

Cambridge University Press

978-0-521-46642-4 - Law, Sexuality, and Society: The Enforcement of Morals in Classical Athens

David Cohen

Frontmatter

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Centering on the examination of the social and legal context of adultery, homosexuality, impiety, and the public–private dichotomy in Athenian society, this book attempts to examine the problems of social control and the regulation of sexuality in a way that will be of interest to a broad readership. It uses a comparative approach to show how the examination of such issues can deepen our understanding of classical Athens, particularly in regard to the role of law in society. Further, it argues that this historical investigation can, in turn, enrich our general appreciation of the relation of social and legal norms, and the roles they play in regulating complex social practices, like those associated with sexuality, morals, and the family. In this regard, the argument aims at moving beyond a view of social control as implemented through a legal order which somehow ‘imposes’ its norms upon society, coercing individuals into patterns of deviance and conformity. Instead, it develops a view of classical Athenian society which emphasizes the study of social control as the dynamic interplay of legal and social norms *within* the context of ideology and practice.

This book will be of interest to a wide readership: classicists and ancient historians, lawyers, social theorists, historical sociologists, anthropologists, and cultural and social historians.

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# LAW, SEXUALITY, AND SOCIETY

*The enforcement of morals in classical Athens*

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*To D.D. and A.C.*

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## *Preface*

This book represents an attempt to examine the problems of social control and the regulation of sexuality in an ancient society in a way that will be of interest to a broad audience. I have tried to show how a comparative approach to such issues can help to deepen our understanding of classical Athens, particularly in regard to the role of law in society. Further, I argue that this historical investigation can enrich our general appreciation of the relation of social and legal norms and the role they play in regulating complex social practices, like those associated with sexuality. In this regard, the argument aims at moving beyond a view of social control as implemented through a legal order which somehow imposes its norms upon society, coercing individuals into patterns of deviance and conformity. Instead, I develop an interpretation centered upon the study of social control as the dynamic interplay of legal and social norms *within* the context of ideology and practice.

In the past five years in which this study has emerged, friends and colleagues have contributed to its completion in a number of ways. Peter Garnsey, John Crook, Calum Carmichael, Tony Long, Felipe Gutterriez, and Stanley Brandes offered valuable comments on individual chapters. Herbert Morris, David Lieberman, Gregory Vlastos, Wolfgang Naucke, and Keith Hopkins have read significant parts of the manuscript and helped me to see it better as a whole. Further, Richard Saller was kind enough to read through the entire final version. Dieter Nörr and Dieter Simon provided me with the outstanding facilities of the Leopold Wenger Institut in Munich and the Max Planck Institut für Europäische Rechtsgeschichte in Frankfurt for eight months in 1987, during which the bulk of this study was written. Apart from their unfailing kindness and hospitality, both of these scholars also contributed significantly to my understanding of important issues. I also owe two further special

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David Cohen  
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