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SOCIAL SANCTIONS IN CLASSICAL ATHENS

This paper examines the operation of social sanctions in classical Athens. “Social sanctions,” sometimes called “informal sanctions” in modern legal sociology, is a term that refers to punishments that are unilaterally imposed by third parties with no involvement of government institutions.¹ Classic modern examples are public ridicule and shunning by neighbors and fellow villagers, being expelled from a church or merchant organization, or having one’s business boycotted. The sanction may be imposed by either an individual or a private group (for example a religious or economic association), but social sanctions are typically understood as being imposed by third-parties only: self-help or retaliation by an injured party is generally not included.² Similarly, while the outcomes of private arbitration and other private dispute resolution procedures may be an important form of social control, they are generally not included as examples of social sanctions. Social sanctions may be meted out for violations of legal norms – that is, norms that are the subject of legal regulation – or of purely informal social norms. Social sanctions can be relatively organized, such as a public announcement by a merchant association to expel a member, or completely unstructured, such as a few neighbors independently deciding to stop dining with someone, lending to him, or cooperating with him in times of scarcity. What is distinctive about social sanctions is that they are private punishments: the state (or in this case polis) institutions play no role in determining the guilt or penalty for transgression of a norm.³

Understanding the operation of social sanctions in classical Athens is particularly important because it may shed light on a central puzzle in Athenian legal history: how was order maintained? The classical Athenian “state” had almost no formal coercive apparatus to ensure order or compliance with law: there was no professional police force or public prosecutor, and nearly every step in the legal

¹ See Piddocke 1968 for a discussion of social sanctions from an anthropological perspective; for the economic approach, see Posner 2007.

² The borders of these categories are necessarily blurry, particularly where “self-help” may take place in public and involve public humiliation, as, for example, in some punishments for adulterers (Forsdyke 2005). I focus here only on sanctions initiated by third parties.

³ For this reason I do not include what might be termed “legalized informal sanction”: laws that explicitly permit a citizen to take it upon themselves to punish an offender, such as an exile who returns illegally.

process depended on private initiative.⁴ Victimless offenses were prosecuted only if a volunteer prosecutor willing to take on financial risk decided to bring suit.⁵ And yet, Athens appears to have been a remarkably well-ordered society. Although scholars debate the level of violence in Athens,⁶ even a scholar like David Cohen, who portrays Athens as a feuding society, concedes that Athens displayed “remarkable political stability” and experienced much less civic violence than, say, republican Rome.⁷ Athenians appear to have obeyed the law with remarkable regularity: the wealthy and powerful paid taxes and fulfilled their legal obligation to support public festivals;⁸ ordinary Athenians presented themselves for military service despite a near-constant state of war,⁹ and hundreds of citizens chosen by lot served as unpaid government officials each year.¹⁰

Scholars often posit that informal means of social control, including social sanctions, were critical in regulating behavior and maintaining order.¹¹ But while some aspects of informal social control, such as private dispute resolution procedures and governance of the *oikos*, have been extensively studied, social sanctions have not.¹² This paper aims to collect and analyze the evidence for social

⁴ Hunter 1994. As Harris 2007 points out, there are inscriptions indicating that magistrates did have some enforcement powers, though outside limited market contexts these are largely limited to protecting sacred areas and what appear to be largely honorific pronouncements to protect specific honorands.

⁵ In some high-profile political cases, the Assembly or Council could appoint a team of men to prosecute a case, and a board of magistrates selected by lot was responsible for prosecuting officials accused of financial mismanagement at the *euthyna*. MacDowell 1993, p. 61-62.

⁶ For a view of Athens as a largely peaceful society, see Herman 2006, p. 206-215; contrast Cohen 1995, p. 61-86, 119.

⁷ Cohen 1995, p. 6-7.

⁸ Sinclair 1988, p. 54-64, describes the financial obligations of wealthy citizens. To be sure, attempts to avoid liturgies, taxes, and military service were not unknown in Athens (on which, see Christ 2006), but despite little formal enforcement such shirking does not seem to have seriously impeded the operation of state functions.

⁹ Finley 1985, p. 67.

¹⁰ Hansen 1979.

¹¹ E.g., Hunter 1994, p. 116; Cohen 1991, p. 88-94; Allen 2000, p. 142-145.

¹² There are two notable exceptions. In an excellent article and a chapter of a book, Forsdyke (2005; 2012, p. 195-232) argues that public shaming was an important component of social control in classical Athens. Forsdyke focuses on public shaming, particularly of adultery, the razing of houses, and stoning. Most of Forsdyke's examples (such as punishment of adulterers) involve what I would characterize as legalized self-help rather than social sanctions, and are not treated here; most of the examples of social sanctions discussed here (such as shunning) are not discussed by Forsdyke. In an article and book, both entitled *Nachbarschaft und Dorfgemeinschaft im archaischen und klassischen Griechenland*, Schmitz (1999; 2004) argues that in the classical period we can see ritual remnants of quite formalized social sanctions in the archaic period in the form of house razing and public punishments. He argues that with the exception of some survivals in the form of shame punishments such as the stocks and various humiliations

sanctions in classical Athens. The paper explores (1) Athenian attitudes toward social sanctions, (2) the prevalence of informal punishments, (3) the form these sanctions took when they were carried out, and (4) the relationship between legal and social sanctions in Athens.

I. Ideology

An initial question is to determine what we know about how Athenians viewed social sanctions – that is, on the level of ideology, what did they think about people acting on private judgments about their neighbors? Our most well-known source is clear about this: the Athenians were uncomfortable with the idea of social sanctions. Pericles' funeral oration includes a famous boast about the Athenians' open-mindedness:

*We do not get into a state with our next-door neighbor if he enjoys himself in his own way, nor do we give him the kind of black looks which, though they do no real harm, still do hurt people's feelings.*¹³

While this passages suggests that social sanctions played no important role in Athens, the speaker in *Against Aristogeiton* offers a more complicated picture. He draws an analogy between community life and a multi-generational family:

*Where there is a father and grown-up sons and possibly also grandchildren, there are bound to be many divergent wishes; for youth and age do not talk or act in the same way. Nevertheless, whatever the young men do, if they are modest, they do in such a way as to avoid notice; or if this is impossible, at any rate they make it clear that such was their intention. The elders in their turn if they see any lack of moderation in spending or drinking or amusement, manage to see it without showing that they have seen it And that is just how you, men of Athens, live in this community on humane and brotherly principles, one class watching the proceedings of the unfortunate in such a way that, as the saying runs, "seeing, they see not; hearing, do not hear"; while the others by their behavior show that they are both on their guard and alive to a sense of shame.*¹⁴

In this passage, restraint on the part of both parties is critical to maintaining *eunomia*; some measure of deviation from established norms is tolerated, so long as the youths are discrete and do not go too far. Unlike Pericles in the funeral oration,

of adulterers social sanctions were eliminated in the classical period as the state declared private violence to be *aikeia*. Under my definition, the stocks are not social sanctions because they follow a court verdict, and punishments of adulterers are forms of self-help undertaken by the victim. Schmitz does not discuss the kind of social sanctions from the classical period that I treat, such as shunning or withdrawal of lending or commercial interaction.

¹³ Thuc. 2, 37, 2 (tr. Warner)

¹⁴ Dem. 25, 88-89 (tr. Vince)

for the speaker in Demosthenes 25 social sanctions *do* play an important disciplinary role. Fear of shame keeps the citizens in check since they know that their neighbors are always lurking in the background, ready to step in if an individual strays too far from acceptable behavior. But the community tries to avoid imposing social sanctions if at all possible.

So though they differ in degree, the funeral oration and Demosthenes 25 both suggest a culture of toleration that must have been at least somewhat inimical to the imposition of social sanctions. Social sanctions were likely disfavored not only because they were inconsistent with democratic ideology's commitment to allowing citizens to "live as one likes,"¹⁵ but also because there was something distasteful, perhaps even smacking of *hubris*, about a citizen proclaiming his superiority over a fellow citizen by ridicule or shunning.¹⁶ The reluctance to impose (or be seen to be imposing) social sanctions may be reflected in the tendency, pointed out by Lewis, to present *pheme* (rumor) as a spontaneous, quasi-supernatural entity that "springs up and spreads of its own accord, as opposed to slander, which is deliberately passed from one person to another."¹⁷ It seems that while the Athenians sometimes acknowledged that fear of shame and ridicule played a role in motivating behavior, they were ambivalent about the use of social sanctions.

II. How prevalent were social sanctions?

It is often assumed that fear of social sanctions played a vital role in maintaining order in everyday life.¹⁸ Our sources of course offer us only a limited window into Athenian social life, but it is worth remarking, with all due caveats, that the surviving evidence suggests that the use of social sanctions may not have been as prevalent as one might guess, and that social sanctions may have been largely reserved for serious violations of norms.

Before turning to an analysis of the surviving literary evidence for social sanctions, it is worth noting that recent research on Athenian social life suggests an important structural limitation on the operation of social sanctions. Until relatively recently it was widely assumed that most of an Athenian's social and economic interactions would take place in the deme, which was characterized as a close-knit, face-to-face community.¹⁹ Recent research has cast doubt on this assumption. Harris, emphasizing a high degree of specialization of labor, argues that the average Athenian "would need to acquire goods and services outside his immediate circle of friends, neighbors, and family;"²⁰ and Vélissaropoulos-Karakostas points to evidence that small farmers and merchants would regularly carry out one-off small

¹⁵ For discussion, see Wallace 2006.

¹⁶ On the notion of *hubris* in Athens, see Fisher 1992.

¹⁷ Lewis 1996, p. 12-13; see also Aesch. 1, 127.

¹⁸ E.g., Hunter 1994, p. 116; Cohen 1991, p. 88-94; Allen 2000, p. 142-145.

¹⁹ E.g., Hunter 1994, p. 97.

²⁰ Harris 2002.

business dealings in the fourth century.²¹ If Athenians were regularly interacting with strangers, particularly if they were engaging in one-time transactions, the deterrence effect of social sanctions would be greatly reduced. In such a case a citizen could only be informally sanctioned if their mistreatment of the stranger came to the attention of the offenders' friends and neighbors, *and* those friends and neighbors accepted the stranger's version of events over the account given by their friend. We will see that the use of character evidence in court speeches may have helped to publicize norm violations to an offenders' local community and thereby facilitate social sanctions, but this mechanism was limited to allegations that were discussed in a court trial and accepted by the accused's local community. Edward Cohen goes even farther, arguing that even the territorial deme may not have been as close-knit as we once thought, with less sustained social interaction among neighbors and less development of local knowledge.²² If this is right, then not only might neighbors be less likely to learn of and sanction norm violations, but social sanctions themselves might have had less impact because the excluded individual had the possibility of social and economic interactions beyond the local community.

What do the court speeches tell us about the prevalence of social sanctions? While gossip, in the sense of talk about others' deviant behavior, was common, it is less clear that such talk was regularly followed up with public ridicule, social exclusion, or other forms of social sanction. In her thoughtful chapter on the politics of reputation in Athens, Virginia Hunter lists over one hundred examples of "gossip" in the court speeches.²³ In arguing that gossip was an important form of social control in Athens, "oversee[ing] people's lives down to the smallest detail,"²⁴ she assumes that talk necessarily implies public ridicule.²⁵ While the allegations of wrongdoing in open court before hundreds of jurors *do* constitute a form of public ridicule,²⁶ it is less clear that gossip that did not find its way into a court case resulted in social sanctions. Although many of the ubiquitous character attacks in the speeches must have originated in community gossip, it is notable that examples of actual social sanctions are quite rare in the surviving speeches.²⁷ It is possible that

²¹ Vélissaropoulos-Karakostas 2002, p. 132.

²² Cohen 2000, p. 112-129.

²³ Hunter 1994, p. 118-119. There is some question about whether character attacks by one litigant on another in court should be characterized as "gossip," but that issue is irrelevant for our purposes here.

²⁴ Hunter 1994, p. 116.

²⁵ Hunter 1994, p. 116: "Gossip and its outcome, ridicule, are in a certain manner the external sanctions which support the internal sanctions of individual actions, self-regard, and the sense of shame."

²⁶ On which see Lanni 2009.

²⁷ Clear examples of social sanctions: Aesch. 2, 97; Lys. 13, 79-80; Lys. frg. 1, 3; Dem. 25, 60/Din. 2, 9-10 (both discussing the case of Aristogeiton); Is. 9, 16-20 (involving a man refusing to speak to the son of the man who killed his father); Xen., *Hell.* 1, 7, 35. Lyc. 1, 122, the stoning of Lycidas, should probably also be included, though it should be noted

speakers do not mention social sanctions when attacking their opponents on the assumption that the imposition of a sanction would be assumed by the audience. But it seems more likely that a speaker would, whenever possible, tell the jury that his opponent had not merely violated a norm, but had actually been ridiculed, cast out or shunned by his neighbors or business associates.

Still, it is important not to overstate the significance of the apparent rarity of social sanctions. No doubt fear of talk alone could play an important disciplinary role, particularly given the importance of reputation and honor in Athenian culture.²⁸ Several court speakers claim that they care more about their reputation than the formal outcome of the case.²⁹ Notwithstanding recent research emphasizing the breadth of Athenians' dealings with strangers (discussed above), it is still fairly clear that Athenians relied extensively on friends and neighbors both for everyday activities and in times of crisis and scarcity: friends and neighbors were a source of interest-free loans, lending of food, tools, and animals, and companions in communal meals.³⁰ Implicit in the scholarship that emphasizes informal social control is the idea that the interdependence of Athenian life meant that Athenians who violated community norms risked not only the possibility of gossip and diminished reputation, but also the much more material and dire consequences of exclusion from neighborly aid or being driven out of business. My argument is simply that the image of average Athenians toeing the line because any minor transgression of community norms could lead to immediate social exclusion may be exaggerated.

Most of the surviving examples of social sanctions involve serious norm violations. The cases of confirmed social sanctions include stealing from fellow prison inmates and attacking one of them so violently as to swallow the other man's nose;³¹ homicide;³² collaboration under the Thirty;³³ participation as a general in the

that the punishment was not entirely private in that it was initiated by a public body, the Council (though Lycurgus tells us that they took off their wreaths before commencing the stoning). Dem. 33, 6 and Isoc. 18, 9 report attempts by creditors to blacken the reputation of debtors in an attempt to prevent others from lending to them; Aesch. 1, 59 reports the attempt of the slave Pittalacus to encourage others to impose social sanctions on Timarchus for his mistreatment of him. Dem. 47, 70 and Isoc. 17, 1 contemplate the possibility of future social sanctions; Lys. 6, 45 recounts how an informer under the Thirty who was protected by the Amnesty nevertheless fled out of fear (possibly of private punishments, possibly of prosecutions in violation of the amnesty); Dem. 21, 118 states that when someone commits a "terrible crime," his friends withdraw friendship while his enemies bring court cases. And Dem. 19.243 describes widespread talk, but does not mention ridicule.

²⁸ See, e.g. Dodds 1951, p. 18.

²⁹ E.g., Andoc. 1, 56; Isoc. 17, 1.

³⁰ Theoph. *Char.* 9, 7; 10, 11; 15, 5; 17, 9; Dem. 50, 56; 53, 4, 7; Lys. 19, 22. For discussion, see Gallant 1991, p. 157-158, 171-175; Millett 1991.

³¹ Dem. 25, 60; Din. 2, 9-10.

³² Is. 9, 16-20.

Arginusae debacle;³⁴ and treason.³⁵ These are not minor deviations from community standards. The one example of the imposition of a social sanction for a relatively mundane offense – debt – is presented as an extreme and incorrigible case. The offender has so many debts to neighbors, retail traders, and even maritime lenders in the Piraeus that “so many people come to his house at dawn demanding what is owed to them that the passersby believe that the man has died, and they have come for a funeral.”³⁶ In an interesting twist, when he repeatedly fails to pay back his *eranos* loans, his neighbors do not refuse to continue lending to him or otherwise shun him. Rather, the *neighbors* abandon their own houses and rent other ones far away to avoid having to interact with him!³⁷

While it is impossible to reach any certainty given the paucity of our sources, the fact that all our confirmed cases of social sanctions involve serious offenses may suggest that social sanctions were largely used as a last resort, when an offense was too serious to ignore. We simply do not see any evidence of relatively minor infractions of the sort that were regularly raised as character attacks in the speeches resulting in any concrete social sanctions.³⁸ It may be that the very interdependence of social life and potential seriousness of social sanctions, along with the ideological concerns outlined earlier, made Athenians hesitate to disturb social relations by punishing minor norm violations.

In fact, as Wallace recounts, we have several examples of Athenians who not only escaped social sanction but managed to have significant political careers despite widespread gossip about their behavior such as their sexual habits (Timarchus) or cowardice on the battlefield (Kleonymus). As Wallace states with regard to Timarchus, “even in deciding questions of direct political concern to the community, most people did not take too seriously the rumors of Timarchos’ youthful debaucheries, even while they were happily scandalized to hear them.”³⁹ In Xenophon’s *Symposium*, Charmides lists as one of the benefits of his newfound poverty that he is no longer subject to criticism for his connection to Socrates because no one cares what he does.⁴⁰ If it is right that the behavior of poor

³³ Lys. 13, 79-80.

³⁴ Xen., *Hell.* 1, 7, 35.

³⁵ Lyc. 1, 122; Aesch. 2, 97.

³⁶ Lys. fr. 1, 3-5 (tr. Todd).

³⁷ Lys. fr. 1.4.

³⁸ We do have a few cases involving enemies publicizing allegations for ordinary debt and theft in an attempt to encourage others to impose social sanctions. Dem. 33, 6; Isoc. 18, 9. In neither case is it clear whether the attempt resulted in significant social sanctions; in fact in both cases it is the person whose reputation is being damaged who reports the incident, with the implication that it is improper.

³⁹ Wallace 2006, p. 125-126.

⁴⁰ Xen., *Symp.* 4, 30-33.

Athenians was less likely to invite gossip and criticism than the rich,⁴¹ then ordinary Athenians may have been even less constrained by the prospect of social sanctions than the evidence from the court speeches suggests. In sum, while fear of reputational damage may have played an important deterrent effect in Athens, it appears from our limited evidence that social sanctions beyond mere talk were rarely imposed.

III. How were social sanctions imposed and what form did they take?

The most common form of attested social sanction is the refusal to eat with, share food with, or otherwise engage in reciprocal relations with the offender. In some cases, this type of social sanction could be limited in scope and effect. For example, Aeschines reports that Demosthenes' fellow envoys refused to eat with him and tried to stay in different inns when traveling,⁴² and the shunning in Isaeus 9 for homicide is imposed only by the immediate family members of the deceased.⁴³ But other offenders faced more widespread sanction. The speaker in Lysias 13 reports that when Agoratus, who had been an informer under the Thirty, tried to join the democratic resistance at Phyle, he was shunned by everyone: "nobody shared his food or his tent with the defendant, and the Taxiarch did not assign him to his Tribe. Instead, no human being spoke to him – it was as if he were polluted."⁴⁴ Xenophon tells us of another case in which the complete withdrawal of mutual support by fellow citizens resulted in death: when Callixenus, the prosecutor of the Arginusae generals, returned to Athens, "he was hated by everybody and died of starvation."⁴⁵

We have only one example in which social sanctions escalated into physical violence: the remarkable case of the stoning of Lycidas.⁴⁶ Lycurgus tells us that when Lycidas proposed an alliance with Persia in the Council, the other Councilors decided to kill him and then stoned him to death with their own hands. Lycurgus points out that the members of the Council took off their wreaths first to emphasize that they were imposing punishment as private citizens rather than city officials.⁴⁷ In Herodotus' account of the incident,⁴⁸ other Athenians joined the Councilors in the stoning of Lycidas. This incident also gives us our only attested example of women imposing social sanctions: according to Herodotus, "the Athenian women soon found out what had happened; whereupon, without a word from the men, they got

⁴¹ For a hypothesis on why elites might be the primary victims of informal sanctions, see Forsdyke 2012, p. 213-227.

⁴² Aesch. 2, 97.

⁴³ Is. 9, 16-20.

⁴⁴ Lys. 13, 78-79 (tr. Todd).

⁴⁵ Xen., *Hell.* 1, 7, 35 (tr. Brownson).

⁴⁶ Lyc. 1, 122; Hdt. 9, 4-5. For discussion of this incident, see Allen 2000, p. 143-146. According to the speaker in Lysias 13, the democrats at Phyle were getting ready to kill Agoratus but were prevented from doing so by Anytus the general. Lys. 13, 77-79.

⁴⁷ Lyc. 1, 122.

⁴⁸ Hdt. 9, 4-5.

together, and, each one urging on her neighbor and taking her along with the crowd, flocked to Lycidas' house and stoned his wife and children."⁴⁹

The Lycidas story is one of the rare instances that provide some indication about how decisions to impose a social sanction might have been made. In Lycurgus' account, the men take a formal vote in the Council to punish Lycidas, though since the decree is not preserved it is unclear whether it provided that stoning should be the means of punishment.⁵⁰ Herodotus' account suggests a more spontaneous decision by the men, while individual women informally persuade their neighbors to join the angry mob and punish Lycidas' wife and children.⁵¹ The one other example of a formal collective decision to sanction is the case of the prison thief and cannibal Aristogeiton. Demosthenes tells us that his fellow inmates "voted a resolution not to share fire or light, food or drink, with him, not to receive anything from him, not to give him anything."⁵² But in most of our passages there is no suggestion that the social sanctions resulted from a formal decision by a group of citizens or an association.

IV. Substitutes or complements to legal sanctions?

What was the relationship between formal and informal means of social control in Athens? Scholars studying the operation of law in the modern world have found that the interaction of legal and social sanctions can be complex and hard to predict.⁵³ The introduction of a legal sanction for an activity does not always increase overall deterrence and compliance, particularly if it serves as a substitute rather than a complement to the preexisting social sanction. For example, a new legal sanction may crowd out and replace the existing social sanction, leading to decreased overall compliance. In one well-known study of Israeli daycare centers,⁵⁴ researchers found that introducing fines for parents who picked their children up late actually increased the frequency of late pick-ups. Prior to the institution of fines, parents were deterred from what they perceived to be a violation of a social norm. But once the fine was instituted, the parents viewed the legal sanction as a substitute for the preexisting social sanction, and parents made a purely economic decision about whether the convenience of a late pick-up was worth the price of the fine.

Just as in the modern world, in Athens the interaction between formal and informal sanctions was complex, and the resulting compliance was not simply the sum of the deterrent effects of each form of sanction. But unlike the Israeli example, the evidence from Athens suggests that legal sanctions did not crowd out social

⁴⁹ Hdt. 9, 5 (tr. Selincourt).

⁵⁰ Lyc. 1, 122.

⁵¹ Hdt. 9, 5.

⁵² Dem. 25, 61-62 (tr. Vince); see also Din. 2, 9-10.

⁵³ Just a small sampling of the literature: Gneezy-Rustichini 2000; Posner 2007; Zasu 2007; Kube-Traxler forth.

⁵⁴ Gneezy-Rustichini 2000.

sanctions. In fact, Athenian legal institutions helped promote the operation of social sanctions by publicizing norm violations.

It is clear that there was no belief that social sanctions should be limited to enforcing norms that were not regulated by statute, and no sense that social sanctions should govern only “private” matters, however an Athenian might define that term. Several cases of social sanctions punished behavior that was illegal as well, including homicide, theft and assault, unpaid debt, and treason.⁵⁵ One passage suggests that the choice between using a legal or a social sanction may have had as much to do with the relationship between the parties as with the nature of the norm violation: Demosthenes states in *Against Meidias* that when someone commits a “wicked crime,” his friends withdraw their friendship whereas his enemies bring lawsuits.⁵⁶ We have one example of a victim resorting to a lawsuit only after his attempts to generate informal sanctions against his attacker failed. Aeschines reports that after Pittalacus was savagely whipped by Timarchus, his former lover, he sat in a prominent spot in the agora without a robe in the hope that other Athenians would be appalled by the beating and informally punish Timarchus.⁵⁷ Timarchus was so panicked that the entire city would learn of his behavior that he induced Pittalacus to leave the agora with promises of compensation. When Timarchus never carried through on his promise, Pittalacus finally brought suit.

Far from crowding out social sanctions, Athens’ formal court system actually encouraged the operation of informal punishments by publicizing litigants’ past norm violations. Because character evidence could help one’s chances in court, Athenian litigants had incentives to investigate and then publicize in court any prior bad acts by their opponent, even if they were victimless or committed against someone other than the litigant, and even if they were unrelated to the present case. Broadcasting these accusations of unprosecuted wrongdoing at a public trial assisted in the informal enforcement of norms in two ways. First, the character attacks in court can be seen as a form of public shame sanction in itself, as litigants were ridiculed by their opponents before hundreds of jurors and spectators. Second, news of allegations made during a court case would likely find its way back to a litigant’s residential community and to lenders and merchants with whom he might do business. In this way the courts may have at least partially compensated for the lack of incentives to conform to social norms when interacting and doing business outside one’s local community.

V. Conclusions

In sum, the picture of Athens that emerges from the sources is neither the tolerant ideal depicted in the funeral oration nor the highly coercive environment imagined

⁵⁵ Lys. 6, 45; frg. 1, 3; Dem. 25, 60/Din. 2, 9-10; Is. 9, 16-20.

⁵⁶ Dem. 21, 118.

⁵⁷ Aesch. 1, 59-62.

by some scholars.⁵⁸ It appears that the imposition of social sanctions was disfavored and was generally reserved for severe norm violations, leaving a space for minor deviations from community norms. At the same time, fear of reputational damage through gossip clearly had some deterrent effect, though the frequency of social and economic interactions with strangers suggests that informal social control cannot fully explain the high level of social order in Athens. Perhaps most interesting, unlike in many modern contexts in Athens formal legal sanctions and institutions did not threaten but actually promoted the operation of social sanctions. This paper cannot offer a comprehensive explanation for the puzzle of Athens' orderliness, but it seems clear that the answer will be found by focusing neither informal nor formal means of social control, but on the complex interaction between the two mechanisms.

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⁵⁸ E.g., Hunter 1994, p. 116; Cohen 1991, p. 88-94.

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