

Most of our information about fathers securing citizenship for their sons through a scrutiny process in the phatries comes from the decrees of the Demotionidai. Apparently large numbers of youths were enjoying the privileges of citizenship without having undergone this scrutiny, a situation the decrees sought to rectify by an extraordinary scrutiny, which later became standard practice. Scholarship has focused on the identity of the groups mentioned in the decrees and largely ignored the historical circumstances that led to their passage or the legal implications of large numbers of youths claiming citizenship illegitimately. I propose that the massive death toll of the Sicilian Expedition, which would have left thousands of children orphaned, was the reason for the need to modify the citizenship laws.

We learn from the decrees and from orators that to become a citizen, a young man had to be introduced to his demesmen by his father or, if the father were no longer living, an uncle or grandfather. The potential citizen then went through a scrutiny wherein he had to be approved by his fellow demesmen. Only after this examination could he claim citizenship. The first decree, dating from 396/5, was passed exactly 17 years after the start of the ill-fated expedition, in which upwards of 40,000 Athenians and allies perished. This means that any young children of fathers who died in the campaign would all be coming of age within a few years of the passage of this decree. Because of the massive death toll in Sicily, there would have been a paucity not only of fathers, but other close blood kin who could have spoken for the orphaned children at precisely the time when hundreds or even thousands were approaching the time for their scrutinies. This would make it reasonable to assume that, in the absence of a father, uncle, or grandfather to take on the responsibility, many such children would indeed slip through the cracks and enjoy a kind of de facto citizenship, enjoying all the benefits (and responsibilities) of citizenship without having met the formal qualifications.

Additionally, we can gather that in this decade there was a push for a return to traditional values as a result of the rashness of youths like Alcibiades, the author of the expedition that crippled Athens and ultimately caused her to lose the war. The political discourse of the day focuses on the follies of departing from the policies of Pericles, that esteemed and paternal elder statesmen, and allowing the younger generation to control state affairs. I posit that the extraordinary procedure outlined in the decrees was not only a way of addressing the problem of war orphans receiving default citizenship, but also part of a general return in Athenian policy to a more traditional way of running the polis, itself a reaction to the turmoil after the Athenian defeat in the Peloponnesian War.