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Comparing Ancient to Modern: How Ancient Greece and Rome Provide Insight for Citizenship and Immigration in the 21st Century

Viktoria Schumacher

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Director: Thomas Strunk

Readers: Jay Arns and Tim Severyn

Introduction

Migration plays an extremely vital role in the advancement of human societies. Despite our world's staggering history with immigration, the conversation about how to manage current issues has fallen flat. Patterns of immigration have demonstrated that the number of migrants, especially refugees, has peaked in the 21st century, and numbers are still raising steadily.[1] The increase is caused by an abundance of factors, including major events such as the Syrian refugee crisis, harmful or unfavorable political climates, and ongoing gang violence in Mexico and Central America. These issues have gone largely unsolved, causing immense suffering resulting in millions of people to migrate out of their home countries. Movement away from home due to tumultuous times is not a new concept. In fact, migration history demonstrates that major movement of people is a characteristic of our world. I posit that looking at migration in our past as well as examining its effects on different societies will offer a perspective that has otherwise been ignored. During this investigation, it will also be important to examine the structure of different societies, specifically elements regarding citizenship and the distinction between 'us' and 'others.'

Ancient Roman and Greek thought have influenced many modern societies, but its influence on the United States has been especially extensive. Roman ideas of government, such as the separation of powers and the need for a senate, are reflected both concretely and abstractly in the government of the United States. Similarly, many aspects of American democracy have been shaped by Greek precedents, including: voting for leadership, removal by popular vote, management of public affairs, and even jury duty. Some of the most essential parts of American society have been shaped by the ancients. If our government has been largely successful because

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[1] Kuo, 2017.

of the influence of Ancient Roman and Greek thought, it is logical to believe that ancient thought might also have a positive impact on other decisions and elements of US culture.

In this paper, I will investigate elements of citizenship and their relationship to migration in Ancient Greece, Ancient Rome, and the United States. The investigation of Ancient Greece and Rome will be very similar and will be done through three elements. First, I will explain the rules, rights, and duties associated with citizenship. Second, I will demonstrate the mechanisms of extending citizenship and show how they developed over time as rules of citizenship changed. Third, I will illustrate the place of migration in each society as it relates to citizenship. In this third part I will also explore the sentiment of the people towards migrants and the rules of citizenship. Once I have finished investigating the ancient societies, I will move on to the United States. I will provide a demonstration of the history of citizenship and migration in the country and compare it to Ancient Greece and Rome. To conclude, I will explain which elements of Greece and Rome the US should imitate, and which it should not. An analysis of citizenship and migration in Ancient Rome, Ancient Greece, and the United States reveals several steps the US can take in order to improve its systems of citizenship and migration.

Before investigating migration and citizenship in the three societies, it is important to provide context regarding the history of migration. The earliest known human migration occurred 1.75 million years ago during the Upper Paleolithic, when people began to move to regions of the world which were previously uninhabited.[2] Early humans migrated due to any number of factors, including climate change, difficulties with landscape, inadequate food supply, and a desire to expand their populations. Beginning in Africa, humans spread across Asia,

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[2] Kuo, 2017. All dates of migrations and descriptions of major population movements in this paragraph come from this news article.

Europe, and Australia by 40,000 BC. There have been dozens of major population-movements since the first migration and they all set a precedent for migration in the 21st century.

In the modern world, migration occurs for slightly different reasons than it did thousands of years ago. Scholars in the field of migration studies have distinguished three major types of migration: labor migration, refugee migration, and urbanization.[3] These three types are meant to categorize migration from the 17th century AD forward, but I suggest that the same categories can be used for investigating migration patterns in Ancient Greece and Rome. Migrants flocked to the centers of these ancient states in order to reap the benefits of the developing populations; cities like Athens and Rome provided opportunities for economic and cultural advancement. I classify this type of migrant as being of the 'labor migration' category. For reasons similar to those of labor migrants, refugee migrants often moved to major cities in both Greece and Rome. People were most likely to become refugees or asylees because of destruction of their homes during war, famine and food-insecurity, or, in the later periods, persecution due to religion. Refugees and asylees moved to major cities in Ancient Greece and Rome in order to escape danger and find work and housing, much like modern refugees. For this reason, I will also refer to ancient refugees as 'refugee migrants.' The final type of migration is different from the first two since it is a migration outward. Urbanization in the modern world is comparable to the expansion efforts by Greeks and Romans that are characteristic of both societies. Thus, I will refer to migration out of Greece and Rome and into colonies as 'urbanization.'

Just as many facets of migration have changed throughout history, so too have those of citizenship. One aspect of citizenship that has been highly contested in both ancient and modern times is the recognition of *ius soli*, "right of the soil," which is more commonly known as

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[3] Manning, 2010: 132.

birthright citizenship. In Greece and Rome, one element which was necessary for someone to be considered a citizen was that they needed to be born in the state to two citizen parents. Policies regarding *ius soli* vary widely in the world today. Australia, for example, has birthright citizenship only for children born to one Australian citizen or legal permanent resident.[4] In Germany, children born to non-German parents are granted birthright citizenship if at least one parent has held legal permanent residency for three years. The majority of nations in North and South America—including the United States—recognize *ius soli* in its simplest form; anyone born in the country is automatically a citizen, regardless of their parents' citizenship status.

There are also differences across both time and place with regard to the specific definition of citizenship. For this reason, I will utilize a definition of citizenship that is more specific than simply "belonging to a community." Citizenship will be defined as "a legal status and relation between an individual and a state that entails specific legal rights and duties."[5] This definition comes from the Global Citizenship Observatory (GlobalCit), formerly known as EUDO Citizenship, an organization which offers non-partisan analyses of citizenship laws and policies in the 21st century. The definition offered by GlobalCit applies to nearly every previously existing society in addition to those which are more modern. Citizens share rights, duties, and protections of a common law which fall into three dimensions: civil, political, and social.[6] The specified definition allows the inclusion of each of those three dimensions. Although this definition can be used to examine the roles of citizenship in any society, it is imperative that details and characteristics of a specific society are put into context within the definition specified above.

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[4] All information about birthright citizenship comes from Rojas, 2011.
[5] GlobalCit
[6] Hooghe, 2018: 597.

In most societies, there is some means of distinguishing between 'us' and 'them.' There is quite a bit of difference across societies regarding the extent to which this distinction is recognized or perpetuated. Both Greece and Rome—but especially Greece—were home to a population conscious of the concept of the 'other.' The Greek concept of the 'other' has its roots in geography: "the geographical form of otherness opposed Greek-speakers and Barbarians."[7] A Barbarian was one who neither spoke Greek nor belonged to a Greek civilization. Besides geography alone, there were several key characteristics of Greek citizens which distinguished them from the 'other': they ought to speak Greek, participate in festivals that honor certain gods, and become involved with elements of democracy which were key to Greek civilizations.[8] As time passed, otherness was also classified by different languages, religions, political systems, art and textiles, and even skin color. The idea of the 'other' to the Greeks became so multifaceted that it is impossible to explain all elements here. What is most important to realize is that the ancients recognized a difference between 'us' and 'them,' as the majority of people in the 21st century do. As I begin my investigation of citizenship and migration in Ancient Greece and Rome, I will further explain the place of otherness in both societies. Since the Greeks were more cognizant of the ways 'the other' would be distinguished and treated differently in society, I will begin there.

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[7] Staszak, 2008: 3.
[8] Staszak, 2008: 7.

Chapter One: Ancient Greece

Due to the considerable variation between cities, or *poleis*, in Ancient Greece regarding citizenship and migration, it is difficult to establish a specific set of rules and regulations that would have been characteristic of Ancient Greece. Between *poleis*, both the extension and rights of citizenship varied at least slightly, as did the degree of hospitality and openness to foreigners. Sparta and Athens were the largest and, at least in the classical period, the most powerful Greek city-states. Despite their similarities in size and power, Athens and Sparta were wildly different when it came to citizenship and hospitality as they pertained to both the city-state's citizens and outsiders. In this chapter, there will be three sections: (1) citizenship in Sparta; (2) citizenship in Athens; and (3) Sparta and Athens compared. Each of the first two sections will begin with necessary background information about the mechanisms by which each city-state rose to power, the styles of government they utilized, and how both of those changed as Athens and Sparta flourished and declined. Before I get to the individual histories of the two *poleis*, however, it is important to explain the context in which they sit.

Ancient Greece's history is one plagued by tumultuous times and a cyclical need to rebuild and start over. The first advanced civilization in Ancient Greece was based on powerful kingdoms rather than the citizen-governed states that we typically associate with Greece.[9] This civilization dissolved during the twelfth century, causing many people to emigrate to the west coast of Asia Minor and the islands of the Aegean; the dwindling Greek population marks the dark age. During the Archaic period between 800-500BC, Greece began to recover. After this recovery, the Greeks were organized into separate states that had actually developed as a result

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[9] Please note that all background information in this paragraph comes from: Rhodes, 2007: 1-3.

of the dark age.[10] "A typical state comprised an urban center and the agricultural land within a few miles of it; its population might be numbered in thousands, but not usually in tens of thousands."[11] Evidence shows that these states were initially ruled by kings, but very quickly hereditary monarchy gave way to a government ruled by nobles and other citizens. The population of Greece continued to grow, causing issues of sustainability for each city-state; there were too many inhabitants and not enough resources. In the same way that fights for space and adequate resources ensue in today's world, so too did war break out between larger states eager for more territory and the smaller states that were nearby. As certain city-states began to gain more power and authority, certain families began to climb; these families eventually became the nobility or officials in the government of their respective states. Some states established larger territories and stronger governments much more quickly than others, which is why Sparta and Athens came to be such strong states.

Citizenship in Sparta

During the fifth century, Sparta became known as the model of oligarchy in Ancient Greece. Spartan oligarchy, however, was a rather peculiar form: the Spartiates, a small minority of full citizens, were members of the assembly and were in control of how the state was run. The rest of the population, which included the *perioikoi* and helots, were under the rule of the Spartiates. The *perioikoi* were free men who had the power to run their own communities but had no say in the greater matters of the state. The helots, on the other hand, were a group of men reduced to a state of servitude; they had no say in either the community or the state.[12] Although it

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[10] Unless otherwise specified, all dates are BC.
[11] Rhodes, 2007: 1.
[12] Rhodes, 2007: 58.

was considered an oligarchy because a few Spartiates were the technical leaders, there was still a hierarchical nature that established at least *some* balance of power. By the seventh century, there were four groups within the body of the Spartiates: (1) two kings, one being the religious head and the other the army commander; (2) a council of elders called the *gerousia*, which was comprised of the two kings and twenty-eight additional men, over the age of sixty, who were elected from a privileged circle of families; (3) an assembly of Spartiates who held some decision making power, but not as much power as other familiar assemblies such as that of Athens; and (4) five ephors, civilian heads of state that served a one-year term after being elected from the entire body of adult male Spartiates.[13]

The means by which the Spartiates' rose to power is somewhat uncertain, but the majority of scholars infer that the constitution of the Spartan government during the seventh century may have been the result of a compromise between the nobles and the Spartiates.[14] It is quite possible that the nobles may have granted political powers to the Spartiates in exchange for support against the *perioikoi* and helots, two groups which were not considered to be full citizens who caused Spartan conflict later in its history.

At the end of the eight century, Sparta conquered part of Messenia, expanding their territory and population.[15] In the seventh century, Sparta endured several years of war in order to secure and extend their conquests as the Messenians rebelled against them. This war was followed by an unsuccessful attempt to conquer Arcadia, which caused Sparta to change their methods of influence; Sparta was forced to establish alliances rather than continue their efforts of conquest. By cultivating alliances and continuing to spread their influence, Sparta became the

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[13] Rhodes, 2007: 58. For more detailed descriptions of all positions, see MacDowell, 1986.
[14] Rhodes, 2007: 58; Gilbert, 1895: 14.
[15] The history of Sparta that comprises this entire paragraph comes from Rhodes, 2007: 59-60.

most powerful state in Greece by the end of the sixth century. Sparta's power allowed it to lead the Greeks in an invasion by the Persians, further establishing its importance as a major city-state.

A sudden change in Spartan population size during the mid-fifth century began the downfall of Sparta. A division of the Greek world into two blocks, an Aegean block dominated by Athens and a mainland block led by Sparta, seems to have made Sparta too unstable.[16] A very small body of Spartiates were now in charge of an extremely large subject population. The rapid increase in population due to the assimilation of conquered individuals and the need to establish citizenship—or at least distinctions between new Spartans—caused Sparta's citizenship system to crumble; the once noticeable distinction between Spartiates, *perioikoi*, and helots became difficult to distinguish.

Sparta was situated in the region called Laconia, which is understood to have been divided into strata when older inhabitants were conquered by newcomers. Existing sources that offer insight to this process of distinction are relatively limited, but it seems that the stratification is tied to the "legend of the return of Heracles' descendants to the Peloponnese with the Dorian segment of the Greek people."[17] Despite this common conclusion, many scholars have found conflicting explanations from the writings of Greeks who tried to eternalize Sparta by recording important elements of the city-state. Though his explanation of literacy in Sparta found in *Panathenaicus*, Isocrates offers one explanation:

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[16] Rhodes, 2007: 59. For additional information about the division of Greece in the fifth century, see Sealey, 1976: 17-32.
[17] Rhodes, 2007: 59.

The Spartiates did nothing of that kind.[18] They established among themselves legal

equality (*isonomia*) and a democracy suitable for men who were going to live in concord

for all time, and they made the people *perioikoi*, enslaving their spirits no less than they

did those of their servants. After this, though it would have been proper for all men to

have had an equal share of the land, the Spartiates, few though they were, took not

merely the best land but such an amount of it as no other Greeks have, and distributed to

the masses so small a share of the worst land that they could scarcely satisfy their daily

needs by working it laboriously. They split up the masses into the smallest possible units,

and planted a large number of small settlements, to which they gave the name of a city

but less power than the demes have here (Isocrates. *Panathenaicus*, 178-179).

These lines describe the manner in which the Spartiates took over and ruled the land which they

were given after the Dorian campaign to the Peloponnese. The *perioikoi* mentioned in the lines

from Isocrates were a part of the conquered people who did not rebel.

According to Ephorus and Pausanias, the presence or lack of rebellion was the main

difference between the *perioikoi* and a subgroup called the helots. Derived from *hel-*, a verb

meaning 'capture,' the helots were those who were captured and reduced to servitude due to their

resistance during the conquering of their people.[19]

All the *perioikoi* were obedient to the Spartiates, but nevertheless were equal in rights to

them, with a share in citizenship and offices. Agis the son of Eurysthenes took away this

equality in rights and made them subject to Sparta. The others obeyed, but the Heleans,

the people of Helos, revolted, were subdued by force in war and were sentenced to be

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[18] Note: By "that kind," Isocrates refers to the fact that the Spartiates did not, as commonly
thought, simply fully assimilate the new population. They instead established a hierarchy.
[19] Rhodes, 2007: 60. See also Strabo, 364-365.

slaves on fixed terms, so that their masters could neither liberate them nor sell them

beyond the borders. (Ephorus, 70 F 117, quoted by Strabo 364-5. VIII. v. 4)

The helots were bound to a life of servitude with no hope of being released due to the terms of their capture. While their former fellow citizens now enjoyed the rights of Spartan citizens, they were left to their own devices. From this point forward, the Spartans constantly feared that the helots might revolt due to the denial of citizenship. Although this never happened, the Spartiates continued on the offensive, liberating and immediately killing any helot they believed could pose a threat. The strategic elimination of helots was the second cause of Sparta's dwindling citizen numbers. The great earthquake of 464 and the war at Leuctra in 371 caused the number of citizens to continue to decrease. By the third century, the Spartiates, and Spartans, made up a fraction of what they once did: "The land could support fifteen hundred cavalry and thirty thousand hoplites, but there were not even a thousand of them" (Aristotle, *Politics,* II.1270). Sparta began as a highly populated, strong, and successful *poleis*, but its downfall came quickly. Although it is clear that war had a large impact on the population, we cannot ignore the influence of the extremes which they utilized concerning citizenship. The Spartans either granted full citizenship or enslaved their conquered people, and it led to quite a bit of animosity and fear of what might happen when those without citizenship decided it was time they had it. The extreme nature of citizenship in Sparta can be contrasted with that of Athens.

Citizenship in Athens

Before Athens became the great polis it is recognized to be, it was stuck in a structured society that was more like the Ithaka of the *Odyssey*. "According to Aristotle [*AP* 2.2], all the land was in the hands of a wealthy few."[20] Everyone who was not wealthy was essentially dependent on those who were. Thus, it is accurate to say that the distinction between the early Athenian population was not between citizens and noncitizens, but between wealthy landowners and their dependents.[21] In addition to owning land, wealthy Athenians held offices which the dependents did not. These offices may have included: an obligation for military service, participation in public assemblies, the right to run for public office, and protection in the event of injury or homicide.[22] Both landownership and 'offices' of citizens became essential components of citizenship as Athens developed.

Prior to the Pelopnesian Wars, Greek citizenship and civic function was relatively simple. In Ancient Greece, religion was exclusive; the festivals, beliefs about afterlives, and religious ceremonies were deeply tied to the land. Thus, no foreign person could ever fully participate in it. Religious and civic duties were tied very closely together, since both were bound to the land of the city. For this reason, in addition to being unable to participate in religion, strangers could not be civically involved.[23] Being a member of a religious community, however, was not the same as enjoying full rights of participation in the civic realm. For instance, women, family slaves, and children were allowed to enjoy participation in religion, but were not able to possess

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[20] Frost 1994: 48.
[21] Frost 1994: 48. For more information about those who were dependent on the wealthy, dubbed a *pelates* or *hektemoros*, see Rhodes 1981.
[22] Frost 1994: 47; Malkin 1987: 53.
[23] Gorman, 1992: 6.

full citizenship rights. Over time, plebians and thetes of Athens won wider rights, but only adult men were allowed to enjoy full rights of citizenship.[24]

During and after the Peloponnesian War, Athens extended citizenship more freely due to pressures of military and commercial empires. Citizenship was no longer the sacred and precious commodity it once was. Although the commodity of citizenship itself declined in value, the extension of it allowed for a drastic growth of Athenian power relative to other Greek city-states. One other important factor in the growth of Athens was its system of metics, or *metoikos*. Etymologically, the word *metoikos* is derived from the words *meta* and *oikein,* meaning "dweller with" and can be compared to the modern term "resident alien."[25] As its etymological definition suggests, a metic was one who dwelled among the citizens of Athens, generally belonging to one of two groups—immigrants and former slaves.[26] Despite any inherent differences between these two groups, they will be treated as one for the purpose of this paper—being regarded together as metics as opposed to separately as immigrant-metics and slave-metics.[27] Understanding the role that metics played in Athenian society demonstrates the major difference between the ways which Athens and Sparta handled the intake of outsiders.

In Athens, metics were distinguished from citizens by cultural, rather than economic, reasons. Though there was discrepancy in economic status between metics and Athenian citizens, some metics were the wealthiest inhabitants of the city.[28] The main difference is found, therefore, in the actual rights and duties of citizens and metics. Metics shared in the duties of citizenship, such as paying taxes and serving in the military, but were barred from owning land,

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[24] Koslowski, 2001, 26.
[25] Clerc, 1893: 9.
[26] Clerc, 1893: 13.
[27] For information on these differences, please see Kamen, 2013: 40-46.
[28] Watson, 2010: 265.

participating in the assembly, and from serving as jurors.[29] Despite these differences, metics

were still protected by the courts and had the same access to prosecution and defense as citizens;

however, metics could be subject to judicial torture and enslavement as the result of certain

prosecutions while citizens would not.[30] In Aristotle's *Politics*, a citizen is defined as follows:

> πολίτης δ᾽ ἁπλῶς οὐδενὶ τῶν ἄλλων ὁρίζεται μᾶλλον ἢ τῷ μετέχειν κρίσεως καὶ ἀρχῆς.
>
> A citizen pure and simple is defined by nothing else so much as by the right to participate
>
> in judicial functions and in office. (Arist. *Pol*. 1275a23-25)

Based on this definition, a metic seems to be a sort of 'non-citizen,' that is, one who did not

participate in the offices which defined citizenship, but still coexisted in Athenian society.

Freeborn metics and freedmen were required to have *prostatai*, or patrons, which were

essentially Athenian citizens who served as sponsors for each metic.[31] Metic labor was essential

for keeping the economy of Athens afloat, thus making it favorable for Athenian society to have

a large portion of the population being metics.[32] Although it is widely proven that metics were

required to have a sponsor, the extent of the role of *prostates* is unclear. What is understood,

however, is that the *prostates* was essentially responsible for the actions of the metic which they

sponsored; if a metic were to commit murder, for example, the Athenian citizen who oversaw the

metic would be held responsible—paying any sum necessary for the resolution of the case. The

nature of responsibility that is characteristic of these relationships allowed for relative success.

The metic system in Athens allowed for its success and growth. Rather than enslaving or

removing non-citizens in the way Sparta did, Athens allowed for the integration of these

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[29] Watson, 2010: 264.
[30] Watson, 2010: 266.
[31] Kamen, 2013: 44.
[32] Kamen, 2013: 45; Xen. *Poroi* 2.1.

newcomers. Granted, the immigrants didn't become citizens of Athens, but the benefits of being a non-citizen far outweighed the possible plight of being enslaved. The free foreigners who had relocated from other areas of Greece to Athens brought with them many skills such as pottery and metalworking. Metics were a significant source of skilled laborers in Athens, greatly contributing to the development of businesses and trading centers in both Athens and its harbor areas.[33] Some metics became more powerful and wealthy than actual Athenian citizens. One example of this success is the family of Lysias, a prominent speech writer in Athens.

Cephalus, father of Lysias, was born in Syracuse and migrated to Athens at the invitation of Pericles, a notable orator and general of Athens. The opening scene of Plato's *Republic* depicts a gathering held at the house of Polemarchus, Cephalus' eldest son.[34] It is important to recognize the significance of this. First, the tone of the *Republic* insinuates that the family was well known by Plato; their houses may have been a gathering place on numerous occasions for philosophic discussions. Second, it was quite common for sophists and philosophers to live in Athens as metics in order to succeed as teachers.[35] In this way, metics were not strictly skilled laborers or businessmen: metic status was held by people of various professions and social and political significance.

Another demonstration metics in Athenian society can be found in Thucydides' *History of the Peloponnesian War*. In book two of the *History*, Pericles' *Funeral Oration* is recorded. This oration was given at the annual public funeral for deceased soldiers, following the first year of the Peloponnesian War. Pericles' *Funeral Oration* began in the same way all Athenian funeral orations do, by praising the dead. After the initial praise, however, the speech departs from what

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[33] Koumoulides, 2017: 1.
[34] Plato: Book 1.
[35] Koumoulides, 2017: 1.

is normal: rather than dwelling on Athens' previous martial achievements, Pericles focused on present day Athens. The dead were praised by glorifying the city they died for.[36] Pericles spoke on a number of things, but his account of Athens' foreign policy was particularly striking. Pericles states: "Our city is thrown open to the world, and we never expel a foreigner or prevent him from seeing or learning anything of which the secret if revealed to an enemy might profit him."[37] According to Pericles, the openness of the city-state is not something that *hiders* Athens, but rather a way for Athens to increase their greatness. Pericles further states that "when a citizen is in any way distinguished, he is preferred to the public service, not as a matter of privilege, but as the reward of merit."[38] Public life, therefore, is not limited to citizens alone; non-citizens, such as metics, are equally able to participate. In fact, participation is so equal that preference is not given to those of the highest standing, but rather to those who deserve it as a reward for merit. The inclusivity and ability for all members of Athenian society to participate and grow is what sets Athens apart from other Greek cities; their openness to foreigners and eagerness to allow them to participate allowed the city to prosper.

Sparta and Athens offer two depictions of the variation that existed in principles of citizenship and migration in Ancient Greece. These city-states offer a glimpse into two ends of the spectrum of systematic incorporation of non-citizens, Sparta being rather undefined and Athens having established standards and systems. It has been demonstrated that Athens was specific in the differences between plebeians, metics, and citizens and how one would be classified in one category. In this way, Athens was arguably the most systematic of the Greek

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[36] Cartwright, 1997: 10-22.
[37] Thucydides: 2.39.1
[38] Thucydides: 2.37.1

city states regarding citizenship and migration. Even more systematic in their approach to

citizens and migration, however, was Ancient Rome.

Chapter Two: Ancient Rome

One of the major distinctions in Roman society was between citizens and noncitizens. Those who held Roman citizenship in the end of the Republic and beginning of the Empire were a relatively small proportion in comparison to those who did not. In fact, of the 50 million people that made up the the Roman populace, only about 6 million were Roman citizens.[39] To be a citizen, one had to meet several criteria: be an adult, free male, pass the census, and be of high moral virtue.[40] Once someone was granted citizenship status, they had certain privileges and obligations. They were given protection under the law, had the duty to vote, and were likely to fight in the Roman army. One of the most important rights of a citizen was that they could not be punished without a trial. This was especially important as the Roman Empire continued to expand and form new cities outside of Rome proper.

Citizenship has been a highly investigated and contested topic by scholars of the Roman Republic and Imperial Rome. Since the extension of citizenship has been extremely difficult to quantify, I am choosing to focus on enfranchisement in the late republic and early empire. Many changes occurred relatively quickly during this time frame, and it will provide a reasonable depiction of how citizenship changed due to migration. Efforts to quantify citizenship in Rome have previously been limited to counting the names found on inscriptions and other documents, which led to extremely limited conclusions about the expansion of citizenship.[41] However,

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[39] Aldrete, 2004: 43.

[40] For more about what was considered as virtuous in the Roman Empire, see chapter four of Aldrete's *Daily Life in the Roman City.*

[41] Lavan, 2016: 1.

several more structured conclusions and results have come to fruition through a comprehensive analysis of primary sources.[42]

Romans enfranchised immigrants, freed slaves, and populations of conquered territories rather slowly. In fact, Roman citizens remained a minority of the population until after the Social Wars in 91BC when citizenship was granted to all free people of peninsular Italy and later Cisalpine Gaul.[43] Even with this grant, citizenship still remained limited for the majority of the Roman populace. "By the death of Augustus in 14CE, around 4-7 percent of the free population of the provinces were Roman citizens."[44] The spread of citizenship continued as the means of enfranchisement expanded.

Many classicists and historians have devoted their time to researching methods of granting Roman citizenship and the reasons for its extension. We can gain insight regarding the cultural and sociological significances of each of these methods, which becomes important in understanding citizenship and migration as a whole. For the purpose of this paper, I have determined the five most significant mechanisms of enfranchisement based on the work of scholars devoted to this topic. These five mechanisms include: (i) the regular granting of citizenship to those who served in the Roman army, (ii) the automatic promotion of men who held magistracies in communities with the Latin right, (iii) discretionary citizenship grants, (iv) grants made by emperors to families and communities, and (v) the freeing of slaves by Roman citizens.[45]

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[42] These scholars include Clifford Ando, Peter Garnsey, William Harris, Paul Holder, Luuk De Ligt, Robin Osborne, Walter Scheidel, and Greg Wolf. For more information on the study, please see a copy of the Stanford Lectures at Trinity College Dublin.
[43] Lavan, 2016: 4.
[44] Lavan, 2016: 4.
[45] Balsdon, 1979: 82-90; Lavan, 8-10. For more information about less significant modes of enfranchisement, please see chapter three of Marotta's *La cittadinanza romana in eta imperiale*.

Grants of citizenship to Roman soldiers were awarded at first by popular decree, then later by Roman generals, then dynasts, and then finally by emperors themselves. The early forms of enfranchisement are informed by inscriptions such as those which record the granting of citizenship by Pompeius Strabo to thirty Spanish cavalrymen in 89 BC.[46] According to the *Inscriptiones Latinae Selectae*, Pompeius Strabo and his council of fifty-nine Roman officers agreed to grant citizenship on the authority of the *lex Iulia*.[47] Enfranchisement of this manner was not uncommon. Following the Gallic Wars and during the Roman Empire, citizenship was more likely to be granted by dynasts and emperors rather than through Roman generals or by public support—there was a change in the power dynamic regarding extension.[48] Enfranchisement as a reward for serving in the war was the most common way to become a citizen, that is until citizenship in Rome began to be questioned by those who didn't have it.

Prior to the Social War, and even after, there was argument between Roman officials about the rights of citizenship for Italians, Latins, and Romans. A few years before the war, Gaius Gracchus proposed that all Italians ought to receive Latin citizenship and all Latins ought to receive Roman citizenship. This proposal was unsuccessful, and the Social War followed shortly after.[49] When the Italians were granted a higher citizenship after the war, the Latins began to be granted Roman citizenship.[50] In new colonies, settlers were sometimes made Roman citizens and were other times made Latin citizens. For example, in the early second century, a

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[46] Balsdon, 1979: 83.
[47] Dessau, 8888. The *lex Iulia* was a law which granted Roman citizenship to all members of Italic towns that did not fight against Rome during the Social Wars.
[48] Lavan, 2016: 11.
[49] Balsdon, 1979: 84.
[50] The Italians were not all granted the same citizenship ranking. Those who were in the peninsular region south of the Po were given Roman citizenship; those to the north of the Po were given Latin citizenship. Those with Latin citizenship were treated much like the other Latins and could therefore be granted Roman citizenship eventually.

settler with Roman citizenship who moved to a Latin colony would have been stripped of their

Roman citizenship and granted Latin citizenship. Conversely, if someone were accepted into a

Roman colony, they became Roman citizens as soon as they registered in that colony's census.[51]

Thus, citizenship gained an element of fluidity as Rome continued to expand.

Discretionary grants were given to individuals, families, and even entire communities by

emperors. An emperor could enfranchise an existing community by granting Roman citizenship

to all free individuals of the community. The greatest example of this is depicted within veteran

communities on the outskirts of the city. Although the veterans would have likely been granted

automatic citizenship as a reward for fighting as Roman soldiers, each emperor would specify

the fact that those colonies were to be considered Roman citizens.[52] Although these discretionary

grants were relatively common, they did not enfranchise as many individuals as automatic

promotion. The greatest exception to this statement is Caracalla's *Constitutio Antoniniana* which

granted citizenship to all free inhabitants in all parts of the Roman empire. I must include here,

however, that it is not certain how much of an impact this grant truly had on the number of

Roman citizens. As I will explain later in this chapter, many scholars suggest that this edict was

nothing more than a final act of a vast process of enfranchisement.[53]

The Romans granted citizenship to any slave who was freed with proper formalities;

"touched by the lictor's rod (*vindicta*) in the presence of a magistrate with *imperium*; enrolled on

the census list of citizens with the master's approval (*censu*), or granted freedom by a clause in

their master's will after his death (*testamento*)."[54] Slaves who were freed without these

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[51] Balsdon, 1979: 84.
[52] Lavan, 2016: 12.
[53] Sherwin-White, 2000: 10.
[54] Balsdon, 1979: 86.

formalities did not acquire full Roman citizenship. Confusion often arose when times of war ensued; slaves were informally freed to become Roman soldiers and would return home with Roman citizenship not because of their newfound freedom, but because they had fought as a soldier and earned the automatic right.[55] There were situations in which the emancipation of slaves in the late Roman Republic was considered outright deplorable by the Roman people, however the majority of cases were favored by all. Freedman did not, however, have the same rights as a citizen as a freeborn citizen did. They were not allowed to hold a position in high office, nor could they compete for business with their previous master, or his family if the master had died. Thus, a freedman who was new to citizenship was not held to be quite as equal as other Roman citizens.[56]

Just as in any major city-state, there was some discrepancy in sentiment towards the extension of citizenship. However, "it is a commonplace of Roman history that Rome's generosity with its citizenship distinguished it from other ancient city states and played an important role in its success as an imperial power."[57] Simply put, a city state that does not have to worry in particular about internal conflict, such as that between citizens and noncitizens, will be better able to focus on efforts of expansion. Having mechanisms of enfranchisement that were well understood by Roman citizens allowed for little to no argument when citizenship was actually extended. Of the five modes of enfranchisement discussed above, the two which were most questioned by Romans were the discretionary grants and the manumission of slaves.

As the Roman Empire spread, Roman cities were established in their conquered territories. Just as there was a hierarchy of status for people, Italians, Latins, and Romans, so too

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[55] Balsdon, 1979: 87.
[56] Aldrete, 2004: 69.
[57] Lavan, 2016: 4.

there was a hierarchy of status for cities. At the top were *colonia*, colonies, in which all inhabitants would have Roman citizenship. Their citizenship allowed for more freedoms and autonomy from the local governor. Next were *municipia*. Though they were not as prestigious as *colonia*, inhabitants of *municipia* still possessed Roman citizenship. The other remaining cities were called *civitates* which had inhabitants of mixed citizenship status.

In most cases, the enfranchisement of individuals were not contested by other Roman citizens. However, there were some cases which were universally deplored. For instance, as a feature of Sulla's proscriptions, over 10,000 young and strong slaves were freed from their prominent Roman masters in order to fight on one side in the civil wars. These slaves were called by his own name, *Cornelii*, and served as a protective guard to Sulla for the duration of his life. When Sulla died, the slaves were now emancipated and without a master, leaving them free to do anything they pleased. The emancipation of slaves of bad character led to laws such as the *lex Fufia Caninia*, which put a limit to the number of slaves a man could free by will.[58] In 4AD, the *lex Aelia Sentia* was enacted to deal with some of the greater cases of bad character. Any slaves who were labeled as *dediticii* were "in no circumstances to acquire full Roman citizenship" when they were freed by their master or released from their consignment to the arena.[59]

There was also resentment by some towards emperor's like Caracalla who granted Roman citizenship to large amounts of people. In Caracalla's grant, current Roman citizens thought that there might be a political motivation for the act, which caused an apparent dislike for the grant itself. The context of Caracalla's grant is not well understood, but many scholars believe that Caracalla passed the law for the sole purpose of a larger population of people to tax.

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[58] Balsdon, 1979: 87.
[59] Balsdon, 1979: 88.

In the words of Cassius Dio, a Roman statesman and historian, "this was the reason why he made all the people in his empire Roman citizens; nominally he was honoring them, but his real purpose was to increase his revenues by this means, inasmuch as aliens did not have to pay most of these taxes."[60] The grant was thought by some Roman citizens to be nothing more than a way to increase revenue; the Romans did not believe that citizenship should be used as a bargaining chip as it was by Caracalla. Even the granting of citizenship to colonies or large families sometimes warranted some distrust; the Romans thought that the emperors might be granting citizenship in hopes of support by the new citizens. Although these modes of enfranchisement were contested, other modes such as acquirement of citizenship by serving in the Roman army and the automatic promotion of Latins were readily accepted by all.[61] When new rights of citizenship were given to those of a lower status, the next level up in the hierarchy also had to be given new rights in order to keep the system in place. Thus, those who already had Roman citizenship status were given either more important rights or duties, typically within the Roman government, in order to keep the hierarchical nature of the Empire intact.[62] To put it simply, the promotion of individuals to a higher citizenship status benefitted nearly all Romans in some manner.[63]

The modes of enfranchisement used by the Ancient Romans were well understood which allowed for relative agreement between the roman populace when it came to extending citizenship. Although some instances, such as Caracalla's grant and Sulla's proscriptions, were

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[60] Dio: 78.9.
[61] Lavan, 2016: 6.
[62] Lavan, 2016: 8.
[63] Note that these benefits would not have applied to slaves. If the slaves were to be freed, the status of their master did not have any effect on their status as a freedman.

contested because of the circumstances in which they existed, for the vast majority of the time, the extension of citizenship was understood and supported in Ancient Rome.

Chapter Three: The United States

Since its very establishment, the United States has been considered a nation of immigrants and the melting pot of the world. Oscillating between welcoming and selective, rules and regulations as well as public opinion have changed drastically throughout time. Legislation in the United States has changed very drastically since the early 1900s in order to cope with events occurring both domestically and worldwide. There have been four major waves of immigration throughout America's history: the first occurred between 1790 and 1820, the second between 1820 and 1860, the third between 1880 and 1920, and the fourth between 1965 and present day.[64] Each of these mass migrations had a significant impact on the United States; the US had to cope with the influx of migrants through new rules and regulations that would hopefully provide order. In this chapter, I will explore the history of US immigration by examining each of the four major waves of immigration, focusing particularly on major changes in both legislation and the general sentiment of the American people.

The first European migrants arrived to the "New World" in 1492, and by 1650, England had established control along the majority of the eastern coast of North America.[65] Some migrants of the 1500-1600s arrived primarily in search of religious freedom. Others came solely for economic opportunity. Still even more, namely the hundreds of thousands of African slaves, came against their will.[66] Although religious motivations are commonly stressed as the major reason for immigrating to America, it is important to understand that the opportunity for economic gain was almost equally as enticing. Some scholars, such as Arthur Schlesinger, a

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[64] Martin, 2014: 1
[65] Middleton, 2011: 22.
[66] Middleton, 2011: 23.

notable historian, social critic, and public intellectual who served as an assistant to President Kennedy, suggest that recalling economic motivations are especially important when looking through the lens of the twentieth and twenty-first centuries. "We need not wink at the fact that the immigrants of colonial times were actuated by the same motives as the immigrants today, namely a determination to escape religious or political oppression and a desire to improve their living conditions."[67] It will become clear throughout this exploration of US immigration history that the incentives for migrants have remained relatively consistent over hundreds of years.

Regardless of their country of origin or reasons for migrating, the immigrants of the New World quickly established communities in order to work towards the successes they came for. Communities spread throughout the coast: the Spanish in Florida, the British in New England and Virginia, the Dutch in New York, and the Swedes in Delaware.[68] It is important to clarify, however, that although these communities were somewhat tied to their home countries, Britain still maintained power and influence over each of them.[69] Although conflict eventually arose within the power hierarchy of the first colonies, the overseeing of the colonies by Britain allowed for the establishment of common rules and regulation. This universality became especially important after America declared independence from England; when it came time to formulate concrete laws, there was already a shell of what those laws and regulations might look like.

Some early colonists, such as William Penn, an early Quaker and founder of the Province of Pennsylvania, were avid supporters of immigration. Of course, there were often advantages for businessmen as new immigrants arrived to America. William Penn, for example, had a continuing increase in income as he reaped the benefits of the enhancement of real estate values

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[67] Schlesinger, 1921: 73.
[68] History, 2018 (figure out citation later!!)
[69] Nettels, 1938: 297.

as immigrants arrived in masses.[70] Other colonists, however, were opposed to the influx of large

numbers of immigrants because they were negatively impacted by the new economic

competition or were hesitant to accept new foreign language-speaking, non-assimilating

groups.[71] These early objections to immigration on the grounds of non-assimilability and fear of

economic competition were unaddressed until years later, when congestion and high population

caused a development in the arguments.

Immigration continued to have a profound influence on the US throughout the period of

the American Revolution and national independence. After America severed its attachment to

England in 1776, the new nation's leaders worked to develop institutions, political ideals, and

industrial life; each of these developments was influenced in some capacity by the nation's

immigrants—both old and new.[72] The four decades (1780-1820) that followed the declaration of

independence were a period of a consistent influx of immigrants, marking the first major wave of

immigration. Between approximately 1780 and 1790, the American people began to develop a

noticeable distaste for immigration, primarily due to the immigrants' overwhelming influence on

American life. For this reason, in March of 1790, the first Naturalization Act was passed by

congress.

The Naturalization Act of 1790 provided a definition for citizenship, which was

previously unspecified. The Act restricted citizenship to "any alien, being a free white person"

that had also lived in the US for two years, could provide proof of good moral character, and

would be willing to swear an oath to support the US Constitution.[73] Although the terms of this

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[70] Schlesinger, 1921: 74.
[71] Schlesinger, 1921: 74.
[72] Schlesinger, 1921: 76.
[73] Daniels, 1990: 113.

act allowed for citizenship to be extended to all children of citizens, it denied the right of naturalization and, by extension, citizenship to anyone whose fathers have never been resident in the United States.[74] Additionally, the specification of race in the phrase "free white person" automatically excluded all Native Americans, African-Americans, and immigrants of other races from naturalization and citizenship. Anyone who was not granted citizenship would live without constitutional protections such as the right to vote, testify in court, or even own property.[75] The Naturalization Law of 1790 was amended several times within the first twelve years of its existence, first in 1795 to increase the residency requirement to five years, again in 1798 to increase the residency requirement to fourteen years, and again in 1802 to repeal the requirements of the 1798 version.[76] Until the conclusion of the US Civil War in 1865, after which immigrants of African nativity and descent could become citizens, there were no major modifications made to the Naturalization Act. The inability for immigrants of color to become naturalized allowed for the reinforcement and perpetuation of negative stereotypes about immigrants; the negative sentiment existed in the public for decades to come.

The years 1820 through 1860 mark the second wave of mass immigration, which was comprised primarily of Irish immigrants.[77] The 1820 US Census recorded that more than 9.5 million Irish immigrants had come to America because of the widespread famine that plagued Ireland at the time. By 1840, the Irish made up approximately half of all immigrants in the

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[74] Note: The word "fathers" in this sentence refers to any forefather from previous generations. If one or more of one's fathers had previously lived in the US but either moved away or died, the individual could be naturalized. If no relatives could be identified as prior or current residents of the US, naturalization was prohibited. For more information, see the 1790 Naturalization Act (1 Stat. 103).

[75] History, 2018; Kopff, 2018: 29.

[76] Daniels, 1990: 17.

[77] Brighton, 2009: 12.

United States.[78] Although the immigrants that came to the US between the years of 1820 and 1860 were primarily from Ireland, an additional 5 million German immigrants arrived in the US, settling in cities across the Midwest. Although there were no changes made in legislation during this wave of immigration, there was a noticeable change in the intensity and actions of those who were opposed to the mass migration that punctuated the time period.

As a direct consequence of the growing resentment towards the large wave of Irish and German immigrants, the Know Nothing Party, America's very first anti-immigrant political party, was established in 1844.[79] Originally a secret society, the party was made up of US citizens who were xenophobic and anti-Catholic. The leaders of the party instructed members of the movement to reply nothing more than the words "I know nothing" if and when they were questioned by outsiders.[80] The party was officially named the Native American Party, which was renamed to the American Party in 1855, but it was more commonly known as the Know Nothing party because of the party members' responses to outsiders. When the party first began, they were taken very seriously by the public; the American population was primarily Protestant, and their religion was being threatened by the sudden increase in Catholicism. By 1857, however, the party dismantled due to poor leadership and an inability to successfully establish new chapters.

Resulting from the Industrial Revolution of the early-to-mid 1800s, America began a long period of rapid industrialization and urbanization. As cities began to grow in size and opportunity, another major wave of immigration began. Between approximately 1880 and 1915, more than 20 million immigrants arrived in the US.[81] The majority of these immigrants were of

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[78] Brighton, 2009: 12.
[79] Mulkern, 1990: 76.
[80] Mulkern, 1990: 76.
[81] Schlesinger, 1921: 80.

Asian decsent, although approximately 4 million Italians and 2 million Jews also immigrated during this time. Chinese immigrants began to occupy the larger part of the Pacific Coast, where they quickly found job opportunities that allowed for economic growth.

In 1882, the first act in American history to restrict certain immigrant groups was created. The Chinese Exclusion Act barred Chinese immigrants from entering the US.[82] This was largely the result of the success of Chinese laborers in the US; Chinese immigrants worked in mines, built railroads, and held a variety of agricultural jobs. Although they made up an incredibly small percent of the US population, the Chinese were blamed by white Americans for low wages and job shortages.[83] The Immigration Act of 1891 built upon the exclusion by further barring immigrants who were polygamists, criminals, or sick or diseased. This Act also created the first likeness of a federal immigration corps; inspectors were stationed at popular ports of entry to uphold the new regulations.

It became clear during the late 1800s that immigration needed to be controlled in a more structured way. Although pieces of legislation, such as the 1891 Immigration Act, had set soft boundaries for who would be allowed to enter the country, it was still difficult for officers to uphold the regulations. In January of 1892, the first immigration station in the United States, Ellis Island, opened in New York Harbor.[84] In the first fiscal year alone, over 400,000 immigrants were processed; the US government now had a way to track not only *who* was entering the country, but also where they came from and why they came.[85] Although Ellis Island

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[82] History, 2018.
[83] History, 2018.
[84] Moreno, 2001: 4.
[85] Moreno, 2001: 4.

helped the process of immigration become more organized, there were still many aspects of the facility that weren't particularly successful.

The American government was looking for immigrants who met particular criteria: they had to have some money, be in good health, and be a skilled worker.[86] The government workers at Ellis Island wanted the immigrants to have between eighteen and twenty-five dollars (equivalent to six-hundred dollars in 2015) in order to be considered able to support themselves and get started in the US. Migrants who had health problems that became apparent within in the six seconds the doctor had to inspect them, such as goiters, infections, body abnormalities, or coughing, would either be sent to the island's hospital facilities or denied from entrance altogether.[87] It is important to recognize that although it seems as though the Ellis Island officials were helping the sick migrants by providing them with treatment facilities, those who were sick were held for incredibly long periods of time without adequate supplies. Approximately 3,000 migrants died in the Ellis Island hospital facilities.[88] Another two percent of migrants were denied admission to the US altogether due to disease, criminal background, or being an unskilled laborer who was likely to be reliant on the state.[89] Ellis Island became known to some as "Heartbreak Island" or "The Island of Tears" because of the denial of two percent of migrants who had already made the long transatlantic voyage. Ellis Island remained in service through November of 1954.

The later years of the third major wave of migration contain the peak year of immigration in US history. In 1907, approximately 1.2 million foreign immigrants were examined and

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[86] Houghton, 2003: 12.
[87] Houghton, 2003: __.
[88] Houghton, 2003: __.
[89] Houghton, 2003: __.

processed at Ellis Island.[90] The majority of these immigrants were still entering from Asian countries and the Middle East, and the negative sentiment of US citizens towards immigrants of Asian descent began to heighten once again. The 1917 Immigration Act expanded on many of the exclusionary principles that were established by the Chinese Exclusion Act, this time creating an "Asiatic barred zone" that covered British India, the majority of Southeast Asia, and nearly all of the Middle East.[91] All immigrants from any country in the Asiatic barred zone were prohibited from migrating, apart from students and certain professionals. The 1917 Immigration Act also provided additional grounds of inadmissibility for immigrants of any country; those who would not be allowed admission to the US included anarchists, people who are seeking re-entry after previous deportation, and individuals over the age of sixteen who, although they were deemed "physically capable of reading," could not do so.[92] With the new regulations and requirements of this act, it became apparent that the United States government was looking in particular for immigrants who could provide skilled services in the US—those who could not do so were not desirable.

As levels of immigration to the United States began to fall and plateau between the years 1920 and 1965 because of the Great Depression and World War I, several acts were introduced in order to better regulate immigration. The first was the 1921 Emergency Quota Act, which set admission quotas based on immigrant nationalities. Quotas for nations around the world varied widely; nations of the Western Hemisphere, such as Mexico and Canada, had no restriction at all while China and Japan possessed a quota of zero.[93] The actual numbers of immigrants allowed to

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[90] Moreno, 2001: 4.
[91] Migration Policy Institute, 2013: 2.
[92] Migration Policy Institute, 2013: 2.
[93] Gale Group, 2013: 2.

enter the United States from each nation was based on the number of current US citizens from that country. To calculate these numbers, the US government utilized the 1910 census records; the quota for each country was equivalent to three percent of the total population of US citizens who had already migrated from that country.[94] The Emergency Quota Act of 1921 had a large impact on immigration to the US. In 1922, records indicate that only 309,556 people were admitted to the US, while in 1921 (before the Act) 895,228 people were admitted.[95] Quotas for Africa, Europe, and the Middle East filled rapidly, and people wishing to immigrate were forced to wait for the following year(s).

In 1924, a newer version of the Act of 1921 was developed. More popularly known as the Johnson-Reed Act, the 1924 National Origins Quota Act changed the way quotas were to be calculated. Quotas would now be established based on *two* percent of each nation's foreign-born US population as it was indicated by the 1890 census. The use of the 1890 census was discriminatory of southern and eastern Europeans, who arrived primarily during the last decade of the 19th century and the first two of the 20th.[96] Many immigrant groups and others opposed to the 1924 Act argued against the discrimination that was included within it. The act was not modified until 1965 when it was abolished.

The year 1965 not only marks the final wave of immigration of US history, but it also stands as an incredibly important year of changes made to the US immigration system. The 1965 Immigration and Nationality Act, sometimes known as the Hart-Cellar Act, abolished the quota systems of the 1920s and replaced it with a system of admission based on relationships between

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[94] Gale Group, 2013: 3.

[95] Gale Group, 2013: 3. For more specific information on nation of origins and other statistics, please see Murray, 1976.

[96] Migration Policy Institute, 2013: 3.

an individual desiring to immigrate and current US citizens, lawful permanent residents, or US employers.[97] There were caps placed on the total number of immigrants who were able to be admitted into the United States in the family-based and employer-based categories, but there was no cap on the number of US citizens "immediate relatives" who could enter the US each year.[98] The 1965 Immigration and Nationality Act allowed for more equal opportunity for immigrants of all countries to immigrate to the United States.

There are three acts which occurred between 1986 and 1996 that I find to be of a particular importance in understanding the basis of the major changes made to the US immigration system in the early 2000s. The first act, the Immigration Reform and Control Act, was enacted in 1986. The Act had two main components: (1) increase border patrol staffing by fifty percent; (2) create two programs to streamline legalization of immigrants.[99] The consequences of this Act were difficult to track, however it is clear that the increase in border patrol staff led to an increase in the number of deportations while the two legalization programs allowed 2.7 million previously unauthorized individuals to become lawful permanent residents.

As rates of deportation began to rise, the actual process and grounds of deportation became increasingly sporadic. As an attempt to regulate the process, the 1990 Immigration Act was enacted. The Act primarily limited the government's power to deport immigrants on the sole basis of their ideology. Essentially, government officials and members of the judicial system

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[97] Migration Policy Institute, 2013: 4.

[98] Note: "immediate relatives" includes spouses, parents, and minor children. Once a child reaches the age of eighteen, they are required to take more steps in the process than if they had attempted to immigrate at age seventeen since they are considered to be an adult.

[99] Migration Policy Institute, 2013: 4. The two programs of legalization can be described as follows: (1) regularizing the status of currently unauthorized citizens who had been living in the US since 1982; (2) permit people who had worked in certain agricultural jobs for at least 90 days to apply for permanent resident status.

were no longer allowed to deport an immigrant based solely on the fact that the individual's principles were not in complete alignment with those of the United States. More grounds of deportability were added and removal procedures were expedited when the Illegal Immigration Reform and Immigrant Responsibility Act was created in 1996. This act changed elements of nearly every component of the immigration process, from admission to deportation. Some of the tenants of this act include: the reduction of the scope of judicial review in immigration decisions, new mandatory detention proceedings, an increase in both the number of Border Patrol agents and the measures they could take, a reduction in government benefits for immigrants, an increase in the penalties for unauthorized immigrants, and a more substantial vetting process for those seeking refugee or asylee status. All three of these acts, but especially the 1996 Illegal Immigration Reform and Immigrant Responsibility Act, were incredibly important in establishing the system of immigration as it stands in the United States today.

In 2001, an attack on US soil by an Islamic Terrorist group sparked an incredible amount of push for more comprehensive background checks on all foreign individuals travelling to the United States, but especially those who are attempting to migrate to the US long term. Several acts, including the USA Patriot Act of 2001, the Enhanced Border Security and Visa Entry Reform Act of 2002, the Homeland Security Act of 2002, and REAL ID Act of 2005, established statutory guidelines for removal cases and broadened the monitoring of immigrants of nearly all nationalities.[100] An integrated entry-exit data system was also implemented country-wide in an effort to provide communicability between multiple agencies. Most importantly, the responsibilities and functions of the US Immigration and Naturalization Service (INS) were transferred to the Department of Homeland Security (DHS) after it was created in 2002. The

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[100] Migration Policy Institute, 2013: 4.

functions and responsibilities were restructured by the DHS through the formation of three

agencies: US Customs and Border Protection (CBP), US Immigration and Customs Enforcement

(ICE), and US Citizenship and Immigration Services (USCIS).[101] These three agencies are

presently responsible for regulation of trade, border enforcement, and the provision of

immigration services. Although there have been some modifications, the same policies

established by the Immigration and Naturalization Act of 1965 are those which are still enforced

in the 21st century by the three agencies above.

The United States is obviously quite different from Ancient Greece and Rome. For this

reason, it becomes somewhat difficult to compare the three when thinking pragmatically. In an

effort to avoid these difficulties, it is important to consider the elements of immigration and

citizenship in Greece, Rome, and the US at their fundamental levels. By doing so, it becomes

easy to compare citizenship and migration in their relative contexts.

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[101] https://www.cbp.gov/about. Accessed March 12, 2019.

Conclusion

It is clear from the history of Greece, Rome, and the United States, that there is a necessity for both a clear understanding of citizenship and a means of establishing who can have it in order for the society to be successful long term. What is also important to recognize, however, is that both the definition of citizenship and the means of its extension ought to change in order to match the political, social, and economic climate within which the society exists. Additionally, the definition and regulation of citizenship must change in response to increases or decreases in population as a result of migration. As demonstrated by the history of Ancient Greece and Rome, a shift in the conception of citizenship and migration does not necessarily have to occur frequently, just when there are major changes in the city-state's climate.

Since deciding which sort of change ought to be considered 'major' is rather arbitrary, I will consider a major change to be one that has the potential to effect more than one city-state's political, social, or economic climate. As an example, in Ancient Greece the Peloponnesian War would be classified as a major change because there were multiple city-states involved and all three types of climates were effected in some way.[102] In the midst of the war, Pericles' citizenship law, which required citizens to be born of an Athenian father and mother as a way to regulate citizenship and mixed-marriages, was repealed because of the high number of Athenian casualties. After the war was finished, Athens was more stable and the law was reaffirmed.[103] The Peloponnesian War posed a threat to Athens' social and economic climates, primarily a sudden decrease in the population of Athenian men who both contributed to Athens' economy and were a key determinant in citizenship by birth. Although the movement of Athenian men out

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[102] Rhodes, 2007: 103. Note: when I use the phrase "three climates" from this point forward, I am referring to the political, social, and economic climates of a city-state or country.
[103] Rhodes, 2007: 104.

of the city-state is not necessarily migration in the typical sense, but there was still a change in population. In an effort to preserve the social structure while Athenian men were away, citizenship was bestowed on those with just an Athenian mother. Once the need for preservation was removed and the population stabilized at the end of the war, Athens was able to return to its original requirements for citizenship. Temporary changes like this example are characteristic of Ancient Greece and Rome, and I believe that the ability to respond to current events and consider many influences is necessary for a successful society.

Historically, the definition and regulation of citizenship fluctuated to some degree in response to events such as war, displacement, expansion, a need for resources, changes in population, and more. Although the circumstances are slightly different in the twenty-first century due to easier access to transportation, a competitive world economic climate, access to modern weapons, and more, our world still has a need for the ability to change regulations of migration and citizenship in response to what is happening in the present day. Generally speaking, nearly every country in the world no longer holds mere preservation of the nation as its only goal. In the twenty-first century, powerful countries such as Russia, China, the United Kingdom, and the United States focus on economic growth, education, and technological advancement in addition to preserving their existence.[104] Each of these countries do, however, focus on national security when considering citizenship and migration—especially the United States.

As explained in chapter three, the United States' fear for national security as a direct result of the terrorist attacks on September 11, 2001 is not unwarranted. What I argue is unwarranted, though, is the way in which the United States avoids allowing immigrants,

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[104] Manning, 2010: 140.

refugees, and asylees into the country in the name of national security. In the wake of the largest refugee crisis in history, the United States must make several changes in order to provide a partial solution to the issue. In an effort to find solutions that both preserve national security and help to cope with the large population of migrants, we can turn to ancient examples.

Before identifying the elements of Greek and Roman citizenship which the United States could develop and implement, I must first point out the ideas that have been proven to fail by the ancients. First, it is evident from the downfall of Sparta that a sudden, large-scale extension of citizenship to highly-populated groups is not sustainable. In the mid-fifth century when the Greek world was divided into two blocks, one dominated by Athens and the other by Sparta, the Spartan population increased drastically. A very small body of Spartiates, the members who ruled in a manner similar to oligarchy, was suddenly in charge of an immense subject population. The assimilation of this population also very quickly made it nearly impossible to distinguish the levels of citizenship that were once very clear. Sparta was at risk because of the new lack in social stability, and when faced with the need to compete with nearby city-states, it crumbled. It is clear that the United States should not simply allow entry to every single displaced person that exists in the world today—a drastic increase in population would likely cause many problems for the country, just as it did in Sparta.

As explained previously, the Romans were rather systematic in the way they defined and extended citizenship. The methods of extension were generally uncontested and supported by Roman citizens, but one method in particular was not as readily accepted: grants made by emperors to specific families and communities. When an emperor granted citizenship to a family or community, it was thought that the family or community would then be indebted in some way

to the emperor.[105] This was not necessarily true, as it is difficult to prove the motivation behind

an emperor extending citizenship, but the possibility of families or communities gaining

citizenship for the benefit of the emperor warranted a lot of distrust among the Romans.[106]

Although I must concede that there is no way to know if this distrust was universal, I still argue

that if part of the citizen body believes that citizenship is being extended as part of a political

plot, there will be tension between new and old citizens. In order to avoid this sort of skepticism,

the decision of who ought to receive citizenship should be one made by a group of people who

are able to be held accountable by current citizens. For this reason, I do not believe that the

United States should allow the president, or any single leader, to be the sole decider in who is

granted citizenship.

The final example which the United States should avoid is the use of a hierarchical

citizenship system, such as that of the Roman Empire. As the empire expanded, there were three

groups of people under Roman rule with different rights of citizenship: the Italians, the Latins,

and the Romans. Initially, each of these groups had their own levels of citizenship with

corresponding rights and duties—they were almost entirely separate. Eventually, Roman officials

began to argue over the rights of citizenship for each group; some wanted all Italians to be

granted Latin citizenship and all Latins to receive Roman citizenship while others wanted to keep

the current hierarchy intact. As one might assume would happen, the members of the citizenship

class with the least rights and duties (Italians) began to desire more, resulting in conflict with the

higher statuses (Latins and Romans) and eventually the Social Wars.

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[105] Lavan, 2016: 9.
[106] Lavan, 2016: 9.

It is not uncommon for those at the bottom to eventually want to have the same benefits as those who are higher up. The conflict within the hierarchical citizenship system is not something characteristic of Rome alone, and any society will have class conflict if there are major differences between those who are at the bottom and those at the top. One might say that the United States has its own hierarchy of citizenship because there are two types of citizens: natural-born and naturalized. Although the US is similar to Rome because it has more than one type of citizen, it is much different in the way it treats them. Both natural-born and naturalized citizens share in the same rights and duties, the only difference being that naturalized citizens are unable to be the president of the United States. It is important that all citizens share in the same rights so that conflict does not arise as it has throughout history.

Although the Ancient Greeks and Romans have taught us by example that some systems of immigration and citizenship would not benefit the United States, there are also elements that have been proven to be beneficial. To begin, Roman history suggests that the United States must continue to utilize a systematic approach for the extension of citizenship in order to maintain efficacy. The United States already has a mechanism of naturalization in place, but it is largely ineffective. US Citizenship and Immigration Services (USCIS) outlines the process of becoming a citizen in ten steps: the first two focus on determining eligibility, the third and fourth involve actually applying for naturalization, steps five and six include a biometric appointment and subsequent interview, steps seven and eight include the decision made by USCIS and an invitation for naturalization, and the final two steps include taking the *Oath of Allegiance*— which actually makes someone a US citizen—and a plan for understanding rights and responsibilities. The USCIS estimates that it takes approximately six months to one full year to become a US citizen, so long as each of the steps outlined above are fulfilled in a timely manner.

The US naturalization process is typically used by two groups of people: immigrants and refugees who now seek citizenship.[107] Immigrants are able to go through the naturalization process in the way it was outlined above, most likely becoming a citizen in a reasonable amount of time. Refugees, however, must be processed in a different manner—regardless of if they are seeking citizenship or just refugee status. The refugee process, as outlined by the USCIS and the US Refugee Admissions Program (USRAP), is a seven step process that typically takes two years to complete.[108] The steps contain a resettlement referral, several interviews, a biographic check of the applicant and their known associates, biometric collection, medical exams, and possible additional biographic checks. Once each of these steps is complete, US Customs and Border Protection and the Transportation Security Administration do a final screening of the applicant. If determined admissible to the US, the applicant now holds refugee status. After one year in the United States, a refugee is *required* to apply for a green card in order to become a permanent resident. After five years of residency, the refugee is eligible to apply for US citizenship.

The process for someone to become a refugee and, later, a citizen takes approximately nine years, if everything runs smoothly. The same timeline is followed by those seeking asylum.[109] Despite the length and difficulty of this process, refugees and asylees are still applying at greater and greater numbers each year. USCIS received 139,801 affirmative asylum

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[107] Note: an immigrant is someone who *chooses* to resettle in another country. A refugee is someone who is *forced* out of their home country and into another.

[108] Any information regarding the refugee admission process found in this paragraph comes from the following source: https://www.uscis.gov/refugeescreening: Accessed April 14, 2019.

[109] An asylee is defined by the Department of Homeland Security as someone who meets the definition of a refugee and is already present in the US or at a port of entry seeking admission. Apart from a few logistical aspects of the process, asylees are vetted in the same way as refugees.

applications and 119,303 defensive asylum applications in 2017.[110] Of the combined 259,104

applicants, only 26,568—approximately ten percent—were granted asylum. A total of 53,691

refugees were admitted in 2017.[111] Those who applied but were not admitted were either denied

due to the vetting procedures or their case is still pending at the Department of Homeland

Security. According to the Department of Homeland Security's report to congress about

proposed refugee admissions for the 2019 fiscal year, there is a backlog of approximately

840,000 individuals whose applications have not yet been addressed.[112] Lengthy backlogs in this

process adds months or years to the timeline of a refugee or asylum seeker. Delaying legal

protection for individuals who are fleeing persecution is against the integrity of both the

immigration system and the United States as a whole. For this reason, there needs to be more

than one mechanism of admission and eventual naturalization of migrants.

I propose that the United States could implement a system similar to the metic system of

Athens in order to more efficiently offer assistance to those in need. In order to ensure the

protection of US citizens, those seeking asylee or refugee status would first be screened in the

same way they are now: each individual would undergo a background check in order to ensure

they have not been involved with anything that could characterize them as potentially harmful.

Once this initial background check is complete, the applicant would then be placed with a

sponsor—a US citizen who pledges to assist the migrant by providing financial assistance in

addition to helping them find housing, a job, or schooling depending on the migrant's situation.

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[110] Note: "affirmative" applications are those which go through a USCIS asylum officer. "Defensive" applications are those which occur during removal proceedings before an immigration judge. [US Department of Homeland Security, 2019: 6].

[111] Note: this number includes admitted refugees and asylees. [US Department of Homeland Security, 2019: 4]

[112] United States Department of State, 2019: 5.

The sponsorship would remain intact at least until the migrant has been admitted as a refugee or permanent resident.

This system would be beneficial in several ways. While the application is being processed, the migrant would be able to live as an active community member rather than a detainee at a detention center or temporary holding facility as they typically do now. This will permit the individual to start establishing themselves as soon as they arrive to the country, allowing for a greater likelihood of long-term success. Additionally, the US government will be able to dedicate the funding typically used on the detention centers which hold those awaiting admission to someplace else, such as the processing centers themselves. Since the year 2010, congress has set a "detention bed mandate" that specifies the number of beds which must be set aside for undocumented immigrant detainees. Additionally, US Immigration and Customs Enforcement reports the "estimated bed cost per day" each year. For the 2018 fiscal year, 51,379 beds were mandated at a daily cost of $133.99 per day.[113] This means that the US government spends nearly 7 million dollars *per day* to hold undocumented immigrants in these facilities. Allowing migrants who are in the process of being granted refugee status to stay outside of these facilities, the US government would save a considerable amount of money. More money could then be allocated toward the actual processing facilities, allowing for more efficiency. This would eventually allow the current backlog to be cleared, allowing the US to provide assistance to those fleeing persecution.

Refugees and asylees often arrive to the United States with very little money and possessions. During the time spent waiting to be processed, these individuals could begin to work and establish themselves, increasing the likelihood of their personal success and

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[113] Department of Homeland Security, 2019: 5-7.

contribution to the US. As explained previously, the sponsor would assist the migrant financially until they are able to live on their own, ensuring that they will not need to rely on the US government for financial support of any kind. A common concern by those who do not support US acceptance of immigrants and refugees is that these people will mooch off the US government. The system I propose would ensure that the reliance on the US government for financial aid would be highly unlikely. If a migrant has the opportunity to build a new life and support themselves and their family, they will do so. They would also be able to contribute to the community, state, and country by becoming engaged and boosting the economy. Overall, this system would benefit not only the migrant, but also the United States as a whole.

It is clear that the United States can learn much from Ancient Greece and Rome regarding citizenship and migration. By these suggestions, I do not imply that these adjustments are the sole solutions to the crises of the 21st century, nor can I speak to their effectiveness should they be implemented. I do suggest, however, that it is clear that ancient systems of citizenship and immigration are extremely important to consider when exploring potential changes in the United States.

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