

RHETORIC AND THE LAW OF DRACO



EDWIN CARAWAN



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Rhetoric And The Law Of Draco

Matthew C. Altman



Rhetoric And The Law Of Draco:

Rhetoric and the Law of Draco Edwin Carawan, 2023 The author examines Athenian homicide trials from the extant documentation in this systematic treatment of the development of the law from Draco to Demosthenes in ancient Greece

Women, Crime and Punishment in Ancient Law and Society Elisabeth Meier Tetlow, 2005-06-24 The ancient period of Greek history to which this volume is devoted began in late Bronze Age in the second millennium and lasted almost to the end of the first century BCE when the last remnant of the Hellenistic empire created by Alexander the Great was conquered by the Romans Extant texts of law of actual laws are few and often found embedded in other sources such as the works of orators and historians Greek literature from the epics of Homer to the classical dramas provides a valuable source of information However since literary sources are fictional portrayals and often reflect the times and biases of the authors other more concrete evidence from archaeology has been used throughout the volume to confirm and contextualize the literary evidence about women crime and punishment in ancient Greece The volume is divided into three parts I Mykenean and Archaic Greece II Classical Greece and III the Hellenistic Period The book includes illustrations maps lists of Hellenistic dynasties and Indices of Persons Place and Subjects Crime and punishment criminal law and its administration are areas of ancient history that have been explored less than many other aspects of ancient civilizations Throughout history women have been affected by crime both as victims and as offenders In the ancient world customary laws were created by men formal laws were written by men and both were interpreted and enforced by men This two volume work explores the role of gender in the formation and administration of ancient law and examines the many gender categories and relationships established in ancient law including legal personhood access to courts citizenship political office religious office professions marriage inheritance and property ownership Thus it focuses on women and crime within the context of women in the society

Democracy and the Rule of Law in Classical Athens Edward M. Harris, 2006-04-17 This volume brings together essays on Athenian law by Edward M Harris who challenges much of the recent scholarship on this topic Presenting a balanced analysis of the legal system in ancient Athens Harris stresses the importance of substantive issues and their contribution to our understanding of different types of legal procedures He combines careful philological analysis with close attention to the political and social contexts of individual statutes Collectively the essays in this volume demonstrate the relationship between law and politics the nature of the economy the position of women and the role of the legal system in Athenian society They also show that the Athenians were more sophisticated in their approach to legal issues than has been assumed in the modern scholarship on this topic *Law and Justice in the Courts of Classical Athens* Adriaan Lanni, 2006-02-27 In this 2006 book Adriaan Lanni draws on contemporary legal thinking to present a model of the legal system of classical Athens She analyses the Athenians preference in most cases for ad hoc discretionary decision making as opposed to what moderns would call the rule of law Lanni argues that the Athenians consciously employed different

approaches to legal decision making in different types of courts The varied approaches to legal process stems from a deep tension in Athenian practice and thinking between the demand for flexibility of legal interpretation consistent with the exercise of democratic power by ordinary Athenian jurors and the demand for consistency and predictability in legal interpretation expected by litigants and necessary to permit citizens to conform their conduct to the law Lanni presents classical Athens as a case study of a successful legal system that by modern standards had an extraordinarily individualised and discretionary approach to justice

Law and Order in Ancient Athens Adriaan Lanni, 2016-08-11 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 process depended on private initiative And yet Athens was a remarkably peaceful and well ordered society by both ancient and contemporary standards Why Law and Order in Ancient Athens draws on contemporary legal scholarship to explore how order was maintained in Athens Lanni argues that law and formal legal institutions played a greater role in maintaining order than is generally acknowledged The legal system did encourage compliance with law but not through the familiar deterrence mechanism of imposing sanctions for violating statutes Lanni shows how formal institutions facilitated the operation of informal social control in a society that was too large and diverse to be characterized as a face to face community or close knit group

New Chapters in the History of Rhetoric Laurent Pernot, 2009-09-28 This volume gathers over forty papers by leading scholars in the field of the history of rhetoric It illustrates the current trends in this new area of research and offers a great richness of insights The contributors are from fourteen different countries in Europe America and Asia the majority of the papers are in English and French some others in German Italian and Spanish The texts and subjects covered include the Bible Classical Antiquity Medieval and Modern Europe Chinese and Korean civilization and the contemporary world Word speech language and institutions are addressed from several points of view One major topic among many others is Rhetoric and Religion

Demosthenes the Orator Douglas M. MacDowell, 2009-12-03 In the most comprehensive account available of the texts of Demosthenes Douglas M MacDowell describes and assesses all of the great orator's speeches including those for the lawcourts as well as the addresses to the Ekklesia Besides the genuine speeches MacDowell also covers those which have probably wrongly been ascribed to Demosthenes such as the ones written for delivery by Apollodorus and he considers too the Epistles the Prooemia and the puzzling Erotic Speech

The Oxford encyclopedia of ancient Greece and Rome. - Vol. 1 - 7 Michael Gagarin, 2010

Law's Cosmos Victoria Wohl, 2010-01-07 Explores the inextricable ties between literary form and legal matter in Athens juridical discourse

The Orator in Action and Theory in Greece and Rome Cecil Wooten, 2017-09-18 This volume is a collection of essays written by authorities in the field on many aspects of ancient rhetoric These essays deal both with the theory of rhetoric and the practice of oratory and are quite diverse both in tone and audience envisioned Some of them deal with very basic questions such as how good an orator should appear to be others deal with very technical matters

such as theoretical considerations of issue theory or figured speeches Some are focussed on the actual practice of oratory in speeches such as those of Cicero and Caesar others deal with manifestations of oratory in historical works such as the Histories of Herodotus or reflections on the nature of oratory in works like the Dialogus of Tacitus One considers parallel developments in rhetorical and artistic treatments of the legend of Busiris

A Commentary on Apollodorus' Against Evergus and Mnesibulus Eleni Volonaki, Michael Edwards, 2023-11-07 This book offers the first modern commentary on an important historical and legal speech from mid fourth century Athens A comprehensive introduction examines in detail the life and works of the author Apollodorus the legal background to the case and the historical circumstances which led to it Athens was facing a crisis in funding her fleet during wartime and the alleged unscrupulous and illegal behaviour of the speaker's opponent and others like him posed a real threat to her security The extensive commentary aims to explain the intricate legal issues raised by the speech as well as uncovering the clever rhetorical strategies employed by the speaker The book offers a new English translation to accompany the Greek text thereby facilitating access for non classicists The speech will be of interest to political and legal historians as well as those interested in the history of rhetoric and is designed for use by students and academics alike

Criminal Justice Ethics Cyndi Banks, 2024-06-25 Criminal Justice Ethics Sixth Edition examines the criminal justice system through an ethical lens by identifying ethical issues in practice and theory exploring ethical dilemmas and offering suggestions for resolving ethical issues and dilemmas faced by criminal justice professionals Bestselling author Cyndi Banks draws readers into a unique discussion of ethical issues by exploring moral dilemmas faced by professionals in the criminal justice system before examining the major theoretical foundations of ethics This distinct organization allows readers to understand real life ethical issues before grappling with philosophical approaches to the resolution of those issues

Control of the Laws in the Ancient Democracy at Athens Edwin Carawan, 2020-12-15 The definitive book on judicial review in Athens from the 5th through the 4th centuries BCE The power of the court to overturn a law or decree called judicial review is a critical feature of modern democracies Contemporary American judges for example determine what is consistent with the Constitution though this practice is often criticized for giving unelected officials the power to strike down laws enacted by the people's representatives This principle was actually developed more than two thousand years ago in the ancient democracy at Athens In Control of the Laws in the Ancient Democracy at Athens Edwin Carawan reassesses the accumulated evidence to construct a new model of how Athenians made law in the time of Plato and Aristotle while examining how the courts controlled that process Athenian juries Carawan explains were manned by many hundreds of ordinary citizens rather than a judicial elite Nonetheless in the 1890s American apologists found vindication for judicial review in the ancient precedent They believed that Athenian judges decided the fate of laws and decrees legalistically focusing on fundamental text because the speeches that survive from antiquity often involve close scrutiny of statutes attributed to lawgivers such as Solon much as a modern appellate judge might resort to the wording of the Framers Carawan

argues that inscriptions speeches and fragments of lost histories make clear that text based constitutionalism was not so compelling as the ethos of the community Carawan explores how the judicial review process changed over time From the restoration of democracy down to its last decades the Athenians made significant reforms in their method of legislation first to expedite a cumbersome process then to revive the more rigorous safeguards Jury selection adapted accordingly the procedure was recast to better represent the polis and packing the court was thwarted by a complicated lottery But even as the system evolved the debate remained much the same laws and decrees were measured by a standard crafted in the image of the people Offering a comprehensive account of the ancient origins of an important political institution through philological methods rhetorical analysis of ancient arguments and comparisons between models of judicial review in ancient Greece and the modern United States **Control of the Laws in the Ancient Democracy at Athens** is an innovative study of ancient Greek law and democracy [The Citizen](#) Andrew Brown,2017-02-01 Across the globe citizens are flexing their muscles but they are also battling oppression and discrimination What can history tell us about the state s duty to its citizens As always a good deal This bold and timely new book brings political theorists and historians together to examine the role of and need for a critical global and active civil society [The Attic Orators](#) Edwin Carawan,2007-03-22 A collection of fourteen essays by influential scholars on the Attic Orators the ten or so speechwriters who developed rhetoric in democratic Athens from c 420 to c 320 BC All Greek quotations have been translated **The Rule of Law in Action in Democratic Athens** Edward M. Harris,2013-09 The Law in Action in Democratic Athens is the first extensive study of the importance of the rule of law in Athenian democracy [The Palgrave Handbook on the Philosophy of Punishment](#) Matthew C. Altman,2023-03-23 This Handbook provides a comprehensive survey of major topics in the philosophy of punishment from many of the field s leading scholars Key features Presents a history of punishment theory from ancient times to the present Evaluates the main proposed justifications of punishment including retributivism general and specific deterrence theories mixed theories expressivism societal defense theory fair play theory rights forfeiture theory and the public health quarantine model Discusses sentencing proportionality policing prosecution and the role punishment plays in the context of the state Examines advances in neuroscience and debates about whether free will skepticism undermines the justifiability of punishment Considers forgiveness restorative justice and calls to abolish punishment Addresses pressing social issues such as mass incarceration juvenile justice punitive torture the death penalty and cruel and unusual punishment With its unmatched breadth and depth this book is essential reading for scholars who want to keep abreast of the field and for advanced students wishing to explore the frontiers of the subject [Sexual Labor in the Athenian Courts](#) Allison Glazebrook,2022-01-03 Oratory is a valuable source for reconstructing the practices legalities and attitudes surrounding sexual labor in classical Athens It provides evidence of male and female sex laborers sex slaves brothels sex traffickers the cost of sex contracts for sexual labor and manumission practices for sex slaves Yet the witty wealthy free and independent

hetaira well known from other genres does not feature Its detailed narratives and character portrayals provide a unique discourse on sexual labor and reveal the complex relationship between such labor and Athenian society Through a holistic examination of five key speeches Sexual Labor in the Athenian Courts considers how portrayals of sex laborers intersected with gender the body sexuality the family urban spaces and the polis in the context of the Athenian courts Drawing on gender theory and exploring questions of space place and mobility Allison Glazebrook shows how sex laborers represented a diverse set of anxieties concerning social legitimacy and how the public discourse about them is in fact a discourse on Athenian society values and institutions

Hate and Enmity in Biblical Law Klaus-Peter Adam,2022-05-19 Enmity between individuals was an ubiquitous phenomenon in the ancient world Using the method of legal anthropology this book examines patterns of hate driven feuding in kinship based and segmentary societies and applies these insights to biblical law It defines the fundamental categories of enmity love revenge honor and shame in the context of feuding and it illustrates certain legal actions such giving false witness and shows how they are expressions of hateful relationships Adam proposes that we should understand hate between individuals as a legal construct that becomes visible when lived out as private enmity a social status that exhibits distinct hallmarks In kinship based societies private hate enmity was publicly declared and consequently was publicly known in one s own kin and beyond Private enmity was acted out in feud like patterns with a flexibility that allowed opponents to choose between various measures to hurt their opponent Acting out hate was reciprocal and it typically escalated and swiftly expanded into one party s attempt to kill the other and to trigger a blood feud Finally private enmity was transitive in the sense that opponents at enmity naturally expected solidarity from kin and friends Adam uses textual analysis to illustrate how the legal construct of hate informs biblical law from the Covenant Code to Deuteronomic and Priestly Legislation including the Holiness Code He also demonstrates how hate forms the backdrop of conflict settlement Ultimately by ways of tracing back through the category of private hate and enmity this book unpacks the meaning of the quintessential command to Love your neighbor

Law and Drama in Ancient Greece ,2013-10-16 The relationship between law and literature is rich and complex In the past three and half decades the topic has received much attention from literary critics and legal scholars studying modern literature Despite the prominence of law and justice in Ancient Greek literature there has been little interest among Classical scholars in the connections between law and drama This is the first collection of essays to approach Greek tragedy and comedy from a legal perspective The volume does not claim to provide an exhaustive treatment of law and literature in ancient Greece Rather it provides a sample of different approaches to the topic Some essays show how knowledge of Athenian law enhances our understanding of individual passages in Attic drama and the mimes of Herodas and enriches our appreciation of dramatic techniques Other essays examine the information provided about legal procedure found in Aristophanes comedies or the views about the role of law in society expressed in Attic drama The collection reveals reveal how the study of law and legal procedure can enhance our understanding of ancient drama and

bring new insights to the interpretation of individual plays

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