

MARTIN DREHER (MAGDEBURG)

DIFFERENT EQUALITIES. ADDITIONAL NOTE ON ROBERT W. WALLACE

In this short commentary I will not discuss any details of Wallace's paper, nor will I enumerate the points which I agree upon with him. I will limit myself to two fundamental considerations which contain some critique of the author's views.

Wallace demonstrates that in some segments of the archaic society and in some different chronological situations equality had some importance.

My first point is that we must more strictly distinguish between three fields or spheres in which equality plays a certain role. These are economic equality, political equality, and legal equality.

Economic equality did not exist in antiquity, except in some philosophical concepts as the permanent basis of society. Maybe at some starting points, like the foundation of Sparta or the foundation of colonies, the land has been distributed in equal *klaroi* between the members of the community. We cannot be sure of this and personally I am doubtful. But anyway, within short times in all Greek *poleis* the possession of land was not equal. Everywhere from Homer to Solon we have poor and rich people, big landowners and small landowners and men without land at all. Even within the close class of the Spartiates there was, as scholars have shown from the 1960s on, an upper class of rich citizens dominating the polis. Greek *poleis* were fundamentally market societies with freedom of property, that could be sold or at least bequeathed, even in Sparta and even to women, as Aristotle complains.

In early Greek societies economic resources determined also the members' military and *political* participation in the common features of the polis (our second

form of equality). The basileis in Homer are mainly defined not by their origin, as Wallace rightly says, nor by their military ability, as he maintains, but by their wealth. And at the end of the archaic period Solon redefines the tax classes which are decisive for the political participation of their members. Basic political equality of all citizens, *isomoiria* or *isonomia*, begins with Athenian democracy, that is with the reforms of Cleisthenes at the end of the sixth century B.C. Even then there remained some restrictions on eligibility for some magistracies; moreover, we can see that *de facto* the demos elected exclusively rich and well respected citizens as the most responsible magistrates, especially the *strategoï*.

In our third form, *legal* equality, we must again distinguish between a) what I call *passive* legal rights, that is the right to be a citizen, and b) *active* participation as a magistrate or judge. All Greek citizens were indeed equal before the law, in that they all could bring an action or had to defend against an action in the same way. This reality does not affect our argument. This sense of citizenship was the very basis of the Greek polis; even the tyrants behaved, in some respect, as citizens.

Active participation as a magistrate or judge, however, belongs to the political sphere and was therefore, as we have seen, distributed unequally, except in some kinds of democracy like the Athenian one, but this only happened after the archaic period.

In my second consideration I want to distinguish between a theoretical or ideological and a real historical sphere of equality. It seems to me that Wallace's arguments remain not exclusively but mainly in the ideological sphere. In his view the Greek aristocrats violated the ideology of equality which he believes to be basically accepted in archaic Greece.

In reality the decisive point is not the more or less strong individualism of the aristocrats but the fact that about 700 B.C. they founded a political rule over the whole community, that is they made the polis a state. They transformed pre-state traditions into state institutions, and created councils (pace Wallace), magistracies, assemblies, and lawcourts. Within the decisive institutions the equality among the elite was an important principle as the laws of Dreros or Gortyn demonstrate by regulating the terms of office for the Cretan kosmoi. The ruling elite, despite their competition in many fields, acted basically unanimously, and there was, as far as we know, no resistance of the demos against the foundation of the state. I have disagreed with Wallace and other colleagues for a long time about the importance of the demos, which he in my opinion overestimates.

The state was, then, the new framework, within which conflicts were carried out and possibly settled. Formal votes with majority decisions, like in the Spartan gerusia, do take place only from now on. The state needs laws (Wallace's first point) to regulate conflicts (like Dracon's law, not mentioned by him) and to organize its institutions (Wallace's second point: the constitution [cfr. Dreros; Chios; the Spartan Rhetra; Solon]). Tyrants (Wallace's third point) occupy the polis and exercise a private

regime, as I will underline in a forthcoming article (“Die griechische Tyrannis als monarchische Herrschaftsform”). Wallace’s view of the tyrant as champion of the demos has been justly dismissed since Berve’s book from 1967 (and Aristotle is wrong in this respect). When conflicts arose among or between factions, classes or individuals, a mediator, *aisymnetes*, *diallaktes* or the like, could temporarily take the government in his hand, if the opponents agreed.

In short: I see less power for the demos and less equality; equality only existed with respect to passive citizen rights. About 700 B.C. the Greek aristocrats transformed the polis into a state, and from then on all existing forms of equality were connected with this institution.

