutory upheaval that took place in 133 and 86 BCE only occurred in exceptional circumstances, recalling the major points of tension in Athenian political life during the Classical period—especially the aftermath of the defeat of Athens in 404, when the metics devoted to the city’s cause sought to become citizens under the Thirty Tyrants and then under the democrats after they regained power in 403. Despite Lysias’s vibrant advocacy in his speech *Against Eratosthenes* (§ 20), they were rewarded with great parsimony: the decree of 401/400 BCE in their favor (heavily restored, incidentally) probably did not grant *politeia* to all of them.<sup>76</sup> Personal status clearly represented what Zurbach calls an “infrastructure” of ancient Greek civic societies, including during the long period between the fourth and first century BCE.

### **“*Timia kai philanthrōpa*”: Privileges for Foreigners**

For all that, one should certainly not be content with a static vision of Hellenistic cities crushed under the weight of legal statuses. To the contrary, it is important to show how they incorporated the notion of social flexibility, thanks to a highly

73. Philippe Gauthier, “Métèques, périèques et *paroikoi* : bilan et points d’interrogation,” in *L’étranger dans le monde grec*, ed. Raoul Lonis (Nancy: Presses universitaires de Nancy, 1988), 23-46. Gauthier brilliantly establishes an urban and a rural model for the relationship between cities and the foreigners that lived in them, with foreigners from the exterior in the former, and, so to speak, “indigenous foreigners” in the latter.

74. Jean-Marie Bertrand, “À propos des *paroikoi* dans les cités d’Asie Mineure,” in Fröhlich and Müller, *Citoyenneté et participation à la basse époque hellénistique*, 39-49, here p. 39.

75. Hermann Wankel, ed., *Inschriften griechischer Städte aus Kleinasien*, vol. 11.1, *Die Inschriften von Ephesos. Nr. 1-47* (Bonn: R. Habelt, 1979), no. 8.43-48; also *Syll.*<sup>3</sup> 742.2. See Bertrand, “À propos des *paroikoi*,” 48.

76. The full record is addressed by Peter J. Rhodes and Robin Osborne, *Greek Historical Inscriptions, 404-323 BC* (Oxford: Oxford University Press, 2003), pp. 20-27, no. 4.

developed system of privileges that was at the very foundation of the euergetic system and which, at least partially, enabled individuals—with the community’s consent—to transcend statuses without transgressing them. Privilege can simultaneously be defined as a legal advantage granted to an individual or a category of persons over and above the law and as an element of distinction with respect to a norm. What is significant is that privilege is therefore not a status. Whitehead has shown that the two concepts must be separated with regard to Athenian metics, not only because their situation was in no way a sinecure but also and especially because metic status was not legally granted through an honorific decree rewarding just any passing foreigner for his merits<sup>77</sup>: after a certain period of residence (probably a month), the *metoikia* was acquired by enrolling in the register for the *metoikion* (the poll tax paid by foreign residents) held in the *dēmes* by the demarchs.<sup>78</sup> The *oikōsis*—the “right of residence”—was thus never part of the privileges granted in honorific decrees, contrary to what Edmond Lévy thought he had established.<sup>79</sup> This assessment perfectly corroborates Aristotle’s remarks, cited above, about the *oikōsis* being common to the three categories of status: what they all shared can under no circumstances be seen as a privilege.<sup>80</sup>

The Greeks had a word for these “privileges”: *philanthrōpa*. It was often preceded by *timia* (honors), as an honorific decree from the small city of Akraiphia in Boeotia shows. During the 190s BCE, Akraiphia granted numerous advantages to a Roman called Caius Octavius, son of Titus, and his descendants. The decree (still in dialect at that date) stipulated “that they should also have the honors and all of the other privileges enjoyed by the other *proxenoi* and *euergetai* of the city of the Akraiphians.”<sup>81</sup> Honorific decrees for foreigners, which were issued in the hundreds during the Hellenistic period, undoubtedly offer the best vantage point for observing the bestowal of privileges. These foreigners were generally freemen who belonged to one community but obtained advantages in another city due to their euergetic conduct. It is very rare to find mentions of slaves: the cases of Pergamon and Ephesus related to exceptional circumstances in which the decrees

77. Whitehead, *The Ideology of the Athenian Metic*, 2.

78. Ibid., 7-10. See Jean-Manuel Roubineau, “La condition d’étranger de passage dans les cités grecques : statut de droit ou position *hors-la-cité* ?,” in *Mobilités grecques. Mouvements, réseaux, contacts en Méditerranée, de l’époque archaïque à l’époque hellénistique*, ed. Laurent Capdetrey and Julien Zurbach (Bordeaux: Ausonius, 2012), 162-70.

79. Edmond Lévy, “Métèques et droit de résidence,” in Lonis, *L’étranger dans le monde grec*, 55-60. For the opposing argument see: Dieter Hennig, “Immobilienwerb durch Nichtbürger in der klassischen und hellenistischen Polis,” *Chiron* 24 (1994): 305-44, here p. 311 n. 19; Gauthier, “Epigraphica IV. Étrangers résidents et privilèges civiques,” *Revue de philologie, de littérature et d’histoire anciennes* 74, no. 1 (2000): 109-14.

80. Aristotle, *Politics* 3.1275a7-8.

81. Wilhelm Dittenberger, ed., *Inscriptiones Graecae* (hereafter *IG*), vol. 7, *Megaridis Oropiae Boeotiae* (Berlin: Reimer, 1892), no. 4127.4-6: [κῆ εἴμεν αὐτ]ῶς τὰ τίμια κῆ τὰ ἄλλα φιλόνηρωπα πάντα κ[αθάπερ τῶς ἄλλυς προξ]ένυς κῆ εὐεργέτης τᾶς πόλιος Ἀκραφριείων. See Christel Müller, “Les Italiens en Béotie du II<sup>e</sup> siècle av. J.-C. au I<sup>er</sup> siècle ap. J.-C.,” in *Les Italiens dans le monde grec, II<sup>e</sup> siècle av. J.-C.-I<sup>er</sup> siècle ap. J.-C. : circulation, activités, intégration*, ed. Christel Müller and Claire Hasenohr (Athens: École française d’Athènes, 2002), 89-100, here pp. 90-91 and n. 10.



pertained less to the granting of honors than to politography, the large-scale registration of new citizens (and incidentally of *paroikoi*). I shall leave aside those honors that foreigners shared at least in part with citizens, meaning all the elements that conferred particular visibility to notables within civic space such as the *elogium*, the crown, the title of *euergetēs*,<sup>82</sup> the *proedria*, or the granting of a statue<sup>83</sup>—all potentially accompanied by a proclamation by herald and a transcription engraved on a stele.

It is the privileges specifically obtained by foreigners that interest me: they are formulated in a way that is both highly repetitive and subject to almost infinite variations in order, combination, and modes of application, especially their extension in time and space. This variability causes palpable difficulty for historians, who tend to consider these privileges separately from one another<sup>84</sup>; when they do form part of more global studies they are (understandably) never listed comprehensively, and rarely appear in the same order or under the same rubrics (are they statutory privileges? ad hoc advantages? marks of distinction? or something else?).<sup>85</sup> Yet it is the entirety that they constitute in each decree that is significant. The rhetoric of decrees in fact reveals what, in twisting John Ma's expression, could be called a veritable "grammar of honours,"<sup>86</sup> within which these elements form more or less coherent wholes. Here and there, regional habits can be observed: when the honors are grouped around the granting of a *proxenia*,<sup>87</sup> simultaneously title and function, one can speak of a "*proxenia* pack,"<sup>88</sup> that honor leading almost automatically to others. One must say "almost," for variations are always possible, just as the list of these *philanthrōpa* was not limited. Each city could potentially add new elements, but the main ones were as follows: *enkētēsis gēs kai oikias*, or the right to acquire land and a house (sometimes only the right to acquire a house)<sup>89</sup>; *epigamia*, or the right to contract a legal marriage and thus to have one's progeny recognized

82. These honors have notably been studied by Gauthier in *Les cités grecques*, 16-39. He establishes precise chronological and typological distinctions between the treatment of foreigners and citizens—for example, with respect to the granting of the title of *euergetēs*.

83. On statues, see John Ma, *Statues and Cities: Honorific Portraits and Civic Identity in the Hellenistic World* (Oxford: Oxford University Press, 2013).

84. Alan Henry's *Honours and Privileges in Athenian Decrees: The Principal Formulae of Athenian Honorary Decrees* (Hildesheim/Zurich/New York: G. Olms, 1983) represents a notable exception, but remains mostly descriptive and does not extend beyond Athens.

85. Gauthier only discusses some of them, such as *proxenia* or *politeia*, as an appendix to his study on the marks of honor shared by foreigners and citizens: see Gauthier, *Les cités grecques*, 129-31.

86. Ma, "Towards a Grammar of Honours," chap. 1 of *Statues and Cities*, 15-38.

87. For a foreigner, the *proxenia* required hosting or protecting—at home or elsewhere—the citizens of the city that granted him the privilege. On the *proxenia*, see William Mack, *Proxeny and Polis: Institutional Networks in the Ancient Greek World* (Oxford: Oxford University Press, 2015). See also Christian Habicht, "Die Ehren der Proxenoii. Ein Vergleich," *Museum Helveticum* 59 (2002): 13-30.

88. The expression is from Nicolas Kyriakidis's forthcoming article on Delphic definitions of *proxenia*, to be published in Moatti and Müller, *Statuts personnels et espaces sociaux*.

89. On the *enkētēsis*, see: the classic study by Jan Pěčírka, *The Formula for the Grant of Enkētēsis in Attic Inscriptions* (Prague: Univerzita Karlova, 1966); Hennig, "Immobilienwerb."

as belonging to the community; *ephodos*, or access to the city's institutions, especially the Council and the People; *ateleia*, or exemption from taxes (what these consisted of, or what was exempted, is not always known)<sup>90</sup>; *isoteleia*, or fiscal equality with citizens<sup>91</sup>; *epinomia*, or grazing rights; *asylia* for goods, or protection against seizure; the *asphaleia*, or personal security (the counterpart of *asylia* for people); *eisplous* and *ekplous*, or the right to enter and leave the port; *eisagōgē* and *exagōgē*, or the right to import and export; and *metousia pantōn*, or participation in all that was accessible to native citizens, especially in religious matters—the epigraphic echo of the Aristotelian *metechein*.

The list is thus both disorderly—because each city had its own syntax—and non-exhaustive. Just one example drawn from the city of Oropos on the border of Attica and Boeotia will underscore the highly particular nature of these series, which must be reinvested, so to speak, with their strangeness. The following decree, dating from 290-260 BCE, granted “standard” honors to an Athenian named Aristeides, son of Mnēsitheos:

*The proposal of Antibios son of Biottos: Considering that Aristeides continues to demonstrate his devotion to the city of the Oropians and renders private services to all of our fellow citizens through his words and by his useful deeds, be it resolved by the People that Aristeides son of Mnēsitheos of Athens be proxenos of the city of the Oropians, along with his descendants, and that he have the right to acquire land and a house, the isoteleia, the asylia for goods, personal security in times of war and in times of peace, on land and at sea, as well as all of the other privileges granted to other proxenoi and euergetai.*<sup>92</sup>

I have until now left aside the granting of *politeia*, or citizenship.<sup>93</sup> Its place in these lists of privileges is not always easy to determine because even within the same political regime (in this case democratic) cities clearly did not use the term in the same way. The epigraphic *politeia* was thus a malleable notion. In some cases, it appears to be “inclusive,” in the sense that it encompassed all privileges connected to the status of *politēs*, particularly the *enktēsis*; in other cases, it had an intermediary and even eminently restrictive meaning, designating access to political and judicial powers, in other words to the Aristotelian *archē* and *krisis*. It then became one privilege among others, neither more nor less remarkable for its beneficiary, as testified by the phraseology of the decrees, which do not distinguish it in

90. On the *ateleia*, see Aurélie Carrara, “La fiscalité des échanges extérieurs dans le monde grec (Égypte exclue) du VI<sup>e</sup> siècle à la conquête romaine” (PhD diss., Université Michel de Montaigne-Bordeaux III, 2011).

91. On *isoteleia*, see: Whitehead, *The Ideology of the Athenian Metic*, 11-13; Kamen, *Status in Classical Athens*, 56-58. These two works take different views on the scope of this fiscal equality.

92. Vasilis Petrakos, ed., *Oi epigraphes tou Oropou* (Athens: Archaeological Society, 1997), no. 26.

93. On new citizens during the Hellenistic period, see the indispensable study by Savalli, “I neocittadini,” which in particular analyzes the procedure of their inscription in the civic body.

any particular way. One wonders, for instance, about its meaning in a decree from Pontic Olbia, which granted the following privileges to two Athenians in approximately 340-330 BCE:

*Proxenia, citizenship, exemption from taxes on all merchandise that they or their sons, or their brothers from the same paternal parentage, or their servants, will import or export, as well as the right to enter and leave the port in times of peace and in times of war, without risk of seizure and with the guarantee of neutrality.*<sup>94</sup>

Should it be deduced that, in Olbia, *ateleia* and other privileges linked to maritime circulation were not part of the *politeia* and that it is therefore more appropriate to speak of them separately—which would seem to be a genuine aberration, especially for entry and exit from the port?<sup>95</sup> Or, rather, was *politeia* in this case simply the equivalent of the exercise of “political rights”? If so, can the *enkētēsis* nevertheless be considered as being included in such a *politeia*? Or was the dissociation between the *politeia* and its possible content a way of emphasizing certain advantages—in this case, commercial ones—which were the most important for the beneficiaries and which bestowed the most honor on them, thus implying a form of rhetorical redundancy within the decree? One solution, which would help avoid a purely institutionalist interpretation, involves considering the *politeia* in this instance as including, from a spatial point of view, all of the privileges that could be exercised within the territory of the city, whereas the other *philanthrōpa* were those that could be exercised from its borders or even outside the city, like the *proxenia*. In fact, trying to definitively resolve the question is not particularly useful, for it is clear from these numerous examples that the meaning of *politeia* was neither set nor certain and can only be understood on a case-by-case basis according to each document and, above all, in the context of each document. This makes it all the more necessary to analyze the role of this privilege within a larger whole. Even if the *politeia* was constructed around the nucleus of political participation (which could prove Aristotle right in his search for a minimalist definition, as long as the part is not taken for the whole), this concept—like so many other ancient political notions—is fundamentally ambivalent.

Finally, how should these “privileges”—these *philanthrōpa*—be defined and understood? In the first place, they hardly fit into modern categories, especially the traditional classification of “rights” and “duties” under which Finley once suggested

94. Christel Müller, *D'Olbia à Tanaïs. Territoires et réseaux d'échanges dans la mer Noire septentrionale aux époques classique et hellénistique* (Bordeaux: Ausonius, 2010), 390, no. 20.

95. Another problem is determining whether *ateleia* was a civic right or not. For Alain Bresson, “one can thus suspect that customs exceptions for commercial purposes, granted either collectively to large categories of foreigners or on an individual basis provided that they were numerous, could have had as a necessary counterpart customs tax exemptions for citizens.” Alain Bresson, *L'économie de la Grèce des cités, fin VI<sup>e</sup>-I<sup>er</sup> siècle a.c.*, vol. 2, *Les espaces de l'échange* (Paris: Armand Colin, 2008), 80-81. This would imply that the cities' tax revenues were based first and foremost on the passage of foreigners. It remains an open question.

listing them.<sup>96</sup> For instance, the *isoteleia* could well be understood as the simple cancellation of the *metoikion* tax paid by metics, but in its broadest interpretation it could also include the possibility of paying the *eisphora*, the exceptional property tax, and the right to serve in the army alongside citizens—a combination that today might seem disadvantageous but which the ancient Greeks saw as a privilege, or *timē*.<sup>97</sup> The other classification typically applied here, the opposition between the categories of “civil rights” and “political rights,” is scarcely more useful. All privileges were intended to be exercised within the city; they were therefore all political, and the decrees do not establish any hierarchy among them. Finally, it is clear that the expression *timia kai philanthrōpa* is a hendiadys,<sup>98</sup> meaning the syntactic doubling of a single concept, for it would be absurd to think that certain privileges were purely honorific while others were more practical in scope. They were all signs of the city’s recognition and all, especially the *politeia*,<sup>99</sup> needed to be “activated” for their recipient to obtain an actual benefit in terms of participation in the city, which was ultimately what mattered.

Each of these privileges, with the exception of the *proxenia*, was in fact a fragment of the local *politeia*, and, taken as a whole, they compose the outlines of a type of citizenship that varied in form according to the city. For their beneficiaries they therefore represented what might be seen as “playing cards” in a deck or bricks in a vast whole constituting maximum participation in the city. They described so many elements that assigned their holder a place, should he decide to use them; they were levers, means of action, and were not distributed randomly, as is now known for the *ateleia*, which was also intended to serve as an economic advantage.<sup>100</sup> These fragments of citizenship did not, however, allow an individual to change status: an *isotēles* remained a resident alien even if he no longer paid the *metoikion* and possibly even benefitted from other, more consequential advantages. These privileges perhaps made him a “quasi-citizen”<sup>101</sup> but they could not make him a citizen, for the statutory gulf remained insurmountable.

96. Finley, *Economy and Society*, 130-31.

97. Harpocration, s.v. “*isotelēs kai isoteleia*.”

98. Henry, *Honours and Privileges*.

99. On the potential nature of the *politeia* in the decrees granting it, see Gauthier’s remarks in his review of Michael J. Osborne’s *Naturalization in Athens* (Brussels: Koninklijke academie voor wetenschappen, letteren en schone kunsten van België, 1981-1983): Gauthier, “L’octroi du droit de cité à Athènes,” *Revue des études grecques* 99, nos. 470/471 (1986): 119-33, here pp. 128-30, reprinted in *Études d’histoire et d’institutions grecques*, 48-51. Above all, see Gauthier, *Les cités grecques*, 150-52.

100. On this point, see Graham J. Oliver, “*Ateleia*—The Economic Function of Honours,” chap. 1.5 in *War, Food and Politics in Early Hellenistic Athens* (Oxford: Oxford University Press, 2007), 30-37.

101. This is the expression used, in a rather incidental way, by Gauthier, *Les cités grecques*, 27. However, it does not overlap with the use of the term for referring to metics, which Whitehead rejected in *The Ideology of the Athenian Metic*, 70. Jean-Manuel Roubineau believes that the *isoteleia* is a status in the same manner as the *metoikia*, yet this changes nothing: an *isotēles* remained a foreigner whatever his tax advantages. See Jean-Manuel Roubineau, “La fiscalité des cités grecques aux époques classique et hellénistique,” in *Économies et sociétés en Grèce classique et hellénistique*, ed. Patrice Brun (Toulouse: Presses universitaires du Mirail, 2007), 179-200, here pp. 193-96.

There remains the granting of the *politeia* itself, which can be said to have brought about a genuine change in status. Two cases should be considered. First of all, as long as it remained a potential *politeia*, its beneficiary could pride himself on possessing the title without actually using the corresponding status<sup>102</sup>: there is no evidence, for example, that Phormiōn and Karphinas, the two Acarnanians whose *politeia* was renewed in 337 BCE by the Athenians (their grandfather had obtained it without ever activating it),<sup>103</sup> were not satisfied with the metic status that inevitably became theirs when they were exiled on Attic land after the battle of Chaeronea. If, on the other hand, the *politeia* was activated and the beneficiary then followed the local procedure for registering in the citizen body, the city nevertheless conserved the memory of his geographic origin, and citizenship obtained in this way does not seem to have had exactly the same value as citizenship “by nature” (*phusei*). This is attested, for instance, by the complex decree from the city of Halasarna on the island of Cos, which, around 180 BCE, ordered the reestablishment of the list of people authorized to participate in the cult of poliadic deities (the text had faded over time), and asked citizens to present themselves. On this occasion, three categories of *politai* were mentioned: the *endamoioi* (resident citizens), the *apodamoioi* (absent citizens who had a representative, or *epitropos*, present), and finally “those to whom the *politeia* had been given.”<sup>104</sup> The last two categories were urged to identify themselves with precision, but those who had been “naturalized” also had to prove this identity by producing the law or the decree by which it had been granted, and give the name of their “country,” meaning their city of origin. This measure was especially restrictive and above all stigmatizing: in a way the host city refused to forget the original foreignness, even though these individuals must have appeared in other local registers, which one cannot imagine had all disappeared.

## Back to Finley: A Continuum of Statuses?

It is time to return to the question raised in the introduction of this article, namely how to connect status and performance in cities between the fourth and the first century BCE. The *politeia* of *phusei* citizens (those who were citizens “by nature”) was not and could not purely be a matter of participation in the duties of judges and magistrates, regardless of what Aristotle is believed to have written on the subject in Book 3 of his *Politics*. What Aristotle sought, with difficulty, to determine was not the entirety of the components of citizenship, but the common element or elements shared by members of the group of *politai* from one constitution to another. The intrinsic lability of the definition led him to set aside an entire series of rights without even mentioning them—including one as important as the *enktesis*

102. This case is clearly considered by Savalli, “I neocittadini,” 392-96.

103. *IG II<sup>3</sup>*1.316. See also Rhodes and Osborne, *Greek Historical Inscriptions*, no. 77.

104. Dimitris Bosnakis and Klaus Hallof, eds., *IG XII 4.1* (Berlin: De Gruyter, 2012), no. 103. See also Vélissaropoulos-Karakostas, *Droit grec*, 136-38.

(access to ownership of land or a house), which was intimately linked to the citizen's statutory condition. The notion of *politeia* nevertheless implied a bundle of rights that could vary from one city to another: in the case of *ateleia* (exemption from taxes), for instance, one can only try to specify whether it was part of these rights on a case-by-case basis according to the city. The existence of these rights is primarily attested in the epigraphic documentation by the honorific decrees that granted them piece by piece to deserving foreigners, or *euergētai*. These inscriptions are thus an essential tool in any attempt to understand them.

Should one therefore speak, as Finley did, of a “continuum of status,” stretching from the slave to the citizen who enjoyed full legal rights and passing through the various categories of foreigners? Certainly not, and the recent attempt by Deborah Kamen to apply the notion of a statutory spectrum to Athens in the fourth century BCE is definitely interesting but not convincing, for it leads to a confusion between statuses and privileges.<sup>105</sup> The situation, in fact, seems to me both simpler and more complex than that of a continuum. It is simpler because the salience of the three primary statuses of citizen, foreigner, and slave in the epigraphic record up until the end of the Hellenistic period should be acknowledged, even if the nomenclature of the groups and subgroups it refers to is itself much more extensive.<sup>106</sup> These legal statuses were collective—defining groups made up of members that were by definition anonymous—and formed the legal “infrastructure” of the cities, to use Zurbach's expression. But the situation was also more complex, for on top of these statuses were superposed privileges granted to foreigners (residents or not) that were as varied as the components of the *politeia*, and that could be endlessly combined until they led to a concatenation of positions, each one different from the other. The place these privileges assigned to their named beneficiaries, whether

105. Kamen, *Status in Classical Athens*. To summarize, Kamen sets out to fulfill Finley's project but then contents herself with describing additional categories that are simply more numerous than the three standard ones.

106. On the various forms of groupings (which nevertheless are not equivalent to statuses), see most recently Pierre Fröhlich and Patrice Hamon, eds., *Groupes et associations dans les cités grecques (III<sup>e</sup> siècle av. J.-C.-I<sup>er</sup> siècle apr. J.-C.)* (Paris/Geneva: Droz, 2013). Recognition of the existence of these highly varied groups is akin to Claudia Moatti and Wolfgang Kaiser's idea of “gradations of foreignness that make any unitary definition of the term ‘foreigner’ futile”: see Claudia Moatti and Wolfgang Kaiser, introduction to *Gens de passage en Méditerranée de l'Antiquité à l'époque moderne*, ed. Claudia Moatti and Wolfgang Kaiser (Paris: Maisonneuve et Larose, 2007), 12. It seems to me that it is necessary to make a clear distinction between what counts as a legal status—which was clear for cities (if not for us), regardless of the person being considered—and the group or subgroup of reference, whether assigned or assumed, which provided descriptive elements of the relations (necessarily complex and stratified) that the foreigner had with his or her host city. For example, the above-mentioned groups of residents who obtained the *politeia* in Pergamon in 133 BCE had different denominations (*katoikountes*, Macedonians, Mysians, *katoikoi*, etc.) that recount so many “microhistories” of their relations with the city. These different forms of grouping, which began to be formalized in the work published by Fröhlich and Hamon, were similar to the Aristotelian notion of *koinōnia* (community), as analyzed in Aristotle, *Nicomachean Ethics* 8.9.4-6. This, however, is another subject.

prominent individuals (the elite) or collections of individuals, nevertheless cannot be likened to a pure social status that might be opposed to a legal status. In fact, it was by its very nature not only the result of an euergetic performance—which pertained to agency, deserved distinction, and engaged the benefactor in a contractual relation with the city<sup>107</sup>—but also of a legal action, a community decision that validated this place. In this regard, the closest point of contact between performance and the legal recognition of it was surely found in what is called the “hortative formula” of decrees, through which the city sought to exhort other potential benefactors to demonstrate their *euergesia* because of the honors they could obtain.<sup>108</sup> The system of privileges, as invented by the Greeks, thus gave civic societies their social fluidity and allowed them to integrate the mobility of people without changing the hierarchy of legal statuses: it gives meaning to the idea of a connected city within a networked world, as opposed to the self-segregated community of the Platonic city.

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107. On the notion of a contract applied to the euergetic relationship, see Müller, “Évergétisme et pratiques financières dans les cités de la Grèce hellénistique,” *Revue des études anciennes* 113, no. 2 (2011): 345-63.

108. To cite just one example among many, see the decree from Samos that granted honors to two Argians, Pythoklēs and Hellanikos, son of Pythodōros, around 306 BCE “so that all may know that the Samians grant in return to their benefactors marks of recognition worthy of their good deeds.” Klaus Hallof, ed., *IG XII 6.1* (Berlin: De Gruyter, 2000), no. 24.14-17.