Abstract for Lanni, “Public and Private in Classical Athenian Law Enforcement”

This essay explores the extent to which the distinction between a public and private sphere is a meaningful one in Athenian law enforcement. Athenian law did treat the household as a private sphere in some respects: the head of the household enjoyed near-exclusive power to discipline its members and retained the legal right to use self-help to protect the *oikos* long after public legal institutions had become dominant in other areas of life. On the other hand, the notion of a sphere of private conduct free from practical state interference was a myth. While Athenian statutes did not directly regulate private matters, in practice Athenian courts enforced norms of private conduct through character evidence raised by the litigants. Finally, the operation of informal means of social control (such as social sanctions and gossip) and the formal court system were so interdependent that the traditional dichotomy between “private” and “public” or “formal” and “informal” mechanisms of enforcing norms does not apply to the Athenian legal system.