

A METIC WAS A METIC

*ABSTRACT: In Classical Athens, an immigrant who stayed longer than about a month was required to register a citizen as *prostates* and to commence paying the *metoikion*. So were freed slaves. A recent study treats these freeborn and freedman metics as distinct legal types of resident alien. Athenian law did not.*

In Classical Athens, an immigrant who stayed longer than about a month was required to register a citizen as *prostates* and to commence paying the *metoikion*.¹ Likewise, freed slaves were to register *prostatai* and pay the *metoikion*.² A recent study of Athenian status groups treats these freeborn and freedman metics as distinct legal “subcategories of resident alien.”³ Athenian law, I argue, did not.

Harpokration defines metic with a pair of criteria (μὲν...δὲ); first, a metic is “one who changes residence from one city to another, and not briefly visiting as a foreigner but having established residence there.”⁴ This alone cannot have functioned as a prescriptive legal test.⁵ The second part is similarly descriptive: “And twelve drachmas each year used to be paid by them, which was called “*metoikion*.”” Aristophanes of Byzantium also focused on the twin criteria of domicile and taxation: “A metic is whenever a person, having come from a foreign (*polis*) takes up residence in the *polis*, paying a tax toward certain appointed uses of the city. Thus, for so many days he is called a visitor (*παρεπίδημος*) and does not pay tax, but if he passes the fixed time, he becomes a metic thenceforth and liable to taxation (μέτοικος ἤδη γίνεται καὶ ὑποτελής).”⁶ The last clause

¹ P. Gauthier, *Symbola: Les étrangers et la justice dans les cités grecques* (Nancy 1972) 122 (month); D. Whitehead, *Ideology of the Athenian Metic* (Cambridge 1977) 9, 76 (month), 75-77 (*metoikion*), 89-92 (*prostates*).

² Whitehead, *Ideology of the Athenian Metic* 16-17.

³ D. Kamen, *Status in Classical Athens* (Princeton 2013) 43: “distinguished from each other not only legally but also (more significantly) socially.”

⁴ Harp. s.v. μετοίκιον: μέτοικος μὲν ἐστὶν ὁ ἐξ ἐτέρας πόλεως μετοικῶν ἐν ἐτέρῃ καὶ μὴ πρὸς ὀλίγον ὡς ξένος ἐπίδημων, ἀλλὰ τὴν οἰκίαν αὐτόθι καταστησάμενος. ἐδίδοντο δὲ ὑπ’ αὐτῶν καθ’ ἕκαστον ἔτος δραχμαὶ τβ’, ὅπερ ὠνόμαστο μετοίκιον.

⁵ A. Dimopoulou-Piliouni, “*Apeleutheroi: Metics or Foreigners?*” *Dike* 11 (2008) 27–50, 29-30, suggests, “Such a definition could evidently not apply to a freedman residing in the city of his former master. A fundamental difference between a metic and a manumitted slave appears to be that the first was the citizen of another city, who chose to leave his natal city and move and live permanently into another. A metic was a willingly expatriated foreigner, a free man making his living permanently abroad, one who had never lost his civic status or rights in his natal city. If a metic chose to return to his homeland, he would be there a citizen of full rights.” But such a literal test would have excluded political exiles, whose departure was unwilling, or war refugees, who may not have had a homeland to return to, or countless others who may not have come from a *polis* in the first place—say, Aetolians.

⁶ Ar. Byz. 38 [Nauck]: μέτοικος δὲ ἐστὶν ὅποταν τις ἀπὸ ξένης ἐλθὼν ἐνοικῇ τῇ πόλει, τέλος τελῶν εἰς ἀποτεταγμένας τινὰς χρεῖας τῆς πόλεως· ἕως μὲν οὖν ποσῶν ἡμερῶν παρεπίδημος καλεῖται καὶ ἀτελής ἐστὶν, ἐὰν δὲ ὑπερβῇ τὸν ὀρισμένον χρόνον, μέτοικος ἤδη γίνεται καὶ ὑποτελής· παραπλησίως δὲ τοῦτω καὶ ὁ ἰσοτελής.

is telegraphic, sensible enough but legally imprecise. As Pollux put it, “a metic is one who pays the *metoikion*,”⁷ and according to the *Suda* one’s *prostates* assisted.⁸ Payment was a physical and bureaucratic act performed in the presence of others and written down.⁹ One could not “become” a metic automatically.

We find the same imprecision elsewhere. Harpokration defines *aprostasiou* as “a type of action against metics who do not register / have a *prostates*.”¹⁰ If one paid the *metoikion* through a *prostates* then anyone lacking such could not have paid the *metoikion*; such a person was not legally a metic. Also Pollux.¹¹ Similarly, the *Suda* notes that the *poletai* sold off the assets of metics who had no *prostatai*.¹² The author of the *Ath.Pol.* states that the polemarch heard cases of *aprostasiou* for metics,¹³ by which he can only have meant that the polemarch heard cases of *aprostasiou* for those who appeared to be metics but, in fact, may or may not have taken the necessary steps to become so: a prosecutor might establish that a resident non-citizen was entirely

⁷ Pollux 3.55: μέτοικος ὁ τὸ μετοίκιον συντελῶν.

⁸ *Suda* s.v. ἀποστασίου: ἀπροστασίου δέ· τῶν μετοίκων ἕκαστος προστάτην ἔχουσι κατὰ νόμον ἕνα τῶν ἀστῶν, καὶ δι’ αὐτοῦ τό τε μετοίκιον τίθεται κατὰ ἔτος καὶ τὰ ἄλλα διοικεῖται (Cf. *aprostasiou*: each of the metics has a *prostates*, one of the citizens by law, and through him he pays the *metoikion* each year and manages everything else). Also s.v. νέμειν προστάτην: ἀντὶ τοῦ ἔχειν προστάτην· τῶν γὰρ μετοίκων ἕκαστος μετὰ προστάτου τῶν ἀστῶν τινος τὰ πράγματα αὐτοῦ συνῶκει καὶ τὸ μετοίκιον κατετίθει. καὶ τὸ ἔχειν προστάτην καλεῖται νέμειν προστάτην (for “to have a *prostates*,” for each of the metics, with a *prostates*, who is one of the *astoi*, used to jointly administer his own affairs and pay the *metoikion*. And to have a *prostates* is called “*nemein prostaten*”). Here, συνῶκει must be an error for συνῶκονομει; Whitehead translates, “each of the metics [sc. in classical Athens] manages his own affairs in conjunction with a sponsor who is one of the citizens” (*Suda* Online, Adler nu,166: <http://www.stoa.org/sol>). A handful of passages in the orators (Lys. 31.9, Dem. 29.3, Dem. 57.55) refer to a metic depositing (κατατίθημι) the *metoikion*, which may suggest payment in person (Whitehead, *Ideology of the Athenian Metic* 76), but none indicates active engagement by the *prostates*.

⁹ At Dem. 25.57 (quoted below) an alleged violator was hauled to the *poleterion* and found there to have paid the *metoikion*; this must have involved consultation of records kept by the tax collector(s) or the *poletai* themselves.

¹⁰ Harp. s.v. ἀπροστασίου: εἶδος δίκης κατὰ τῶν προστάτην μὴ νεμόντων μετοίκων· ἡρεῖτο γὰρ ἕκαστος ἐναντῷ τῶν πολιτῶν τινὰ προστησόμενον περὶ πάντων τῶν ἰδίων καὶ τῶν κοινῶν. Ὑπεριδῆς ἐν τῷ κατ’ Ἀρισταγόρας ἀπροστασίου β’ (... For each used to choose for himself one of the citizens to be his *prostates* concerning all his own and common affairs. [sc. An example is] Hypereides in his second speech against Aristagora for *aprostasiou*).

¹¹ Pollux *Onom.* 8.35: ἀποστασίου δὲ δίκη κατὰ τῶν ἀφισταμένων ἀπελευθέρων, ἀπροστασίου δὲ κατὰ τῶν οὐ νεμόντων προστάτην μετοίκων (*apostasiou* is an action against freedmen who depart, and *aprostasiou* [sc. is an action] against metics who do not register / have a *prostates*).

¹² *Suda* s.v. πωλητής: ...ὑπέκειντο δὲ τοῖς Πωληταῖς καὶ ὅσοι τὸ διαγραφὲν ἀργύριον ἐν πολέμῳ μὴ εἰσέφερον, ἔτι καὶ οἱ ξενίας ἀλόντες καὶ ὁ μέτοικος καὶ προστάτην οὐκ ἔχων καὶ ὁ ἀποστασίον γραφεῖς· τοῦτων γὰρ τὰς οὐσίας πωλοῦντες παρεκατέβαλον εἰς τὸ δημόσιον (also falling under the *poletai* were those who did not contribute the levied sum in wartime, and also those convicted of *xenia*, and the metic who did not have a *prostates*, and the one who was convicted of *apostasiou*). This last is an error for *aprostasiou*; see *Suda* Online, Adler pi,2159: <http://www.stoa.org/sol>, where Whitehead translates “metics who had failed to take a *prostates* and been convicted on that charge” and links (n3) to *aprostasiou* (Adler alpha,3703).

¹³ *Ath.Pol.* 58.3 αὐτὸς δ’ εἰσάγει δίκας τὰς τε τοῦ ἀπο[σ]τασίου καὶ ἀπροστασ[ί]ου καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκους.

delinquent and had never been a legal metic in the first place.¹⁴ Elsewhere, the *Suda* draws the legal distinction carefully (s.v. *aprostasiou*): “whenever someone, though seeming to be a metic (δοκῶν εἶναι μέτοικος), does not have a *prostates* or does not pay the *metoikion* or claims to be a citizen though he has been wrongly enrolled in the *politeia*, he who wishes brings suit against him, which is called ‘*aprostasiou*.’”¹⁵ An alien whose stay passed the prescribed limit, but who lacked a *prostates* and had not paid the *metoikion*, was not a metic. He was liable to become one and may well have seemed to be so. But to be and to seem were different legal facts.

If conversion to metic status was not automatic, becoming liable was. “[I]n the fourth century at least, foreigners arriving in Athens—whether intending to ‘immigrate’ or not—encountered an essentially pragmatic machinery: intentions apart, if they stayed for longer than a statutory (and fairly short) period the *polis* required them to become metics.”¹⁶ So shows the rider to the decree that honored Straton of Sidon, which added that Sidonians who were visiting Athens for the purpose of trade could not be made to pay *metoikion*, serve as *choregos*, or contribute *eisphora*, “provided that they reside in Sidon and are active citizens” there.¹⁷ Absent this protection, if these Sidonians stayed in Athens beyond the fixed time limit they would have had to become metics; presence beyond the time limit was otherwise sufficient to trigger liability, and claims of proper residence elsewhere would not have altered that fact. By freeing these Sidonians from having to pay the *metoikion*¹⁸ the decree accorded them “an artificially prolonged ‘life’ as *xenoi*, as *parepidemountes* free of financial obligation.”¹⁹ One who pays the *metoikion* is a metic; one who does not is not. These two inverse legal facts do not give us a definition of metic status, but rather a diagnostic for determining whether a person belongs to it.

¹⁴ The same imprecision is often mirrored by moderns; on the Polemarch’s role in introducing *graphai apostasiou*, A. R. W. Harrison, *The Law of Athens*² (London 1998) I 195, notes, “the defendant here was by definition a metic.” See also Harp. s.v. μετοίκιον: οἱ μέντοι μὴ τιθέντες τὸ μετοίκιον μέτοικοι ἀπήγοντο πρὸς τοὺς πωλητὰς, καὶ εἰ ἐάλωσαν ἐπιπράσκοντο, ὡς φησι Δημοσθένης ἐν τῷ κατ’ Ἀριστογείτονος (metics who did not pay the *metoikion* used to be hauled before the *poletai* and, if convicted, sold), which might show the same imprecision, at least as regards the newly liable, but not in case of failure to maintain prior good standing.

¹⁵ *Suda* s.v. ἀποστασίον: ἀπροστασίου δέ· τῶν μετοίκων ἕκαστος προστάτην ἔχουσι κατὰ νόμον ἓνα τῶν ἀστῶν, καὶ δι’ αὐτοῦ τό τε μετοίκιον τίθεται κατὰ ἔτος καὶ τὰ ἄλλα διοικεῖται. ὅταν οὖν τις δοκῶν εἶναι μέτοικος προστάτην μὴ ἔχη ἢ μὴ δῶ τὸ μετοίκιον ἢ ἀστὸς εἶναι φάσκη παρεγγεγραμμένος εἰς τὴν πολιτείαν, ὁ βουλόμενος δίκην εἰσάγει πρὸς αὐτὸν, ἥτις λέγεται ἀπροστασίον. Pollux may show similar care at 3.57: ἀδιάτακτοι δὲ καλοῦνται οἱ μὴ ἐγγεγραμμένοι εἰς τοὺς μετοίκους δέον, ἢ μὴ τελοῦντες τὸ μετοίκιον (they are called ‘*adiataktoi*’ who have not enrolled among the metics—though they must—or do not pay the *metoikion*).

¹⁶ Whitehead, *Ideology of the Athenian Metic* 8-10, quote at 10.

¹⁷ *IG* II² 141.30-36: ὅποσοι δ’ ἂν Σιδῶν|ίων οἰκῶντες ἐς Σιδῶνι καὶ πολι|τευόμενοι ἐπιδημῶσιν κατ’ ἐμπορ|ίαν Ἀθήνησι, μὴ ἐξεῖναι αὐτὸς μετ|οίκιον πράττεσθαι μηδὲ χορηγὸν | μηδένα καταστήσαι μηδ’ εἰσφορὰν | μηδεμίαν ἐπιγράφειν (but as many of the Sidonians as, while residing in Sidon and exercising civic rights [there], visit Athens for trade, it shall not be possible to exact the *metoikion* from them nor to appoint any as *choregos* nor to register [them] for any *eisphora*).

¹⁸ And *choregia*, or *eisphora*, to which only sufficiently wealthy metics were liable.

¹⁹ Whitehead, *Ideology of the Athenian Metic* 14.

Demosthenes mentions the very same.²⁰ We have seen already the other available test: whether the individual had / had registered (νέμειν) a *prostates*.²¹

Thus, strictly speaking, we possess no ancient definition of a metic. Rather we have a definition of the event that triggered liability to the metic tax: legal residence, defined as presence beyond the statutory limit. And we have a diagnostic for identifying whether an alien is a metic: whether s/he has a *prostates* and has paid the *metoikion*. Moreover, if demes kept registers of metics, as has been suggested, then another indicator may have been available as well.²² Even so, when an outraged litigant protests that he is citizen, he does not ask, “In what deme am I registered as a metic?!” but rather, “Where have I paid

²⁰ Dem. 25.57: λαβὼν αὐτὸς αὐτοχειρία πρὸς τὸ πωλητήριον τοῦ μετοικίου ἀπήγαγεν· καὶ εἰ μὴ κείμενον αὐτῇ τὸ μετοίκιον ἔτυχεν, ἐπέπρατ’ ἂν διὰ τοῦτον, ᾧ τῆς σωτηρίας αὐτῆ ἀιτία ἐγεγόνει (...seizing her himself, with his own hands, he hauled her off to the *poleterion* for the *metoikion*, and if the *metoikion* had not happened to be on record for her, she would have been sold, owing to this man to whom she had been the very cause of salvation); with less detail and more indignation, Dem. 57.54-55: ἀλλὰ μὴν ὁ πατήρ αὐτὸς ζῶν ὁμόσας τὸν νόμιμον τοῖς φράτερσιν ὄρκον εἰσήγαγέ με, ἀστὸν ἐξ ἀστῆς ἐγγυητῆς αὐτῷ γεγενημένον εἰδῶς, καὶ ταῦτα μεμαρτύρηται. εἴτ’ ἐγὼ ξένος; ποῦ μετοίκιον καταθείς; ἢ τίς τῶν ἐμῶν πώποτε; (But in fact my father himself, when he was alive, having sworn the customary oath, introduced me to the *phraters*, since he knew that I had been born a citizen to a citizen mother lawfully married to him, and these things have been introduced as evidence. So I am an alien then? Having paid *metoikion* where? Or who among mine ever has?). Aeschines 1.119 attempts to foreclose an argument that Demosthenes will, he says, make: that to discover whether Timarchos was a prostitute one should simply consult the *telones*.

²¹ *Suda* s.v. ἀποστασίου, also s.v. νέμειν προστάτην (both quoted above); Harp. s.v. ἀπροστασίου: εἶδος δίκης κατὰ τῶν προστάτην μὴ νεμόντων μετοίκων; Pollux *Onom.* 3.56: κατὰ δὲ τῶν οὐ τελούντων τὸ μετοίκιον ἢ προστάτην μὴ νεμόντων ἀπροστασίου δίκη. Scholars tend to translate this use of νέμειν as “to register” (see LSJ III.3), but the *Suda* treats it as a synonym for ἔχειν: s.v. νέμειν προστάτην: ἀντὶ τοῦ ἔχειν προστάτην ... τὸ ἔχειν προστάτην καλεῖται νέμειν προστάτην; s.v. ἀποστασίου: προστάτην ἔχουσι ... προστάτην μὴ ἔχη; s.v. πωλητής: προστάτην οὐκ ἔχων. And where the verb appears in the active voice with this middle force its clear tendency is toward “have” (LSJ s.v. III). Only Harpokration refers to “inscribing” a *prostates* (s.v. ἀποστασίου: ἕτερον ἐπιγράφονται προστάτην). It is unknown whether this inscription—if factual—occurred during some discrete registration of the *prostates*, or of the metic, or whether it simply accompanied the metic’s payment of the *metoikion*. In any case, we know nothing concrete about any formal registration of *prostatai*. This is partly a fact of our near total ignorance of any process by which metics themselves were registered, independent, that is, of their payment of *metoikion* (more below).

²² Whitehead, *Ideology of the Athenian Metic* 72-75, esp.75: “The actual procedure of enrolment thus remains obscure. ... There may have been an obligation upon individuals, having passed the ‘specified time’—or, before its introduction, having decided to stay—to go to the demarch and declare themselves. ... Alternatively they were perhaps required to do so on arrival.” Also 77: “There surely were registers of metics in their demes, but also, I suggest, at some administrative centre where the revenue was assessed in the first place—the *poleterion* itself, or the polemarch’s office: they would be based on reports from the demes, and they (rather than the deme lists) would be wherein payment was recorded. But this suggestion obviously should not be pressed.” Central administration is inferred in part from Dem. 25.57. See also Whitehead 1986: 81-85. Fifth-century *prostatai* are thought to have facilitated deme-enrollment for the metics whom they sponsored: Gauthier, *Symbola* 126-136; Whitehead, *Ideology of the Athenian Metic* 91. Pollux *Onom.* 3.57 (ἀδιάτακτοι δὲ καλοῦνται οἱ μὴ ἐγγεγραμμένοι εἰς τοὺς μετοίκους δέον, ἢ μὴ τελούντες τὸ μετοίκιον, ἢ τὴν σκάφην μὴ φέροντες) scarcely tells of a registration process independent of the recording of *metoikion* payment. Σ Ar. *Birds* 1669 and Σ Ar. *Frogs* 410, both adduced by M. Clerc, *Les mètèques Athéniens: étude sur la condition legale, la situation morale et le rôle social et économique des étrangers domiciliés à Athènes* (Thèse, Paris 1893) 249-250, do not show deme registration.

metoikion?!”²³ The Sidonians were said to be freed not from “deme registration,” but from taxation. To be a metic was to pay.²⁴

Now, Harpokration observes that freed slaves also paid the *metoikion*.²⁵ Apparently, some hold that manumission at Athens entailed automatic conversion to metic status.²⁶ Such was impossible. A slave-owner had the power to convert a slave into a free non-citizen, via formal witnessed speech act. But, even leaving aside the possible requirement of deme registration, legal metic status was contingent on payment of the *metoikion*. There was no way to effect this automatically. Dimopoulou-Piliouni has argued that upon manumission a slave became a free alien and later may or may not have become a metic. This is undoubtedly correct.²⁷ In observing that freed slaves paid the *metoikion* Harpokration was simply using the same sort of telegraphic expression that we saw above. He meant, I urge, that freed slaves who stayed long enough to trigger liability, were to pay just as immigrants did. Or perhaps the underlying legal fact was that manumission itself was the triggering event, so that freedmen became liable upon their release from servitude. Either way, this was a useful clarification, for the bulk of metics will have been immigrants.

It is sometimes emphasized that while freeborn metics paid the *metoikion*, freedmen paid an additional triobol, “maybe to the *telones*.”²⁸ We know nothing about this fee,

²³ Dem. 57.55: εἴτ’ ἐγὼ ξένος; ποῦ μετοίκιον καταθείς;

²⁴ S. C. Todd, *The Shape of Athenian Law* (Oxford 1993) 197, notes that the pairing of *prostates* and payment of *metoikion* were such a common stand-in for *μετοικεῖν* that the orators “can use it to describe Athenians residing as metics in other *poleis*.” See Lys. 31.9; Dem. 29.3; Lyc. 1.21.

²⁵ Harp. s.v. μετοίκιον: ὅτι δὲ καὶ οἱ δοῦλοι ἀφεθέντες ὑπὸ τῶν δεσποτῶν ἐτέλουν τὸ μετοίκιον ἄλλοι τε τῶν κωμικῶν δεδηλώκασι καὶ Ἀριστομένης (Aristomenes and other comic poets have shown that also slaves, after being freed by their masters, used to pay the *metoikion*).

²⁶ R. Zelnick-Abramovitz, *Not Wholly Free: The Concept of Manumission and the Status of Manumitted Slaves in the Ancient Greek World* (Leiden and Boston 2005) 251: “The prevalent view is that manumitted slaves automatically assumed metic status;” Kamen, *Status in Classical Athens* 43: “It is unfortunately unclear to us whether freed slaves became metics (in the broad sense) automatically after being released from remaining obligations to their former master, or whether this was a separate registration process.” Dimopoulou-Piliouni, *Dike* 11 (2008) 30: “The predominant view is that manumitted slaves staying in Athens could automatically register as metics. Authors identifying *apeleutheroi* to metics in Athens often proceed by analogy: as metics are the one category of resident aliens of Athens about which we have the most information in the sources, it is considered only natural that *apeleutheroi* (identified as non citizens permanently living in the city) should either fit in the same group, or share with them the same disabilities. But, the information of the sources assimilating *apeleutheroi* to metics is far from being conclusive. In fact, there is not one single straightforward indication that *apeleutheroi* in Athens were automatically considered and registered as metics.”

²⁷ But Dimopoulou-Piliouni, *Dike* 11 (2008) 34-35, suggests also that since the Old Oligarch 1.10 shows contempt for slaves, metics, and freedmen, and since Plato *Leg.* 915a treats metics and freedmen as different groups in his imaginary polity, and since Aristotle *Pol.* 1277b observes that freedmen are neither metics nor *xenoi*, “we can conclude that *apeleutheroi* are often referred to as a distinct social group, thus challenging the frequent assumption that manumitted slaves automatically enrolled among metics.” But the existence of distinct *social* categories (as voiced in political and philosophical works) tells us nothing about *legal and administrative* realities.

²⁸ Harp. s.v. μετοίκιον: Μένανδρος δ’ ἐν Ἀνατιθεμένη καὶ ἐν Διδύμαις πρὸς ταῖς ἰβ’ δραγμαῖς καὶ τριώβολόν φησι τούτους τελεῖν, ἴσως τῷ τελώνῃ. Kamen, *Status in Classical Athens* 44; eadem

except that Pollux and Hesychius thought that it was part of the *metoikion*, presumably to be paid by all metics, the former indicating that it was paid to the *grammateus* (which, we do not know).²⁹ If Pollux and Hesychius are right, and the triobol was paid by all metics, then perhaps it was a one-time or annual filing fee of some sort? All liable aliens, whether immigrants or freedmen, were required to pay the *metoikion* and this generated a considerable paper trail, some version of which could apparently be consulted at the *poleterion*.³⁰ Perhaps administrative costs were offset by the collection of a small fee. If Harpokration is right and the triobol was paid by freedmen alone, then it would be compatible with a fee associated with manumission *per se* and strictly unrelated to the metic tax, though it might be collected—say, for convenience—when the metic tax was paid. This would be especially sensible if the triggering event for freed slaves was not duration of stay but emancipation itself. The collection of a small fee would be compatible with that, mundane, plausible,³¹ and perhaps analogous to practice elsewhere.³²

Thus, as far as conventional and functional definitions were concerned, a metic was a metic. A non-citizen who was domiciled in Athens became liable. In all cases the triggering event that established domicile was the lapse of a fixed stretch of time, and in the case of freedmen it may have been emancipation itself. But as far as the sources indicate, liability was liability, regardless of how it was reached. To be a metic was to have experienced a triggering event, (perhaps to have registered with a deme) to have / have registered a *prostates*, and to have paid the *metoikion*. Definitionally, there is no indication that Athenian law was cognizant of multiple categories of metic.

We find the same in judicial and administrative practice. The *Ath.Pol.* notes that the Polemarch “introduces for metics cases for *apostasiou* and *aprostasiou* and inheritance and *epikleroi*; and otherwise as many things as the *archon* introduces for the citizens, the polemarch introduces for the metics.”³³ *Apostasiou* was a private action available to manumittors whose former slaves “departed from them” or registered others as *prostatai*.

“Reconsidering the status of *khôris oikountes*,” *Dike* 14 (2011) 43–53, 47; Dimopoulou-Piliouni, *Dike* 11 (2008) 31-32.

²⁹ Pollux 3.55: μέτοικος ὁ τὸ μετοίκιον συντελών· τοῦτο δ’ ἦν ἰβ’ τῷ δημοσίῳ δραχμαὶ καὶ τῷ γραμματεῖ τριώβολον. Hesychius s.v. μετοίκιον: τέλος οὕτως ἐκαλεῖτο, ὃ ἐτίθεσαν [ἐν] τῇ πόλει, δραχμᾶς δώδεκα· τῷ δὲ τελώνῃ τριώβολον.

³⁰ See Dem. 25.57. The *poletai*’s filing responsibilities for farmed taxes alone were substantial: *Ath.Pol.* 47.2-3. We do not hear that they had a *grammateus*. But if they maintained record(s) of individual payments (derived from the records of tax collectors, deme registers, or whatever) then theirs was a considerable archival undertaking.

³¹ More so, I urge, than “serv[ing] the symbolic role of marking freed slaves as “other”” (Kamen, *Dike* 14 [2011] 47).

³² R. Zelnick-Abramovitz, *Taxing Freedom in Thessalian Manumission Inscriptions* (Leiden and Boston 2013).

³³ *Ath.Pol.* 58.3: αὐτὸς δ’ εἰσάγει δίκας τὰς τε τοῦ ἀπο[σ]τασίου καὶ ἀπροστασ[ί]ου καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκις, καὶ τᾶλλ’ ὅσα τοῖς πολίταις ὁ ἄρχων, ταῦτα τοῖς μετοίκις ὁ πολέμαρχος. Perhaps emend αὐτὸς to οὕτως: P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia*² (Oxford 1993) ad loc. p.656.

Conviction resulted in a return to slavery, acquittal in freedom thenceforth.³⁴ *Aprostasiou* was a public action, available to anyone,³⁵ against metics (or those liable to become so) who did not have a *prostates* at all, failed to pay the *metoikion*, or (according to the *Suda*) falsely claimed citizenship.³⁶ Conviction meant sale into slavery.³⁷ So, the *dike apostasiou* could be brought by manumitters alone against their former slaves. The *graphe apostasiou* is thought to have applied strictly to freeborn metics.³⁸ This cannot be right.

³⁴ Harp. s.v. ἀποστασίου: δίκη τίς ἐστί κατά τῶν ἀπελευθερωθέντων δεδομένη τοῖς ἀπελευθερώσασιν, ἐάν ἀφιστῶνται τε ἀπ’ αὐτῶν ἢ ἕτερον ἐπιγράφονται προστάτην, καὶ ἃ κελεύουσιν οἱ νόμοι μὴ ποιῶσιν. καὶ τοὺς μὲν ἀλόντας δεῖ δούλους εἶναι, τοὺς δὲ νικήσαντας τελέως ἤδη ἐλευθέρους. πολλάκις δ’ ἐστὶ παρὰ τοῖς ῥήτορσι, παρὰ τῷ Λυσίᾳ ἐν τῷ πρὸς Ἀριστόδημον καὶ Ὑπερίδῃ ἐν τῷ κατὰ Δημητριάς ἀποστασίου (There is an action granted against freedmen to those who freed them, if they depart from them or register another as *prostates*, and if they do not do what the laws bid; and those who are convicted must become slaves, while those who win [the case] shall be free thenceforth, with finality. Occurs often in the orators, in Lysias in the speech against Aristodemos and in Hyperides in the speech against Demetria for *apostasiou*). On a common view, freedmen were by default bound in a state of semi-liberty; see Zelnick-Abramovitz, *Not Wholly Free*; Kamen, *Status in Classical Athens* 32-43. Thus, it is thought, victors in these cases became “fully free.” But that very phrase presumes the intelligibility of “half-free.” Athens was a place in which an important difference between liberty and servitude was liability to torture; to what, then, could the half-free have been liable? J. D. Sosin, “Manumission with *Paramone*: Conditional Freedom?” *TAPA* forthcoming (<http://hdl.handle.net/10161/8993>), argues that the freedman’s semi-liberty is a modern invention. In the context, the plain meaning of τελέως, I urge is that the court ruling was to be final and would estop all future claims that a freedman was in fact a slave. The victors were not to be “fully free,” but free with finality. Compare Dem. 37.27: ὅσα μὲν γὰρ ἀμφισβητήσιμά ἐστι τῶν συμβολαίων, κρίσεως δεῖται, ὃ ἄνδρες δικασταί· τὰ δὲ παρ’ ἀμφοτέρων ὁμολογηθέντα τῶν συντιθεμένων, καὶ περὶ ὧν συγγραφαὶ κεῖνται ναυτικά, τέλος ἔχειν ἅπαντες νομίζουσιν, καὶ χρῆσθαι προσήκει τοῖς γεγραμμένοις (Points of *symbolaia* that are disputed require judgement, gentlemen of the jury. But points of contracts that are agreed by both parties, and concerning which nautical *syngraphai* have been deposited, everyone considers to be final, and it is appropriate to use the written instruments). See also τελεία ψήφος at Aes. *Suppl.* 739 and Soph. *Ant.* 632.

³⁵ E. A. Meyer, *Metics and the Athenian Phialai-Inscriptions: A Study in Athenian Epigraphy and Law* [=Historia Einzelschriften 208] (Wiesbaden 2009) 44-47.

³⁶ Harp. s.v. ἀπροστασίου; *Suda* s.v. ἀποστασίου; Pollux *Onom.* 3.56 (texts quoted above). Meyer, *Metics and the Athenian Phialai-Inscriptions* 43-47.

³⁷ So Dem. 25.57: ταύτην τὴν ἄνθρωπον, τὴν τοιαύτ’ εὐεργετήσασαν αὐτόν, ὡς πολὺς παρ’ ὑμῖν ἔπνει καὶ λαμπρὸς, μεμφομένην τι καὶ τούτων ὑπομνήσκουσαν καὶ ἀξιοῦσαν εὖ παθεῖν τὸ μὲν πρῶτον ῥαπίσας καὶ ἀπειλήσας ἀπέπεμψεν ἀπὸ τῆς οἰκίας, ὡς δ’ οὐκ ἐπαύεθ’ ἢ ἄνθρωπος, ἀλλὰ γυναῖου πρᾶγμ’ ἐποίησε καὶ πρὸς τοὺς γνωρίμους προσιοῦσ’ ἐνεκάλει, λαβὼν αὐτὸς αὐτοχειρία πρὸς τὸ πωλητήριον τοῦ μετοικίου ἀπήγαγεν· καὶ εἰ μὴ κείμενον αὐτῇ τὸ μετοικιον ἔτυχεν, ἐπέπρατ’ ἂν διὰ τοῦτον, ὃ τῆς σωτηρίας αὐτῆ αἰτία ἐγεγόνει (...seizing her himself, with his own hands, he hauled her off to the *poleterion* for the *metoikion*, and if the *metoikion* had not happened to be on record for her, she would have been sold, owing to this man to whom she had been the very cause of salvation). *Suda* s.v. πωλητής (quoted above) may imply the same.

³⁸ So Kamen, *Status in Classical Athens* 44, translates *Ath. Pol.* 58.3, δίκας τὰς τε τοῦ ἀπο[σ]τασίου καὶ ἀπροστασ[ί]ου καὶ κλήρων καὶ ἐπικλήρων τοῖς μετοίκις, “Charges of [freedmen] acting without their *prostátês* [patron][i.e., *dikai apostasiou*] or of [freeborn metics] lacking a *prostates* [i.e. *graphai apostasiou*].” See also, e.g. Todd, *The Shape of Athenian Law* 111: “in a *graphê apostasiou*, the defendant is an immigrant metic.”

It is stressed that an immigrant could choose his own *prostates*, whereas a freedman was required to name his manumittor.³⁹ The latter is not exactly true. First, the rule, as described, was framed not as a constraint on freedmen, but as a privilege of manumittors, to whom the *dike apostasiou* was granted (δίκη ... δεδομένη τοῖς ἀπελευθερώσασιν). Now, there is no indication that the rights, responsibilities, or qualifications of a *prostates* were in any way shaped by the prior status of the alien who named him; thus, when Harpokration indicated that *prostatai* were selected from among citizens he meant that all *prostatai* were, regardless of their registrants' prior legal condition.⁴⁰ This means that a freedman whose manumittor was himself a non-citizen cannot have been subject to a requirement to name his manumittor as *prostates*. He had to name someone else, an act for which his manumittor had no standing to sue. Only a citizen manumittor enjoyed the right to sue a freedman who named someone else as *prostates*.⁴¹ Any rule that sought to constrain a freedman to name his manumittor as *prostates* would have failed to cover those who were freed by non-citizens. This would have been a gaping loophole. On the other hand, a rule that was meant to safeguard a privilege of citizen slave-owners will have had no reason to extend the same privilege to metic slave-owners and none at all to *compel* citizen slave-owners to act on it.⁴² A citizen manumittor, if he so wished, must have been free to let a manumitted slave choose another *prostates*. If Pasion's former owners were citizens,⁴³ and if his *prostates* was Peithodoros of Acharnai,⁴⁴ they may have done just this. No rule, I urge, *required* a manumitted slave to name his manumittor as *prostates*.⁴⁵ Instead, citizen manumittors enjoyed the right of first refusal and, where

³⁹ E.g. Kamen, *Dike* 14 (2011) 47-48. Harrison, *The Law of Athens*² I 185: "the freedman had to have his former master as προστάτης, unlike other metics, who were free to choose."

⁴⁰ Harp. s.v. ἀπροστασίου, quoted above. Also s.v. προστάτης: οἱ τῶν μετοίκων Ἀθήνησι προεστηκότες προστάται ἐκαλοῦντο· ἀναγκαῖον γάρ ἦν ἕκαστον τῶν μετοίκων πολίτην τινὰ Ἀθηναῖον νέμειν προστάτην· Ὑπερείδης ἐν τῷ κατ' Ἀρισταγόρας. μέμνηται καὶ Μένανδρος ἐν ἀρχῇ τῆς Περινηθίας (those who have become guardians for metics at Athens were called "*prostatai*." For it was necessary that each of the metics register an Athenian citizen as a *prostates*). Harpokration does not speak of two distinct types of *prostatai*.

⁴¹ A fact neatly applied in a recent redefinition of the so-called Attic Manumissions: Meyer, *Metics and the Athenian Phialai-Inscriptions* 24-25.

⁴² There is no reason to think that "a metic manumittor may have been required to transfer that right to a citizen" (Zelnick-Abramovitz, *Not Wholly Free* 254). If the right was construed as a citizen slave-owner's entitlement, a non-citizen manumittor had no right to transfer. Athens's interest lay in the registration of the domiciled non-citizen, not in the invention of legal conditions where they had not existed before.

⁴³ E. E. Cohen, *Athenian Economy and Society: A Banking Perspective* (Princeton 1992) 70n44.

⁴⁴ J. K. Davies, *Athenian Propertied Families, 600-300 B.C.* (Oxford 1971) 430; Zelnick-Abramovitz, *Not Wholly Free* 252, 324.

⁴⁵ Dimopoulou-Piliouni, *Dike* 11 (2008) 33, notes that "In Athens, as in other cities, upon the *apeleutheroi* weighted specific obligations, such as the obligation to choose as προστάτης their former master (who could have been a metic) and the obligation to perform the duties imposed by him." The only cause to think that metics could be *prostatai* is the belief that the so-called Attic Manumissions attest metics 'prosecuting' disobedient freedmen under sham *dikai apostasiou*; but if Meyer, *Metics and the Athenian Phialai-Inscriptions*, is correct, then this oddity—long unexplained—vanishes. The only duty owed by freedmen to their manumittors, so far as we know, is not to "depart" from them and to do what the laws bid (Harp. s.v. ἀποστασίου). Harrison, *The Law of Athens*² I 185, suggests that the former may indicate no more than compliance with the terms laid down at manumission; we have no idea what the

violated, the remedy of *dike apostasiou*.⁴⁶ Metic manumitters did not. This difference from the procedure that applied to immigrant metics must be an artifact of Athenian law on manumission and not, so far as we can tell, any law on metics. Furthermore, if *graphai apostasiou* could be brought only against freeborn metics then if a slave was manumitted by a metic and then took up residence in Athens without having a *prostates* or paying the *metoikion*, he could be sued neither by his manumitter nor by anyone else.⁴⁷ Athenian laws tended not to be so shabbily designed. The *graphe apostasiou*, then, must have applied to all resident non-citizens who were required to become metics but failed to have / register a *prostates* and/or pay the *metoikion*, all metics who were otherwise in good standing but omitted at some point to pay the *metoikion*,⁴⁸ and all non-Athenians who wrongly claimed citizenship, whether they were born free or made so.⁴⁹

Thus, when it came to the formal mechanism by which a metic's legal status was reified—a high-stakes procedure whose failure could result in enslavement—there was one kind of process, one kind of *prostates*,⁵⁰ one kind of action for neglect, one kind of metic. Moreover, when a metic claimed standing in court pursuant to the status that this process secured, Athenian law was blind to his former legal state.

We have seen so far that, in terms of ‘definitions’ of metic status, liability for acquiring it, legal tests for diagnosing whether it exists, tax-liability owing to it, judicial access pursuant to it, and accountability for failure to conform to its terms, Athenian law knew only one form of metic. Add to this the fact that no extant source indicates that freedman metics were differently subject to military service, differently in/eligible to participate in public religion, differently liable to other financial obligations.⁵¹ This leaves very little scope for legal differentiation of the two purported sub-types of metics. If not here, then where?

latter entailed. There is no evidence that freedmen were subject to anything like the detailed regulations found at Pl. *Leg.* 915a-c, which include mandatory minimum visitation, regulation of marriage, wealth caps, and limits on duration of residence.

⁴⁶ It is *prima facie* more likely that Athenians wrote a simple and clean law protecting citizen property-owners than that they wrote a law that was meant to burden a low-status group but was so poorly conceived that it excepted the lowliest members of that very group.

⁴⁷ He may still have been susceptible to *graphe xenias*.

⁴⁸ Or to replace a *prostates* who had died, moved, or otherwise withdrawn? We hear nothing of such a possibility.

⁴⁹ Dimopoulou-Piliouni, *Dike* 11 (2008) 34, notes that “In strict terms of law, the very fact that specific, non identical legal actions could be brought against metics and *apeleutheroi* as defendants, concerning their status and legal obligations, the first being a *γραφή*, a public prosecution which could be brought by any citizen, the second a *δίκη*, a private prosecution which could be brought only by the former master, is a clear sign that the two groups were perceived differently by the city laws.” But this does not hold. These were different actions for different transgressions, and, in fact, all metics were potentially subject to *apostasiou*.

⁵⁰ Zelnick-Abramovitz, *Not Wholly Free* 248-251, puzzles at length over Harpokration's reference (s.v. *ἀποστασίου*) to registration of *epistatai*, rather than *prostatai* (248n130): “ἐὰν ἀφιστῶνται τε ἀπ' αὐτῶν ἢ ἕτερον ἐπιγράφονται ἐπιστάτην.” But Harpokration wrote *προστάτην*; *ἐπιστάτην* is a modern error, perhaps inadvertently copied from Harrison, *The Law of Athens*² I 185n3, which has the same error.

⁵¹ Whitehead, *Ideology of the Athenian Metic* 82-96 (military), 86-89 (religion), 77-82 (financial obligations).

Property rights, it is alleged. We know of no constraint on the freedom of immigrant metics to dispose of property. By contrast, “freedmen, unlike free-born metics, had limited license in bequeathing their estates,”⁵² for the property of freedman metics who died childless went to their manumittors.⁵³ But here again, nothing indicates that this was a product or feature of legislation on metics *per se*. Rather, it was a mundane necessity of orderly inheritance. In law, a slave had no biological family, which meant that freedmen lacked legal ascendants and siblings. Thus, absent the above provision, the property of a freedman who died intestate and without children could pass automatically to no one at all. “It is an open question whether a childless freedman was permitted to dispose of his property by will. This may have depended on the terms of his manumission.”⁵⁴ In any case, this rule avoided that hassle, but inasmuch as it harmed no one’s interests (applying only to dead metics who lacked legal heirs) it cannot be called a limitation in any real sense. We cannot say even whether the rule was a feature of law on manumission. For all we know, it originated in a law on inheritance. Either way, immigrant metics posed no such legal conundrum concerning inheritance and so Athenian laws on succession did not apply to their assets in this way. The difference tells us something about inheritance law and nothing about metic law.

It is noted also that the legal status of a freedman metic was more fragile and insecure than that of a freeborn metic. The former, it is suggested, “was subject to reversion to slavery, something that clearly differentiated him from the status of an unconditionally free man such as a metic.”⁵⁵ But the *Suda* states clearly that *aprostasiou* could be brought against anyone who seemed to be a metic but had no *prostates* or did not pay the metic tax or claimed to be a citizen in spite of improper enrollment (s.v. Ἀποστασίου quoted above). If convicted, the accused faced “the defining danger of metic status,” enslavement.⁵⁶ Now, the life of a freedman was more precarious than that of a freeborn person, but that fact was enshrined in law and practice around manumission and slavery and likely had nothing to do with any law on metics. By analogy, female metics were on less firm ground than male, but as far as we can tell this was a feature of systemic gender inequality rather than a product of legislation on metics *per se*. The relative insecurity of freedman metics may have been a fact, and even a legal fact, but not one created by legislation on metics.

Finally, “Pollux attributes to Demosthenes the mention of special laws in Athens regarding manumitted slaves, the ἐξελευθερικοί καὶ ἀπελευθερικοί νόμοι, confirming the existence of two different groups of manumitted slaves, both regulated by a different set of laws by the *polis*.”⁵⁷ This brief observation of Pollux is almost always quoted in isolation and runs, “καὶ Δημοσθένης φησὶν ἐξελευθερικοὺς νόμους καὶ ἀπελευθερικοὺς

⁵² Kamen, *Status in Classical Athens* 45.

⁵³ Kamen, *Status in Classical Athens* 48.

⁵⁴ Harrison, *The Law of Athens*² I 148-149.

⁵⁵ Dimopoulou-Piliouni, *Dike* 11 (2008) 34.

⁵⁶ Meyer, *Metics and the Athenian Phialai-Inscriptions* 28-31, quote at 30.

⁵⁷ Dimopoulou-Piliouni, *Dike* 11 (2008) 36. These laws’ “very existence indicates that freedmen were considered, at least for some purposes a juridical category,” i.e. distinct from metics: Kamen, *Dike* 14 (2011) 48.

νόμους.” These eight words say nothing of two types of manumitted slaves or two types of laws. Neither does a fuller quotation (Pollux *Onom.* 3.83):

ὁ δὲ τῆς δουλείας ἀφειμένος τῶν δούλων ἀπελεύθερος καὶ ἐξελεύθερος, ἀπηλευθερωμένος, καὶ ἀπελευθερῶσαι ἀπελευθερωθῆναι, καὶ ἀπελευθέρωσις καὶ ἀπελευθερία. καὶ Δημοσθένης φησὶν ἐξελευθερικούς νόμους καὶ ἀπελευθερικούς νόμους.

He among slaves who is released from slavery (is called) “*apeleutheros*” and “*exeleutheros*,” [i.e.] “having been freed.” Also “to free” and “to be freed,” and “*apeleutherosis*” and “*apeleutheria*.” And Demosthenes mentions exeleutheric laws and apeleutheric laws.

Nothing here shows that Pollux thought that *apeleutheros* and *exeleutheros* denoted different legal facts. On the contrary, he explains the two terms with a single participle (ἀπηλευθερωμένος), as if to indicate that he thought of them as synonyms. Didymos did.⁵⁸ Nothing here tells that that Demosthenes didn’t think the same; that he wasn’t using two terms, perhaps in two passages, to describe the same law(s).⁵⁹ According to one recent argument, *apeleutheroi* were conditionally freed freedmen, bound in a juridical state of half-liberty / half-slavery to their former masters under an arrangement akin to what was called (at Athens only after the late fourth century) *paramone*, while *exeleutheroi* were unconditionally free freedmen.⁶⁰ This demands a lot from the very few extant references to *exeleuther-*, many of which, it has now been argued, have nothing to do with freedmen at all.⁶¹ Moreover, according to one recent argument the legal state of

⁵⁸ Did. Gramm. *De dubiis apud Platonem lectionibus* 251-252 [Miller]: ἀπελεύθερον δὲ νῦν οὐ πάνυ τι λεγόντων, ἀλλ’ ἐξελεύθερον, καὶ νόμου καλουμένου τινὸς ἐξελευθερικοῦ, περὶ τῶν ἐξελευθέρων Πλάτων ἐν τοῖς Νόμοις (915a) γράφει· “ἀπαιτῶ (read ἀγήτω) δὲ καὶ τὸν ἀπελεύθερον, ἐάν τις μὴ θεραπεύειν (read θεραπεύη) τοὺς ἀπελευθερώσαντας ἢ μὴ ικανῶς. θεραπεία δὲ φοιτᾶν τρις τοῦ μηνὸς τὸν ἀπελευθερώσαντα (read ἀπελευθερωθέντα) πρὸς τὴν τοῦ ἀπελευθερώσαντος ἐστίαν.”

⁵⁹ Compare the variety of expressions used to denote similar, and even identical, forms of real security in fourth-century Athens: E. M. Harris, *Democracy and the Rule of Law in Classical Athens: Essays on Law, Society, and Politics* (Cambridge 2006) 163-206, 207-239.

⁶⁰ Zelnick-Abramovitz, *Not Wholly Free* 99-126.

⁶¹ Meyer *Metics and the Athenian Phialai-Inscriptions*. One inventive grammarian thought that the words indicated release from debt-bondage (*exeleutheros*), as distinct from manumission (*apeleutheros*). Ptol. Gramm., *Περὶ διαφορᾶς λέξεων* [H. Heylbut, “Ptolemaeus *Περὶ διαφορᾶς λέξεων*,” *Hermes* 22 (1887) 388-410] p.394: ἐξελεύθερος καὶ ἀπελεύθερος διαφέρει· ἐξελευθέρους μὲν λέγουσι τοὺς διὰ χρέος προσθέτους τοῖς δανισταῖς γινομένους, ἔπειτα ἀπολυθέντας, ἀπελευθέρους δὲ συνήθως; p.407: ἀπελεύθερος μὲν ἐστὶν ὁ ἐκ δούλου ἠλευθερωμένος, ἐξελεύθερος δὲ ὁ γενόμενος διὰ χρέα προσήλυτος ἢ κατ’ ἄλλην τινὰ αἰτίαν δουλεύσας εἴτα ἐλευθερωθεῖς· ἤδη μέντοι καὶ ἀδιαφόρως χρῶνται τοῖς ὀνόμασιν; p.407: ἀπελεύθερος μὲν ἐστὶν ὁ ἐκ δούλου ἠλευθερωμένος, ἐξελεύθερος δὲ ὁ γενόμενος διὰ χρέα προσήλυτος ἢ κατ’ ἄλλην τινὰ αἰτίαν δουλεύσας εἴτα ἐλευθερωθεῖς· ἤδη μέντοι καὶ ἀδιαφόρως χρῶνται τοῖς ὀνόμασιν. Zelnick-Abramovitz, *Not Wholly Free* 103: “This explanation cannot hold for cities (including Athens) where debt-bondage had been abolished at a relatively early date.” Not so at Athens: see Harris, *Democracy and the Rule of Law in Classical Athens* 149-169. There is no supporting evidence for such lexical disambiguation in the fourth century, and it looks like an attempt to fit later, Roman, legal practice to a classical Greek reference. For contractual *paramone*, in which a free person was prepaid for services to be rendered, thereby becoming a temporary debt-bondsman to the creditor, see: B. Adams, *Paramoné und verwandte Texte; Studien zum Dienstvertrag im Rechte der Papyri* (Berlin 1964); A. E. Samuel, “The Role of Paramone Clauses in Ancient Documents,” *JJP* 15 (1965) 221-311, 297-306.

half-liberty so often associated with Greek manumission, is a modern invention and never existed.⁶²

Moreover, the fact that these “laws specifically target[ed] freedmen” and “were irrelevant to freeborn metics”⁶³ shows little. Laws about the process of manumission or the rights of freedmen need not say much or anything about conversion to metic status, for there could be no certainty that all freedmen would become such. Neaira was freed in Corinth and promptly left.⁶⁴ There is no reason to think that the same could not happen at Athens. Thus, the mere fact that laws, about which we know practically nothing, may have specifically addressed freedmen does not mean that Athenian law accorded different rights and obligations to freedman metics and freeborn metics or that it recognized the two as distinct subcategories of the wider legal class. My son and I are both citizens of the United States. I was born so; he was naturalized. He was subject to laws that “specifically target” naturalizing citizens. These are irrelevant to me. And yet, except for eligibility to hold the Presidency, from which he is barred owing to the defined terms of that office rather than a formally enacted disability of the naturalized, we enjoy the same rights, privileges, and obligations that attach to the franchise. We are both citizens, full stop. The existence of the “freedmen laws” to which Demosthenes apparently referred, in no way suggests that Athenian law recognized two categories of metic.

Those very few places in which the legal constraints on freedman metics differed from those to which immigrant metics were subject appear to have originated in other domains of law (inheritance, slavery and manumission) and to have had no derivation from law on metics *per se*.

It would be great to discover what the Athenians’ “freedmen laws” required. But it would be a surprise to learn that they created, affirmed, or recognized two different legal categories of metic. When it came to the definition, acquisition, and verification of legal status, access to the courts, liability to taxation, liability to military participation, in/eligibility to participate in public religion, property rights, and susceptibility to punitive enslavement, Athenian law knew but one type of metic, the one who had a *prostates* and paid the tax.

Department of Classical Studies
Duke University
Durham, NC USA
joshua.sosin@duke.edu

Joshua D. Sosin

⁶² Sosin, “Manumission with *Paramone*,” *TAPA* forthcoming.

⁶³ Kamen, *Status in Classical Athens* 45.

⁶⁴ [Dem.] 59.30-32.