

This paper will discuss a group of popular actions which might be called instances of popular justice or "street theater." Included among these types of action are spontaneous or ritualized collective actions aimed at disciplining members of the community for transgression of social norms. Examples of popular justice from ancient Greece include the razing of an offender's house, stoning, and the public parade of an adulteress mounted on a donkey. While scholars have studied particular instances or types of popular justice in ancient Greece (e.g., P.Schmitt-Pantel in J.Le Goff and J-C.Schmitt, *Le charivari*, 1981; W.R.Connor *TAPA* 1985; V.J. Rosivach *Classical Antiquity*1987), no one has considered them as a group and explored how they functioned and related to the more formal judicial structures of the state. Furthermore, because ancient sources only rarely mention instances of popular justice, the full extent and importance of such activities in the social life of ancient communities has not been recognized. Using the example of the treatment of adulterers as a case study, I argue that popular justice was much more important to the articulation of communal norms and the control of social deviation in Archaic and Classical Greece than currently recognized.

In his study of the enforcement of morals in Classical Athens, David Cohen emphasizes the dynamic interplay between formal legal mechanisms and informal social mechanisms (e.g., gossip) for articulating sexual norms and controlling sexuality in classical Athens (*Law, sexuality and society*, 1991, 161). Yet despite his attention to the wider social norms and practices that underlay attitudes toward adultery, Cohen fails to discuss the role of informal communal practices rather than formal legal mechanisms in punishing this offense. This failure is striking because comparative evidence from both the ancient world and pre-modern Europe suggests that spontaneous ritualized collective actions were extremely important in regulating social behavior in societies with relatively underdeveloped capacities for formal enforcement. I begin with some seldom discussed evidence for the ritualized public humiliation of adulterers and adulteresses in ancient Greece (Plutarch *Moralia* 291F-292A; Aristotle fr.611-642 Rose; Nicolaus of Damascus *FGrH* 90 F103; Hesychius s.v. ὄνοβάρτιδες.). I show that these examples represent spontaneous communal action outside the formal legal structures of the state. Furthermore, although these examples concern states other than Athens, I argue that the Athenian law on adultery allows for similar ritualized public humiliation (e.g. [Dem.] 59.66; Ar.*Nub.*1083). Next I examine examples of collective ritual action against offenders of sexual norms in mediaeval and early modern Europe (e.g., charivari, "rough music"). I demonstrate through these better documented examples, that forms of popular justice can exist side-by-side with more formal legal structures and are a crucial mechanism for the articulation and reproduction of social norms in pre-modern societies. In conclusion, I suggest that consideration of other types of ritualized collective action (e.g., stoning, razing of the house) illustrates the importance of popular justice even after the adoption of fairly complex state structures in Archaic and Classical Greece.

