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Quintilian And The Law The Art Of Persuasion In Law And Politics

Andreas Serafim



Quintilian And The Law The Art Of Persuasion In Law And Politics:

Quintilian and the Law Olga Eveline Tellegen-Couperus, 2003 The art of persuasion as practised today in political debate as well as in the courts of law has been developed in the rhetorical tradition but its authors have disappeared from view One of them was Quintilian who wrote his *Institutio oratoria* at the end of the first century AD This book is special because it contains one of the fullest surveys of rhetorical insights ever written and because it has come down to us in its entirety Quintilian's rhetorical system has been used in teaching rhetoric at universities since the Middle Ages The purpose of *Quintilian and the Law* is to reintroduce Quintilian's *Institutio oratoria* to modern readers and to show that the topics discussed in it are still very much alive today To that end modern experts of law and rhetoric present their views on the *Institutio oratoria* each dealing with one of the twelve books of which it consists The authors were free to choose their own way of working so that some books are described in their entirety others are discussed from one particular point of view and others still are treated only with regard to a particular section In Roman times the shortest way to a political career was by working in the law courts There one could acquire a reputation for having a thorough knowledge of the law and for being able to speak well in public In his *Institutio oratoria* Quintilian not only formulated important insights in juridical argumentation in the art of speech writing and in the performative aspects of advocacy he also discussed the ethical problems involved Because Quintilian larded his instructions with numerous examples from practice his book takes us back into the Roman law courts and helps us experience their exciting atmosphere The essays in this book reflect the wide range of subjects discussed by Quintilian They deal with one of six themes 1 the ideal orator in a historical perspective 2 his education 3 rhetoric and communication 4 argumentation 5 Roman law in the *Institutio oratoria* and 6 emotions in the courtroom However in honour of its author they are arranged in the order of the *Institutio oratoria*

The Oxford Handbook of Quintilian Marc van der Poel, 2021-12-03 M Fabius Quintilianus was a prominent orator declaimer and teacher of eloquence in the first century CE After his retirement he wrote the *Institutio oratoria* a unique treatise in antiquity because it is both a handbook of rhetoric and an educational treatise Quintilian's fame and influence are not only based on the *Institutio* but also on the two collections of *Declamations* which were later attributed to him The *Oxford Handbook of Quintilian* aims to present Quintilian's *Institutio* as a key treatise in the history of Greco Roman rhetoric and to trace its influence on the theory and practice of rhetoric and education up to the present day Topics include Quintilian's educational programme his concepts and classifications of rhetoric his discussion of the five canons of rhetoric his style his views on literary criticism declamation and the relationship between rhetoric and law and the importance of the visual and performing arts in his work His legacy is presented in successive chapters devoted to Quintilian in late antiquity the Middle Ages the Italian Renaissance Northern Europe during the Renaissance Europe from the eighteenth to the twentieth century and the United States of America Other chapters examine the biographical tradition the history of printed editions and modern assessments of Quintilian The

contributors represent a wide range of expertise and scholarly traditions offering a unique multidisciplinary perspective

The Ancient Art of Persuasion across Genres and Topics ,2019-11-04 Persuasion has long been one of the major fields of interest for researchers across a wide range of disciplines The present volume aims to establish a framework to enhance the understanding of the features manifestations and purposes of persuasion across all Greek and Roman genres and in various institutional contexts The volume considers the impact of persuasion techniques upon the audience and how precisely they help speakers authors achieve their goals It also explores the convergences and divergences in deploying persuasion strategies in different genres such as historiography and oratory and in a variety of topics This discussion contributes towards a more complete understanding of persuasion that will help to advance knowledge of decision making processes in varied institutional contexts in antiquity

Tenue est mendacium Klaus Lennartz,Javier Martínez,2022-04-07 Many new and fruitful avenues of investigation open up when scholars consider forgery as a creative act rather than a crime We invited authors to contribute work without imposing any restrictions beyond a willingness to consider new approaches to the subject of ancient fakes forgeries and questions of authenticity The result is this volume in which our aim is to display some of the many possibilities available to scholarship The exposure of fraud and the pursuit of truth may still be valid scholarly goals but they implicitly demand that we confront the status of any text as a focal point for matters of belief and conviction Recent approaches to forgery have begun to ask new questions some intended purely for the sake of debate Ought we to consider any author to have some inherent authenticity that precludes the possibility of a forger s successful parody If every fake text has a real context what can be learned about the cultural circumstances which give rise to forgeries If every real text can potentially engender a parallel history of fakes what can this alternative narrative teach us What epistemological prejudices can lead us to swear a fake is genuine or dismiss the real thing as inauthentic Following Splendide Mendax and Animo Decipiendi this is the latest installment of an ongoing inquiry conducted by scholars in numerous countries into how the ancient world its literature and culture its history and art appears when viewed through the lens of fakes and forgeries sincerities and authenticities genuine signatures and pseudepigrapha How does scholarship tell the truth if evidence doesn t But fabula docet The falsum does not simply make the great annoying stone before the door of the truth otherwise this here would really be a council of antiquarians and paleographers The falsum makes a delicate fine tissue It allows the verum to shine through in nuances and reliefs that were less noticeable without its counterpart really tied at the head And treated differentiated it becomes even itself perlucidum shines out with hidden values

Art and Rhetoric in Roman Culture Jaś Elsner,Michel Meyer,2014-10-02 Demonstrates the central significance of rhetoric in ancient responses to and receptions of Roman art

A Synoptic History of Classical Rhetoric James J. Murphy,Richard A. Katula,Michael Hoppmann,2013-07-24 Continuing its tradition of providing students with a thorough review of ancient Greek and Roman rhetorical theory and practices A Synoptic History of Classical Rhetoric is the premier text for undergraduate courses and graduate seminars in

the history of rhetoric Offering vivid examples of each classical rhetor rhetorical period and source text students are led to understand rhetoric's role in the exchange of knowledge and ideas Completely updated throughout Part I of this new edition integrates new research and expanded footnotes and bibliographies for students to develop their own scholarship Part II offers eight classical texts for reading study and criticism and includes discussion questions and keys to the text in Part I

The Present State of Scholarship in the History of Rhetoric Lynée Lewis Gaillet, Winifred Bryan Horner, 2010-03-15
Through two previous editions *The Present State of Scholarship in Historical and Contemporary Rhetoric* has not only introduced new scholars to interdisciplinary research but also become a standard research tool in a number of fields and pointed the way toward future study Adopting research methodologies of revision and recovery this latest edition includes all new material while still following the format of the original and is constructed around bibliographical surveys of both primary and secondary works addressing the Classical Medieval Renaissance and eighteenth through twentieth century periods within the history of rhetoric *The Present State of Scholarship in the History of Rhetoric* doesn't simply update but rather recasts study in the history of rhetoric The authors experienced and well known scholars in their respective fields redefine existing strands of rhetorical study within the periods expand the scope of rhetorical engagement and include additional figures and their works The globalization and expansion of rhetoric are demonstrated in each of these parts and seen clearly in the inclusion of more female rhetors discussions of historical and contemporary electronic resources and examinations of rhetorical practices falling outside the academy and the traditional canon New to this edition is a cumulative review of twentieth century rhetoric along with a thematic index designed to facilitate interdisciplinary or specialized study and scholarly research across the traditional historical periods As programs incorporating rhetorical studies continue to expand at the university level students and researchers are in need of up to date bibliographical resources No other work matches the scope and approach of *The Present State of Scholarship in the History of Rhetoric* which carries scholarship on rhetoric into the twenty first century

Veritatem esse quaerendam Kamil Sorka, 2023 The science of civil process has long been uneasy about the question what shape should civil proceedings take in order to allow cases to be dealt with quickly and yet ensure the conviction that the verdicts rendered are fair Should the court limit itself to the statements of the parties and base its verdict on them with the feeling of a job well done Or rather should judges be allowed or even required to use various means to find out the actual circumstances of the case even when the parties are unwilling to do so Procedural law specialists used to call the first part of this alternative the principle of formal truth and the second the principle of material truth The main research question that underlies this study is the meaning which the theory and practice of Roman civil process attached to learning the truth in court proceedings To use contemporary terminology the question can be reduced to asking whether the Roman civil process was based on the principle of formal legal material truth

FROM THE INTRODUCTION **Ethics, Identity, and Community in Later Roman Declamation** Neil W. Bernstein, 2013-07-29

Rhetorical training was the central component of an elite Roman man's education and declamations imaginary courtroom speeches in the character of a fictional or historical individual were the most advanced exercises in the standard rhetorical curriculum The Major Declamations is a collection of nineteen full length Latin speeches attributed in antiquity to Quintilian but most likely composed by a group of authors in the second and third centuries CE Though there has been a recent revival of interest in Greco Roman declamation the Major Declamations has generally been neglected Ethics Identity and Community in Later Roman Declamation is the first book devoted exclusively to the Major Declamations and its reception in later European literature It argues that the fictional scenarios of the Major Declamations enable the conceptual exploration of a variety of ethical and social issues Chapters explore these cultural matters covering in turn the construction of authority the verification of claims the conventions of reciprocity and the ethics of spectatorship The book closes with a study of the reception of the collection by the Renaissance humanist Juan Luis Vives and the eighteenth century scholar Lorenzo Patarol followed by a brief postscript that deftly surveys the use of declamatory exercises in the contemporary university This much needed and engaging study will rescue the Major Declamations from generations of neglect while critically informing current work in rhetorical studies

Vico and the Transformation of Rhetoric in Early Modern Europe David L. Marshall, 2010-03-31 Considered the most original thinker in the Italian philosophical tradition Giambattista Vico has been the object of much scholarly attention but little consensus In this new interpretation David L Marshall examines the entirety of Vico's oeuvre and situates him in the political context of early modern Naples Marshall presents Vico's work as an effort to resolve a contradiction As a professor of rhetoric at the University of Naples Vico had a deep investment in the explanatory power of classical rhetorical thought especially that of Aristotle Cicero and Quintilian Yet as a historian of the failure of Naples as a self determining political community he had no illusions about the possibility or worth of democratic and republican systems of government in the post classical world As Marshall demonstrates by jettisoning the assumption that rhetoric only illuminates direct face to face interactions between orator and auditor Vico reinvented rhetoric for a modern world in which the Greek polis and the Roman res publica are no longer paradigmatic for political thought

Flavian Poetry Ruud R. Nauta, Johannes J.L. Smolenaars, Harm-Jan van Dam, 2017-07-31 The reign of the Flavian emperors 69-96 saw the production of a large and varied body of Latin poetry the epics of Valerius Flaccus Silius Italicus and Statius the *Silvae* of the same Statius and the Epigrams of Martial This poetry long seen as derivative or decadent is now increasingly appreciated for the daring originality of its responses both to the Latin literary tradition and to the contemporary Roman world In the summer of 2003 the first ever international conference on Flavian poetry was held at Groningen The Netherlands bringing together leading scholars in the field from Europe North America and Australasia This volume offers a selection of the papers delivered on that occasion

The Cambridge Companion to Roman Law David Johnston, 2015-02-16 This book reflects the wide range of current scholarship on Roman law The essays newly commissioned for this volume cover the sources of

evidence for classical Roman law the elements of private law as well as criminal and public law and the second life of Roman law in Byzantium in civil and canon law and in political discourse from AD 1100 to the present Roman law nowadays is studied in many different ways which is reflected in the diversity of approaches in the essays Some focus on how the law evolved in ancient Rome others on its place in the daily life of the Roman citizen still others on how Roman legal concepts and doctrines have been deployed through the ages All of them are responses to one and the same thing the sheer intellectual vitality of Roman law which has secured its place as a central element in the intellectual tradition and history of the West

Co-Creative Communication in George Herbert and John Donne Sara Rogalski, 2025-03-17 This study examines the co creative relationship between speakers hearers and God in poetry and prose by George Herbert and John Donne Through analyses of communicative situations communicative interactions and reflections on communication models of communication are established that underlie the texts selected In particular the activity of hearing is shown to be considered essential to the constitution of a meaningful utterance In this way a key function of communication becomes apparent it can yield a range of creative products from the conversation itself to a literary artefact and its extratextual effects This study thus offers a new reading of the texts of George Herbert and John Donne and provides a clear perspective on how early modern religious texts regarded communication and co creativity as connected concepts

Routledge Handbook of Descriptive Rhetorical Studies and World Languages Weixiao Wei, James Schnell, 2023-05-12 The Routledge Handbook of Descriptive Rhetorical Studies and World Languages offers a useful collection of papers that presents rhetorical analysis of the discursual practice in different cultural settings Covering issues from America to Europe and Asia and topics from politics to media education to science agriculture to literature and so on the handbook describes how language can guide listeners interpretations alter their perceptions and shape their worldviews This book offers a solid foundation for rhetorical studies to become an essential discipline in arts and humanities engendering innovative theory and applications in areas such as linguistics literature history cultural studies political science and sociology This handbook will be crucial for students and researchers in areas such as literature and linguistics communication studies political science and arts and humanities in general This book will also be useful to social science education business law science and engineering departments due to its coverage of rhetoric in a multidisciplinary and multilingual context Chapter 16 of this book is available for free in PDF format as Open Access from the individual product page at www.routledge.com It has been made available under a Creative Commons Attribution Non Commercial No Derivatives 4.0 license

Giambattista Vico on Natural Law John Schaeffer, 2019-03-20 This book introduces the thought of Giambattista Vico 1668-1744 into the discussion about natural law For many critics natural law is not natural but a *façade* behind which lurks the supernatural that is revealed religion While current notions of natural law are based on either Aristotelian Thomistic principles or on Enlightenment rationalism the book shows how Vico was the only natural law thinker to draw on the Roman legal tradition rather than on Greek or

Enlightenment philosophy Specifically the book addresses how Vico drawing his inspiration from Roman history incorporated both rhetoric and religion into a dynamic concept of natural law grounded in what he called the *sensus communis* the entire repertoire of values images institutions and even prejudices that a community takes for granted Vico denied that natural law could ever furnish a definitive answer to moral problems in the social public sphere Rather he maintained that such problems had to be debated in the wider arena of the *sensus communis* For Vico as this book argues natural law principles emerged from these debates they did not resolve them

Arguments in Rhetoric Against Quintilian Peter Ramus, 2010-08-27
First published in 1986 this book offers the Latin text and English translation of a pivotal work by one of the most influential and controversial writers of early modern times Pierre de la Ram e better known as Peter Ramus was a college instructor in Paris who published a number of books attacking and attempting to refute foundational texts in philosophy and rhetoric He began in the early 1540s with books on Aristotle which were later banned and burned and Cicero and later in 1549 he published *Rhetoricae Distinctiones in Quintilianum* The purpose of Ramus's book is announced in the opening paragraph of its dedication to Charles of Lorraine I have a single argument a single subject matter that the arts of dialectic and rhetoric have been confused by Aristotle Cicero and Quintilian I have previously argued against Aristotle and Cicero What objection then is there against calling Quintilian to the same account Carole Newlands's excellent translation the first in modern English remains the standard English version This volume also provides the original Latin text for comparative purposes In addition James J Murphy's insightful introduction places the text in historical perspective by discussing Ramus's life and career the development of his ideas and the milieu in which his writings were produced This edition includes an updated bibliography of works concerning Ramus rhetoric and related topics

The World of Tacitus' Dialogus de Oratoribus Christopher S. van den Berg, 2014-09-11 Coming to terms with the rhetorical arts of antiquity necessarily illuminates our own ideas of public discourse and the habits of speech to which they have led Tacitus wrote the *Dialogus* at a time ca 100 CE when intense scrutiny of the history the definitions and the immediate relevance of public speech were all being challenged and refashioned by a host of vibrant intellects and ambitious practitioners This book challenges the notion that Tacitus sought to explain the decline of oratory under the Principate Rather from examination of the dynamics of argument in the dialogue and the underlying literary traditions there emerges a sophisticated consideration of *eloquentia* in the Roman Empire Tacitus emulates Cicero's legacy and challenges his position at the top of Rome's oratorical canon He further shows that *eloquentia* is a means by which to compete with the power of the Principate

Religious Discourse in Attic Oratory and Politics Andreas Serafim, 2020-10-29 The book offers a critical investigation of a wide range of features of religious discourse in the transmitted forensic symbolaeutic and epideictic orations of the Ten Attic Orators a body of 151 speeches which represents the mature flourishing of the ancient art of public speaking and persuasion Serafim focuses on how the intersections between such religious discourse and the political legal and civic institutions of classical Athens help to shed

new light on polis identity building and the construction of an imagined community in three institutional contexts the law court the Assembly and the Boul a community that unites its members and defines the ways in which they make decisions After a full scale survey of the persistently and recurrently used features of religious discourse in Attic oratory he contextualizes and explains the use of specific patterns of religious discourse in specific oratorical contexts examining the means or restrictions that these contexts generate for the speaker In doing so he explores the cognitive emotional and physical sensory reactions of the speaker and the audience when religious stimuli are provided in orations and how this contributes to the construction of civic and political identity in classical Athens Religious Discourse in Attic Oratory and Politics will be of interest to anyone working on classical Athens particularly its legal institutions on ancient rhetoric and ancient Greek religion and politics

Reading Quintilian Laura Loporcaro, 2025-01-30 Reading Quintilian takes Quintilian's *Institutio oratoria* as a coherent literary work one worth reading in full This book examines how didactic authority is created and how readers are guided through the *Institutio* thanks to an overarching framework that holds it together This framework is composed of several leitmotifs the author's self staging statements of didactic intent and method the depiction of an ideal didactic constellation remarks suggesting that the work proceeds in parallel with the pupil's training and the author's life polemics against other authorities and proleptic strategies deflecting responsibility for students potential failures As *Reading Quintilian* shows the pervasiveness of that framework and the implementation in the *Institutio* of the same rhetorical strategies it describes indicate that the work is not a mere accumulation of precepts but an artfully crafted whole All the stops of rhetorical art are pulled out to engage readers and to persuade them that the teachings conveyed are valid Laura Loporcaro grounds her analysis of the leitmotifs in the discussion of central themes including Quintilian's reception of Cicero and Seneca the Younger his conception of the ideal orator and his polemic against corrupt oratory Combining a panoramic view with in depth study of single leitmotifs and themes *Reading Quintilian* investigates the construction goals and models of the *Institutio* thereby shedding new light on the treatise as a whole

The Rhetoric of Cicero in its Medieval and Early Renaissance Commentary Tradition Virginia Cox, John Ward, 2018-11-12 This multi authored volume by an authoritative team of international scholars examines the transmission of Ciceronian rhetoric in medieval and early Renaissance Europe concentrating on the fortunes in particular of the two dominant classical rhetorical textbooks of the time Cicero's early *De inventione* and the contemporary pseudo Ciceronian *Rhetorica ad Herennium* The volume is unprecedented in range and depth as a presentation of the place of classical rhetoric in medieval culture and will serve to revise views of a period seen until recently as largely indifferent to the values of eloquence The main body of the volume is composed of a series of ground breaking studies of the relationship between Ciceronian rhetoric and a wide range of intellectual traditions and cultural practices including dialectic law conduct theory memory poetics and practical composition teaching preaching *ars dictaminis* and political oratory Also included are important contextualizing essays on the commentary tradition of the Ciceronian

juvenilia on the textual history and manuscript transmission of Cicero's rhetorical works and on the Latin and vernacular traditions of Ciceronian rhetoric in Italy The volume concludes with an annotated appendix of illustrative texts containing extracts from the commentary tradition on Ciceronian rhetoric most of which have not been previously available in print

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