



# Rhetoric & Law in Early Modern Europe

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# Rhetoric And Law In Early Modern Europe

**Thomas O. Sloane**



## **Rhetoric And Law In Early Modern Europe:**

Rhetoric and Law in Early Modern Europe Victoria Ann Kahn, Lorna Hutson, 2001 Bringing together the work of social and legal historians literary scholars and historians of rhetoric and political theory this is an interdisciplinary study of the relation of law and rhetoric in the early modern period in Europe

**Rhetoric and Law in Early Modern Europe** Victoria Ann Kahn, Lorna Hutson, 2001 The book provides a historical perspective on such issues as the role of contract law in the production of the modern subject the intersection of rhetoric and law in the construction of gender and sexuality and the contribution of theories of equity to early modern notions of intention and political agency The essays also shed light on the influence of legal decisions on early modern values in public and private life on notions of literary fiction and on ideas about the social contract Jacket

Encyclopedia of Rhetoric Thomas O. Sloane, 2001 The Encyclopedia of Rhetoric is a comprehensive survey of the latest research as well as the foundational teachings in this broad field Featuring 150 original signed articles by leading scholars from many different fields of study it brings together knowledge from classics philosophy literature literary theory cultural studies speech and communications The Encyclopedia surveys basic concepts speaker style and audience elements genres terms fallacies figures of speech and the rhetoric of non Western cultures and cultural movements It covers rhetoric as the art of proof and persuasion as the language of public speech and communication and as a theoretical approach and critical tool used in the study of literature art and culture at large including new forms of communication such as the internet The Encyclopedia is the most wide ranging reference work of its kind combining theory history and practice with a special emphasis on public speaking performance and communication Cross references bibliographies after each article and synoptic and topical indexes further enhance the work Written for students teachers scholars and writers the Encyclopedia of Rhetoric is the definitive reference work on this powerful discipline

**Rhetoric and Drama** DS Mayfield, 2017-03-06 Proving fruitful in various applications throughout its two millennia of predominance the rhetorical technique appears to have entertained a particularly symbiotic interrelation with drama With contributions from among others a Classicist historical linguistic musicological operatic cultural and literary studies perspective this publication offers interdisciplinary assessments of specific reciprocities between the system of rhetoric and dramatic works tracing the longue dure of this nexus highlighting its Ancient foundations its various Early Modern formations as well as certain configurations enduring to this day enables describing shifting degrees of rhetoricity approaching it from an interdisciplinary viewpoint facilitates focusing on the often sidelined rhetorical phenomena located beyond the textual plane specifically memoria and actio tackling this interchange from various viewpoints and with diverse emphases a long lasting and highly prolific cross fertilization between drama and rhetoric is rendered visible In tendering a balanced panorama of both detailed case studies and descriptive overviews this volume also points toward terrain yet to be charted in the scholarship to come The volume was prepared in co operation with the ERC Advanced Grant Project Early Modern European Drama and the

Cultural Net DramaNet      **The Oxford Handbook of Rhetorical Studies** Michael J. MacDonald, 2017-09-20 One of the most remarkable trends in the humanities and social sciences in recent decades has been the resurgence of interest in the history theory and practice of rhetoric in an age of global media networks and viral communication rhetoric is once again contagious and communicable Friedrich Nietzsche Featuring sixty commissioned chapters by eminent scholars of rhetoric from twelve countries The Oxford Handbook of Rhetorical Studies offers students and teachers an engaging and sophisticated introduction to the multidisciplinary field of rhetorical studies The Handbook traces the history of Western rhetoric from ancient Greece and Rome to the present and surveys the role of rhetoric in more than thirty academic disciplines and fields of social practice This combination of historical and topical approaches allows readers to chart the metamorphoses of rhetoric over the centuries while mapping the connections between rhetoric and law politics science education literature feminism poetry composition philosophy drama criticism digital media art semiotics architecture and other fields Chapters provide the information expected of a handbook discussion of key concepts texts authors problems and critical debates while also posing challenging questions and advancing new arguments In addition to offering an accessible and comprehensive introduction to rhetoric in the European and North American context the Handbook includes a timeline of major works of rhetorical theory translations of all Greek and Latin passages extensive cross referencing between chapters and a glossary of more than three hundred rhetorical terms These features will make this volume a valuable scholarly resource for students and teachers in rhetoric English classics comparative literature media studies communication and adjacent fields As a whole the Handbook demonstrates that rhetoric is not merely a form of stylish communication but a pragmatic inventive and critical art that operates in myriad social contexts and academic disciplines      John Gower and the Limits of the Law Conrad van Dijk, 2013 An examination of the ways in which Gower's poetry engages with contemporary law and legal questions It has long been thought that John Gower was probably a lawyer before turning to poetry and this study reveals his active engagement with contemporary legal debates they include constitutional questions jurisdictional issues private vengeance jurisprudential concepts such as equity and the rigor iuris and aspects of criminal law The author argues that the Confessio Amantis in particular demonstrates Gower's uncertainty about how to reconcile the ideal of a just law with alternative modes of justice such as self help royal discretion and divine will The book also examines the parallel development of the exemplum and casus in medieval literature Exempla frequently create a sense of narrative closure by means of some form of punishment or as Gower would put it vengeance How then do we set Gower's reputation as a sympathetic writer alongside his frequent desire for closure and punishment What are the limits of exemplarity and law These questions are answered by reading Gower in relation to the volatile politics of the Ricardian period and in comparison with the poetic concerns of contemporary writers such as Chaucer and Langland In so doing the book provides a searching introduction to the intersection between literature and law in the late fourteenth century Dr Conrad van Dijk is Assistant

Professor of English at Concordia University College of Alberta Edmonton Canada      **Shakespeare and the Law** Bradin Cormack, Martha C. Nussbaum, Richard Strier, 2013-04-05 William Shakespeare is inextricably linked with the law Legal documents make up most of the records we have of his life and trials lawsuits and legal terms permeate his plays Gathering an extraordinary team of literary and legal scholars philosophers and even sitting judges Shakespeare and the Law demonstrates that Shakespeare's thinking about legal concepts and legal practice points to a deep and sometimes vexed engagement with the law's technical workings its underlying premises and its social effects The book's opening essays offer perspectives on law and literature that emphasize both the continuities and contrasts between the two fields The second section considers Shakespeare's awareness of common law thinking and common law practice while the third inquires into Shakespeare's general attitudes toward legal systems The fourth part of the book looks at how law enters into conversation with issues of politics and community whether in the plays in Shakespeare's world or in our own world Finally a colloquy among Supreme Court Justice Stephen Breyer Judge Richard Posner Martha C Nussbaum and Richard Strier covers everything from the ghost in Hamlet to the nature of judicial discretion      Equity in English Renaissance Literature Andrew Majeske, 2013-10-18 This book accounts for the previously inadequately explained transformation in the meaning of equity in sixteenth century England a transformation which intriguingly first comes to light in literary texts rather than political or legal treatises The book address the two principal literary works in which the transformation becomes apparent Thomas More's Utopia and Edmund Spenser's Faerie Queene and sketches the history of equity to its roots in the Greek concept of epieikeia uncovering along the way both previously unexplained distinctions and a long obscured esoteric meaning These rediscoveries when brought to bear upon the Utopia and Faerie Queene illuminate critical though relatively neglected textual passages that have long puzzled scholars      Donne's Augustine Katrin Ettenhuber, 2011-07-07 The poet and preacher John Donne 1572 1631 was one of the most influential authors of early modern England Donne's Augustine examines his response to an iconic figure in the history of Western religious thought Saint Augustine of Hippo 354 430 Katrin Ettenhuber argues that Renaissance culture saw not only a revival of the classics but was equally indebted to the intellectual and literary legacy of the Church Fathers The study recovers an Augustinian tradition of interpretation which permeated the religious world of the period but which has until now been largely overlooked She presents a comprehensive re evaluation of Donne's writings ranging from the poems to less familiar prose works situates him carefully in the poetic intellectual and political contexts which frame his works and engages with recent developments in both literary and historical studies Donne's Augustine is the first sustained study of Donne's reading practices and of the theological sources which shaped his thought It discovers a range of medieval and early modern texts which transformed the imagination of literary writers in the period but which have been neglected so far devotional manuals Scripture commentaries and religious commonplace books often in Latin The study pays close attention to the intellectual and political conditions which informed the reception of Augustine's works and offers

detailed readings of Donne's texts which illuminate the literary aspects of his patristic heritage Donne's Augustine makes a significant contribution to our understanding of the larger reading and writing culture of Renaissance England and of the religious debates and controversies in the decades leading up to the Civil War

**Theatre and Testimony in Shakespeare's England** Holger Schott Syme, 2011-12-01 Holger Syme presents a radically new explanation for the theatre's importance in Shakespeare's time He portrays early modern England as a culture of mediation dominated by transactions in which one person stood in for another giving voice to absent speakers or bringing past events to life No art form related more immediately to this culture than the theatre Arguing against the influential view that the period underwent a crisis of representation Syme draws upon extensive archival research in the fields of law demonology historiography and science to trace a pervasive conviction that testimony and report delivered by properly authorised figures provided access to truth Through detailed close readings of plays by Ben Jonson and William Shakespeare in particular *Volpone* *Richard II* and *The Winter's Tale* and analyses of criminal trial procedures the book constructs a revisionist account of the nature of representation on the early modern stage

**The Oxford Handbook of Shakespeare** Arthur F. Kinney, 2012 Contains forty original essays

**Legal Reform in English Renaissance Literature** Virginia Lee Strain, 2018-03-14 The first study of legal reform and literature in early modern England This book investigates rhetorical and representational practices that were used to monitor English law at the turn of the seventeenth century The late Elizabethan and early Jacobean surge in the policies and enforcement of the reformation of manners has been well documented What has gone unnoticed however is the degree to which the law itself was the focus of reform for legislators the judiciary preachers and writers alike While the majority of law and literature studies characterize the law as a force of coercion and subjugation this book instead treats in greater depth the law's own vulnerability both to corruption and to correction In readings of Spenser's *Faerie Queene* the *Gesta Grayorum* Donne's *Satyre V* and Shakespeare's *Measure for Measure* and *The Winter's Tale* Strain argues that the terms and techniques of legal reform provided modes of analysis through which legal authorities and literary writers alike imagined and evaluated form and character Key Features Reevaluates canonical writers in light of developments in legal historical research bringing an interdisciplinary perspective to works Collects an extensive variety of legal political and literary sources to reconstruct the discourse on early modern legal reform providing an introduction to a topic that is currently underrepresented in early modern legal cultural studies Analyses the law's own vulnerability to individual agency

**Methodologies for the Rhetoric of Health & Medicine** Lisa Meloncon, J. Blake Scott, 2017-07-06 Methodologies for the Rhetoric of Health Medicine charts new methodological territories for rhetorical studies and the emerging field of the rhetoric of health and medicine It advances the larger goal of differentiating the rhetoric of health and medicine as a distinct but pragmatically diverse area of study

**Thinking with Shakespeare** William Poole, Richard Scholar, 2007 This book presents comparative and interdisciplinary essays that demonstrate the value of thinking with Shakespeare either as

embodied in Shakespeare's own creative programme or in our use of philosophical paradigms as an approach to his works

Judicial Rhapsodies Doug Coulson, 2023-02-28 All judges legitimize their decisions in writing but US Supreme Court justices depend on public acceptance to a unique degree Previous studies of judicial opinions have explored rhetorical strategies that produce legitimacy but none have examined the laudatory even operative forms of writing Supreme Court justices have used to justify fundamental rights decisions Doug Coulson demonstrates that such judicial rhapsodies are not an aberration but a central feature of judicial discourse First examining the classical origins of divisions between law and rhetoric Coulson tracks what he calls an epideictic register highly affective forms of expression that utilize hyperbole amplification and vocabularies of praise through a surprising number of landmark Supreme Court opinions *Judicial Rhapsodies* recovers and revalues these instances as significant to establishing and maintaining shared perspectives that form the basis for common experience and cooperation *Judicial Rhapsodies* is both compelling and important Coulson brings his well developed knowledge of rhetoric to bear on one of the most central and most democratically fraught means of governance in the United States the Supreme Court opinion He demonstrates that the epideictic far from being a dispensable or detestable element of judicial rhetoric is an essential feature of how the Court operates and seeks to persuade Keith Bybee

Syracuse University Staging Slander and Gender in Early Modern England Ina Habermann, 2003 This book examines slander in early modern England as a gendered and theatrical cultural practice Habermann explores oral defamation the negative fashioning of others in language and rhetoric social interaction and the law literature and authorship as well as religion subjectivity and the body Since the slander triangle which requires an accuser an audience and a victim is inherently theatrical the dramatic representation of slander forms a central concern of the study Focusing on sexual slander in particular Habermann shows how femininity was fashioned between praise and slander and how the slandered heroine emerged as an influential fantasy of femininity a linguistic legal and social mechanism that lends itself to masculine self fashioning through the display of eloquence but that is also subject to resignification by female authors As theatre and the law mutually influence each other drama offers a poetic inquiry into the gendered subject and the social life of the community

**Forensic Shakespeare** Quentin Skinner, 2014 Quentin Skinner highlights the use of judicial rhetoric in some of Shakespeare's most famous works shedding new light on Shakespeare's reading and the intellectual base of his work

Legal Culture in the United States: An Introduction Kirk Junker, 2016-02-22 For law students and lawyers to successfully understand and practice law in the U S recognition of the wider context and culture which informs the law is essential Simply learning the legal rules and procedures in isolation is not enough without an appreciation of the culture that produced them This book provides the reader with an understandable introduction to the ways in which U S law reflects its culture and each chapter begins with questions to guide the reader and concludes with questions for review challenge and further understanding Kirk W Junker explores cultural differences employing history social theory philosophy and language as

reference frames which are then applied to the rules and procedures of the U S legal system in the book s final chapter Through these cultural reference frames readers are provided with a set of interpretive tools to inform their understanding of the substance and institutions of the law With a deeper understanding of this cultural context international students will be empowered to more quickly adapt to their studies more comprehensively understand the role of the attorney in the U S system draw comparisons with their own domestic legal systems and ultimately become more successful in their legal careers both in the U S and abroad The One Thomas More Travis Curtright,2012-10-24 The One More Thomas More studies the central humanist and polemical texts written by More to illustrate a coherent development of thought Focusing on three major works from More s humanist phase The Life of Pico The History of Richard III and Utopia Curtright demonstrates More s idea of humanitas and his corresponding programme of moderate political reform **Early Modern European Diplomacy** Dorothée Goetze,Lena Oetzel,2023-12-31 New Diplomatic History has turned into one of the most dynamic and innovative areas of research especially with regard to early modern history It has shown that diplomacy was not as homogenous as previously thought On the contrary it was shaped by a multitude of actors practices and places The handbook aims to characterise these different manifestations of diplomacy and to contextualise them within ongoing scientific debates It brings together scholars from different disciplines and historiographical traditions The handbook deliberately focuses on European diplomacy although non European areas are taken into account for future research in order to limit the framework and ensure precise definitions of diplomacy and its manifestations This must be the prerequisite for potential future global historical perspectives including both the non European and the European world



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