

Citizen

INTRODUCTION

CITIZEN," like "comrade," has been and still is a revolutionary word. Both words have been titles proudly adopted by men to mark their liberation from the yoke of despotism or tyranny. Both titles are still sought by those who have not yet gained admission to the fraternity of the free and equal.

The rank and status of citizenship first appeared in the ancient world with the beginning of constitutional government in the city-states of Greece. The Greeks were conscious of this fact, and proud of it. In terms of it, they set themselves apart from the barbarians who were subjects of the Great King of Persia or the Egyptian Pharaoh. The Spartan heralds, according to Herodotus, thus address the Persian commander: "Thou hast experience of half the matter; but the other half is beyond thy knowledge. A slave's life thou understandest; but, never having tasted liberty, thou canst not tell whether it is sweet or no. Ah! hadst thou known what freedom is, thou wouldst have bidden us fight for it, not with the spear only, but with the battle-axe."

Not only Herodotus and Thucydides but also the great tragic poets, notably Aeschylus in *The Persians*, record this Hellenic sense of distinction from the surrounding peoples who still lived in childlike submission to absolute rule. But the Greeks were also conscious that their political maturity as self-governing citizens was, as Aristotle intimates in the *Politics*, a recent development from the primitive condition in which tribal chieftains ruled despotically.

The basic distinction between *subjection* and *citizenship* is inseparable from the equally basic distinction between absolute and limited, or between despotic and constitutional,

government. The difference between these two modes of government is treated in the chapter on CONSTITUTION. It is sufficient here to note that the difference in the authority and power possessed by rulers—according as it is absolute or limited—corresponds with a difference in the status, the degree of freedom, and the rights and privileges of the people ruled.

IN ORDER TO UNDERSTAND citizenship it is necessary to understand the several ways in which men can belong to or be parts of a political community. There are two divisions among men within a community which help us to define citizenship.

According to one of these divisions, the native-born are separated from aliens or foreigners. In the Greek city-states it was almost impossible for aliens to become citizens. Plutarch notes that Solon's law of naturalization, which he qualifies as "of doubtful character," would not allow strangers to become citizens unless "they were in perpetual exile from their own country, or came with their whole family to trade there." The *metics*, or aliens, who were allowed in the city were usually a class apart.

In Rome the situation was different; it was possible for outsiders to receive the high honor of Roman citizenship. "The aspiring genius of Rome," Gibbon writes, "sacrificed vanity to ambition, and deemed it more prudent, as well as honourable, to adopt virtue and merit for her own wheresoever they were found, among slaves or strangers, enemies or barbarians."

Most modern republics set up naturalization proceedings for the regular admission of some, if not all, immigrants to membership in the state. Yet a difference always remains

between a citizen and a denizen, or mere resident. Accordingly, Rousseau criticizes Jean Bodin for confusing citizens with townsmen. "M. D'Alembert," he says, "has avoided this error, and in his article on Geneva, has clearly distinguished the four orders of men (or even five, counting mere foreigners) who dwell in our town, of which two only compose the Republic."

According to a second way in which men are divided within the political community, free men are separated from slaves. The latter, though they may be native-born, are not members of the political community, but merely part of its property. A slave, according to Aristotle, is one "who, being a human being, is also a possession." But, he says in another place, "property, even though living beings are included in it, is no part of a state; for a state is not a community of living beings only, but a community of equals."

On this principle, Aristotle excludes more than the chattel slave from the status and privilege of citizenship. "We cannot consider all those to be citizens," he writes, "who are necessary to the existence of the state; for example, children are not citizens equally with grown-up men . . . In ancient times, and among some nations," he continues, "the artisan class *were* slaves or foreigners, and therefore the majority of them are so now. The best form of state will not admit them to citizenship."

The "slaves who minister to the wants of individuals," and the "mechanics or laborers who are the servants of the community" are to be counted as its "necessary people" but not as members of the state. When he discusses the size and character of the population for an ideal state, Aristotle says, "we ought not to include everybody, for there must always be in cities a multitude of slaves and sojourners and foreigners; but we should include only those who are members of the state, and who form an essential part of it."

The exclusion of slaves and resident aliens from membership in the political community has a profound bearing on the meaning of the political concept expressed by the words "the people." The *people* is not the same as the *population*—all those human beings who

live within the state's borders. Even in societies which have abolished chattel slavery and in which suffrage tends to be unrestricted, infants and aliens remain outside the pale of political life. The *people* is always a part—the active political part—of the population.

THE DISTINCTION OF citizen from slave, infant, or alien does not complete the picture. The subjects of a king are not slaves, nor are they citizens of a republic. Yet like citizens, subjects have membership in the political community. They constitute the people the king serves as well as rules, unless he is a tyrant, for only if he is a tyrant does he treat them as if they were his property, to be used for his own pleasure or interest. Sometimes a distinction is made between first- and second-class citizens, and then the latter, who occupy an intermediate position between citizenship and slavery, are regarded as subjects. "Since there are many forms of government," Aristotle writes, "there must be many varieties of citizens, especially of citizens who are subjects; so that under some governments the mechanic and the laborer will be citizens, but not in others." The whole meaning of citizenship changes for Aristotle when the working classes are admitted to it.

From a somewhat different point of view, Aquinas holds that a man can be "said to be a citizen in two ways: first, absolutely; secondly, in a restricted sense. A man is a citizen absolutely if he has all the rights of citizenship; for instance, the right of debating or voting in the popular assembly. On the other hand, any man may be called citizen only in a restricted sense if he dwells within the state, even lowly people, or children, or old men, who are not fit to enjoy power in matters pertaining to the common welfare." Those who are thus disfranchised, but are not slaves, are subjects rather than citizens in the full sense.

It is possible, of course, for men to have the dual status of subject and citizen, as is the case now in England and the self-governing dominions of the British commonwealth. This double status does not blur the distinction between citizen and subject; rather it signifies the mixed nature of a form of government which is both royal—at least in its vestiges of

monarchy—and constitutional. In the time of Locke, when a great constitutional victory had been won against the despotism of the last Stuart, the English people did not yet regard themselves as citizens. Observing that the title of citizen has never been given “to the subjects of any prince, not even the ancient Macedonians,” Rousseau finds himself compelled to add: “not even the English of today, though they are nearer liberty than anyone else.”

Unlike citizens, the subjects of a king, especially of one claiming absolute power, have no voice in their own government, and no legal means for protecting their natural rights as men. So long as the absolute ruler does not tyrannize, he governs for the welfare of his people; and so, though a despot in the sense of wielding absolute power over political inferiors, he is benevolent in the sense of serving rather than using them. But if he ceases to be benevolent and turns tyrannical, his subjects have no recourse except rebellion. They must resort to violence in order to emancipate themselves from a condition which amounts to slavery.

A citizen, on the other hand, is safeguarded in his legal as well as in his natural rights and, in some modern republics at least, he is provided with juridical means for rectifying supposed injustices. For citizens, the right of rebellion is the *last*, not the *only*, resort.

THE DISTINCT CONDITIONS of slavery, subjection, and citizenship can be summarized by defining three ways in which rulers are related to the persons they rule. These three relations seem to have been first clearly differentiated by Aristotle.

He finds all three relationships in the structure of the household, as that is constituted in antiquity. Of household management, he writes, “there are three parts—one is the rule of a master over slaves . . . another of a father, and a third of a husband.” In each case, “the kind of rule differs: the freeman rules over the slave after another manner from that in which the male rules over the female, or the man over the child.”

As we have already seen, Aristotle conceives the slave as a piece of property. When he says

that the slave “wholly belongs to his master” or that “he is a part of his master, a living but separated part of his bodily frame,” he is obviously considering only the chattel slave. There are, as the chapter on SLAVERY indicates, other kinds or degrees of slavery less extreme than this.

But chattel slavery, more clearly than the attenuated forms of servitude, defines the nature of mastery. The master manages or uses the slave as he manages and uses other instruments—inanimate tools or domesticated animals. “The rule of a master,” Aristotle declares, is “exercised primarily with a view to the interest of the master.” Yet it “accidentally considers the slave, since, if the slave perish, the rule of the master perishes with him.”

Thus conceived, the slave lacks every vestige of political liberty. He is treated as radically inferior to his master—almost as if he were something less than a man. He has no voice in his own government, nor is his welfare the paramount consideration of his ruler. In short, we have slavery when one man governs another in the way in which a man manages his property, using it for his own good.

When one man governs another in the way in which good parents administer the affairs of children as members of the household, we have the type of rule which also appears in the relation between absolute kings or benevolent despots and their subjects. “The rule of a father over his children is royal,” Aristotle writes, “for he rules by virtue of both love and of the respect due to age, exercising a kind of royal power . . . A king,” Aristotle adds, “is the natural superior of his subjects, but he should be of the same kin or kind with them, and such is the relation of elder and younger, father and son.”

From the analogous type of rule in the family, we see two differences between the condition of a slave and that of a subject under absolute or despotic rule in the state. The inferiority of children, unlike that of slaves, is not their permanent condition. It is an aspect of their immaturity. They are temporarily incapable of judging what is for their good, and so need the direction of their superiors in age, experience, and prudence. But children have

some equality with their parents, to the extent that their humanity is recognized as the reason why they should not be ruled as slaves, but governed for their own welfare.

The government of children, Aristotle declares, "is exercised in the first instance for the good of the governed, or for the common good of both parties, but essentially for the good of the governed." In the same way, the subjects of a benevolent despot, or of any absolute monarch who rules paternalistically, are said to be governed for their own good. They are served, not used, by their rulers; and to this extent they have a degree of political liberty. But they do not have the complete liberty which exists only with self-government.

That occurs only under constitutional rule, which for Aristotle has an imperfect analogue in the family in the relation of husband and wife. In the state, however, it is perfectly represented by the relation between the holders of public office and *other* citizens. "In the constitutional state," Aristotle says, "the citizens rule and are ruled by turns; for the idea of a constitutional state implies that the natures of the citizens are equal, and do not differ at all." The citizen, in other words, is one "who has the power to take part in the deliberative or judicial administration of the state." Rousseau seems to have a similar conception of the citizen as both ruling and ruled, though he uses the word "subject" to designate the citizen *as ruled*. "The people," he writes, "are called *citizens*, as sharing in the sovereign power, and *subjects*, as being under the laws of the State."

Because the man who holds office in a constitutional government is first of all a citizen himself, and only secondly an official vested with the authority of a political office, the citizen is a man ruled by his equals and ruled as an equal. Observing these facts, Aristotle describes citizenship as the one "*indefinite office*" set up by a constitution. It is indefinite both in tenure by comparison with the various magistracies or other offices which have more definitely assigned functions. Since a citizen is ruled only by other citizens, and since he has the opportunity of ruling others in turn, citizenship involves political liberty in the fullest sense. This does not mean freedom

from government, but freedom through *self-government*—all the freedom a man can have in society, liberty under law and proportioned to justice.

Two of these three political conditions—slavery and subjection—naturally receive fuller treatment in the chapter on SLAVERY. The discussion of the third, citizenship, belongs not only to this chapter, but also to the chapter on CONSTITUTION, and to other chapters which deal with forms of constitutional government, such as ARISTOCRACY, DEMOCRACY, and OLIGARCHY.

FOR THE SAME REASON that the revolutionists against absolutism or despotism in the 18th century use the phrase "free government" for republican institutions, they also use "citizen" to designate a free man, a man who possesses the political liberty and equality which they regard as the natural right of men because they are men. In this respect they do not differ substantially from their Greek or Roman ancestors who prize constitutional government and citizenship as conditions of freedom and equality.

Furthermore, like the constitutionalists of antiquity, the republicans of the 18th century are, with few if any exceptions, *not* democrats in the sense of extending the rights and privileges of citizenship to *all* adults. In the 18th century slavery still exists; and a large part even of those who are not in economic bondage remains outside the pale of citizenship, disqualified by accidents of birth such as race or sex, and by the lack of sufficient wealth or property which makes it necessary for them to labor in order to live. It is not only an ancient oligarch like Aristotle who thinks that "the ruling class should be the owners of property, for they are citizens, and the citizens of a state should be in good circumstances; whereas mechanics" should have "no share in the state." In the 18th century, as well as in ancient Greece, extending the privileges of citizenship to indentured apprentices, day laborers, or journeymen, is a form of radicalism known as "extreme democracy."

Kant may be taken as representative of an enlightened point of view in the 18th century.

He finds that there are "three juridical attributes" that belong by right to the citizens: "1. constitutional freedom, as the right of every citizen to have to obey no other law than that to which he has given his consent or approval; 2. civil equality, as the right of the citizen to recognize no one as a superior among the people in relation to himself . . . and 3. political independence, as the right to owe his existence and continuance in society not to the arbitrary will of another, but to his own rights and powers as a member of the commonwealth."

The last attribute leads Kant to distinguish between "active and passive citizenship." Although he admits that this "appears to stand in contradiction to the definition of a citizen as such," he concludes that there are some in the community not entitled to the full privileges of citizenship. It is his contention, widely shared in the 18th century, that suffrage, which "properly constitutes the political qualification of a citizen," presupposes the "independence or self-sufficiency of the individual citizen among the people."

Consequently he denies suffrage to "everyone who is compelled to maintain himself not according to his own industry, but as it is arranged by others." Such a restriction, he says, includes "the apprentice of a merchant or tradesman, a servant who is not in the employ of the state, a minor" and "all women." They are "passive parts" of the state and do not have "the right to deal with the state as active members of it, to reorganize it, or to take action by way of introducing certain laws." Kant insists, however, that "it must be made possible for them to raise themselves from this passive condition in the State, to the condition of active citizenship."

THE FOREGOING DISCUSSION shows the connection between the idea of citizenship and the two revolutionary movements which J. S. Mill notes in the history of political thought and action. The first is the movement to obtain "recognition of certain immunities, called political liberties or rights, which it was to be regarded as a breach of duty in the ruler to infringe, and which if he did infringe, specific

resistance, or general rebellion, was held to be justifiable." This is the revolutionary effort to overthrow despotism and to establish constitutional government, with the status of citizenship for at least some part of the population—frequently much less than half of the total.

The second revolutionary movement goes further. It presupposes the existence of government by law and aims to perfect it. It therefore seeks to obtain "the establishment of constitutional checks, by which the consent of the community, or of a body of some sort, supposed to represent its interests, is made a necessary condition to some of the more important acts of the governing power." Since, according to Mill, it aims to make the consent of the governed effective through an adequate representation of their wishes, this movement inevitably leads to the fight *against* franchise restrictions and *for* universal suffrage, which would admit every normal, adult human being to the freedom and equality of citizenship.

Commenting on the love for equality in democratic nations, Tocqueville writes, "It is possible to imagine an extreme point at which freedom and equality would meet and blend. Let us suppose that all the citizens take a part in the government and that each of them has an equal right to do so. Then, no man is different from his fellows, and nobody can wield tyrannical power; men will be perfectly free because they are entirely equal, and they will be perfectly equal because they are entirely free."

The first revolution has a long history. It begins with the Greek city-states which, having won this victory against the Persians, lost it to the Macedonian conquerors. It happens again with the establishment of the Roman republic after the expulsion of the Tarquins, and again it is undone when the Caesars assume absolute power. This part of the story is told with varying emotions by Plutarch and Polybius, Tacitus and Gibbon. During the Middle Ages the same struggle appears in the various efforts to establish the supremacy of law, particularly through the development of customary and canon law. The revolution still continues in the 17th and 18th centuries, and the new heights it reaches are reflected in the writings

of a constitutionalist like Locke and republicans like Rousseau, Kant, and the American Federalists. The Declaration of Independence and the Constitution of the United States are perhaps the classic documents of this historical phase.

The second revolution, particularly as identified with the fight for universal suffrage, is a relatively recent event. Its roots may go back as far as Cromwell's time to the activity of the Levelers, and in the 18th century to the writings of John Cartwright. But what is, perhaps, its first full expression does not appear until Mill's *Representative Government*. In that book, Mill lays down the principles of the franchise reforms which began in the 19th century, but which, as in the case of woman suffrage or the repeal of the poll tax, were carried through only yesterday or are still in progress.

Yet the struggle for universal suffrage—or, as Mill would say, against treating any human being as a “political pariah”—does have an ancient parallel in the conflict between democratic and oligarchic constitutions in Greek political life and thought. These two types of constitution were opposed on the qualifications for citizenship and public office. The oligarchic constitution restricted both to men of considerable wealth. At the other extreme, as Aristotle observes, the most radical forms of Greek democracy granted citizenship to the working classes and gave no advantage to the rich in filling the magistracies, for they selected officials for the whole citizenry by lot.

The parallelism goes no further than that. Greek democracy, even when it denied special privileges to the propertied classes, never contemplated the abolition of slavery or the political emancipation of women.

THERE ARE OTHER differences between ancient and modern institutions which affect the character of citizenship. The problem of who shall be admitted to citizenship is fundamental in both epochs. Insofar as it connotes the condition of political liberty and equality, the status of citizenship remains essentially the same. But the rights and duties, the privileges and immunities, which belong to citizenship vary with

the difference between ancient and modern constitutionalism.

Even if they had been written, the constitutions of the ancient world would not have declared the rights of man and the citizen, nor would they have had bills of rights appended to them. The significance of these modern innovations (which begin, perhaps, with Magna Carta) lies, not in a new conception of citizenship, but in the invention of juridical means to endow the primary office of citizenship with sufficient legal power to protect it from invasion by government. Commenting on the French Revolution and the *Declaration of the Rights of Man*, Tawney calls attention to “the difference between the universal and equal citizenship of France, with its five million peasant proprietors, and the organized inequality of England established solidly upon class traditions and class institutions.”

In *The Federalist*, Hamilton maintains that “bills of rights are, in their origin, stipulations between kings and their subjects, abridgments of prerogative in favour of privilege, reservations of rights not surrendered to the prince.” Defending the absence of a special bill of rights in the original Constitution, he insists that “the Constitution is itself, in every rational sense, and to every useful purpose, a bill of rights.” It declares and specifies “the political privileges of the citizens in the structure and administration of the government,” and “defines certain immunities and modes of proceeding, which are relative to personal and private concerns.”

Nevertheless, the right of free speech and free assembly and the right to trial by a jury of peers, along with the immunity from unwarranted searches and seizures or from *ex post facto* laws and bills of attainder, provided by the early amendments to the Constitution, do give the citizen additional protection against interference in the performance of his civic duties, such as independent political thought and action, or in the exercise of his human privileges, such as freedom of religious worship. The invention of these constitutional devices sprang from the bitter experience of coercion and intimidation under Star Chamber proceedings, royal censorship, and unlimited

police power. A citizen who can be coerced or intimidated by his government differs only in name from the subject of an absolute despot.

In addition to having these legal safeguards, modern differs from ancient citizenship in the way in which its rights and privileges are exercised. The machinery of suffrage is not the same when citizens act through elected representatives and when they participate directly in the deliberations and decisions of government, by voting in the public forum.

THE PROBLEM OF EDUCATION for citizenship is in some respects stated in almost identical terms by such different political philosophers as Plato and Mill.

In both *The Republic* and the *Laws*, Plato emphasizes that "education is the constraining and directing of youth towards that right reason which the law affirms." By this he means not only that education will affect the laws, but also that the laws themselves have an educational task to perform. The educational program is thus planned and conducted by the state. The guardians—the only citizens in *The Republic* in the full sense of the term—are trained for public life, first by the discipline of their passions, and second by the cultivation of their minds. Their passions are disciplined by music and gymnastics, their minds cultivated by the liberal arts and dialectic.

In the democracy which Mill contemplates as an ideal, "the most important point of excellence . . . is to promote the virtue and intelligence of the people themselves." He does not outline a specific curriculum for the training of citizens, but it is clear that he thinks their education cannot be accomplished in the schools alone. The superiority of democracy, according to Mill, lies in the fact that it calls upon the citizen "to weigh interests not his own; to be guided, in case of conflicting claims, by another rule than his private partialities; to apply at every turn, principles and maxims which have for their reason of existence the common good; and he usually finds associated with him in the same work minds more familiarized than his own with these ideas and operations, whose study it will be to supply reasons to his understanding, and stimulation to his feel-

ing for the general interest." In this "school of public spirit" a man becomes a citizen by doing the work of a citizen and so learning to act like one.

If the future citizen is to act like a free man, must he not also be trained in youth to think like one? Vocational training prepares a man to be an artisan, not a citizen. Only liberal education is adequate to the task of creating the free and critical intelligence required for citizenship. Hence in a state which rests on universal suffrage, the educational problem becomes greatly enlarged in scope, if not in intrinsic difficulty.

With the advent of universal suffrage, which Mill advocates, the state must face the responsibility for making liberal education available to every future citizen. To say that all normal children have enough intelligence to become citizens, but to regard the native endowment of a large number of them as incapable of liberal education, makes a travesty of citizenship. Will the child who cannot profit by liberal education be able to discharge the duties of the office to which he will be admitted upon coming of age?

THE TRAINING OF CHARACTER is always more difficult than the training of mind. In education for citizenship, the problem of moral training involves the question—discussed in the chapter on VIRTUE AND VICE—whether the good man and the good citizen are identical in virtue.

For Aristotle, and seemingly also for Mill, the virtue of the good man under an ideal constitution would be identical with that of the good citizen. As both ruling and being ruled, "the good citizen ought to be capable of both," Aristotle writes. "He should know how to govern like a freeman, and how to obey like a freeman—these are the virtues of a citizen. And although the temperance and justice of a ruler are distinct from those of a subject, the virtue of a good man will include both; for the virtue of the good man who is free and also a subject, e.g. his justice, will not be one but will comprise distinct kinds, the one qualifying him to rule, the other to obey."

The virtues of the citizen direct him primar-

ily in the performance of his obligations to the state. But if the welfare of the state is not the ultimate end of man, if there are higher goods which command human loyalty, if man's common humanity takes precedence over his membership in a particular state, then civic virtue does not exhaust human excellence. More may be morally required of the good man than of the good citizen. The virtues of the saint and the patriot may be of a different order.

On this question, the great books reveal a fundamental disagreement among moralists and political philosophers, who differ as Plato and Hegel differ from Augustine and Aquinas, or from Locke and Mill, on the place of the state in human life.

The ancients frequently appeal to a law higher than that of the state. Socrates forever stands as the classic example of one who would rather die than disobey his inner voice—the command of his conscience. A Stoic like Marcus Aurelius is willing to give unqualified allegiance to the political community only when it is the ideal city of man, embracing the whole human brotherhood. "My city and my country, so far as I am Antoninus," he says, "is Rome, but so far as I am a man"—whose "nature is rational and social"—"it is the world."

For Christian theologians, membership in the city of God is a higher vocation than citizenship in any earthly community—even when that is the city of man at its best. The city of God demands a higher order of virtue than the city of man. Referring to the earthly city, Augustine says that "the things which this city desires cannot justly be said to be evil, for it is itself, in its own kind, better than all other human goods. For it desires earthly peace for the sake of enjoying earthly goods." It is all right for men to seek "these things" for they "are good things, and without doubt the gifts of God." But, Augustine goes on to say, "if they neglect the better things of the heavenly city, which are secured by eternal victory and peace never-ending, and so inordinately covet these present good things that they believe them to be the only desirable things," then, in Augustine's opinion, they are misdirected in their love.

In giving precedence to the commandments of God, the theologians do not deprecate the

commands of the state or the obligations of citizenship. But those who belong to both cities may find themselves faced with a conflict between the law of the state and the divine law. In such circumstances, the faithful have no choice. They must obey God before man. "Laws that are contrary to the commandments of God," Aquinas holds, do not "bind a man in conscience" and "should not be obeyed."

THIS CONFLICT BETWEEN human and divine law finds expression in antiquity in the *Antigone* of Sophocles. Regarding the human law she disobeys, she tells the Theban King Creon,

It was not Zeus who made that order,
Nor did I think your orders were so strong
that you, a mortal man, could over-run
the gods' unwritten and unfailing laws.
Not now, nor yesterday's, they always live,
and no one knows their origin in time.

The problem which Antigone faces can occur in as many other ways as there are possibilities of tension between individual conscience or desire and political obligation. Whatever form this takes, the conflict confronts the political philosopher with all the questions that constitute the problem of the individual and society, or man and the state.

To what extent and in what respects is the individual's personality sacred and inviolable by the state? How much freedom from government has the individual a right to demand? How much individual sacrifice has the state a right to expect? Is the state merely a means in the individual's pursuit of happiness, or the end to which all other goods must be ordered? Is man made for the state, or the state for man?

To questions of this sort, the answers range from philosophical anarchism at one extreme to equally philosophical totalitarianism at the other, with all degrees of individualism and communism in between. The general problem of man and the state, with all its controversial issues, runs through many other chapters—such as CONSTITUTION, GOOD AND EVIL, LAW, LIBERTY, and STATE—but we have placed its principal formulation in this chapter because the concept of citizenship signifies the ideal condition of the human individual as a member of the political community.