

GREEK LAW IN ITS POLITICAL SETTING

Justifications not Justice



Edited by
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Greek Law In Its Political Setting Justifications Not Justice

Scott A. Shay



Greek Law In Its Political Setting Justifications Not Justice:

Greek Law in Its Political Setting Lin Foxhall, A. D. E. Lewis, 1996 This volume explores the ways in which law integrated with other aspects of life in ancient Greece The papers collected here reveal a number of different pathways between law and political social and economic life in Greek societies Emanating from several scholarly traditions they offer a range of contrasting but complementary insights rarely collected together What emerges clearly is that law in Greece only takes on its full meaning in a broadly political context Dynamic tensions govern the relationships between this semi autonomous legal arena and other spheres of life An ideology of equality before the law was juxtaposed with a practical reality of individuals unequal abilities to cope with it It is hard to draw firm lines between the settlement of cases in court and the spill over of legal actions into the agora the streets the fields and the houses Hence it is hardly surprising if justice can all too easily give way to justification *Greek Law in Its Political Setting* Lin Foxhall, A.D.E. Lewis, 1996 *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 *Rabbinic Law in Its Roman and Near Eastern Context* Catherine Hezser, 2003 This volume is the outcome of an international conference held at Trinity College Dublin on Mar 11 12 2002 P v *Rape and the Politics of Consent in Classical Athens* Rosanna Omitowoju, 2002-06-06 This book is an in depth study of the topic of rape in classical Athens *Democracy* Paul Cartledge, 2016 In ancient Greece there can be traced not only the rudiments of modern democratic society but the entire Western tradition of anti democratic thought In *Democracy A Life* Paul Cartledge provides a detailed history of this ancient political system **Writing Chinese Laws** Ernest Caldwell, 2018-05-23 The legal institutions of the short lived Qin dynasty 221 207 BCE have been vilified by history as harsh and draconian Yet ironically many Qin institutional features such as written statutory law were readily adopted by subsequent dynasties as the primary means for maintaining administrative and social control This book utilizes both traditional texts and archeologically excavated materials to explore how these influential Qin legal institutions developed First it investigates the socio political conditions which led to the production of law in written form It then goes on to consider how the intended function of written law influenced the linguistic composition of legal statutes as well as their

physical construction Using a function and form approach it specifically analyses the Shuihudi legal corpus However unlike many previous studies of Chinese legal manuscripts which have focused on codicological issues of transcription and translation this book considers the linguistic aspects of these manuscripts and thus their importance for understanding the development of early Chinese legal thought Writing Chinese Laws will be useful to students and scholars of Chinese Studies as well as Asian law and history more generally *Plato and the Creation of the Hebrew Bible* Russell E.

Gmirkin,2016-08-12 Plato and the Creation of the Hebrew Bible for the first time compares the ancient law collections of the Ancient Near East the Greeks and the Pentateuch to determine the legal antecedents for the biblical laws Following on from his 2006 work Berossus and Genesis Manetho and Exodus Gmirkin takes up his theory that the Pentateuch was written around 270 BCE using Greek sources found at the Great Library of Alexandria and applies this to an examination of the biblical law codes A striking number of legal parallels are found between the Pentateuch and Athenian laws and specifically with those found in Plato's Laws of ca 350 BCE Constitutional features in biblical law Athenian law and Plato's Laws also contain close correspondences Several genres of biblical law including the Decalogue are shown to have striking parallels with Greek legal collections and the synthesis of narrative and legal content is shown to be compatible with Greek literature All this evidence points to direct influence from Greek writings especially Plato's Laws on the biblical legal tradition Finally it is argued that the creation of the Hebrew Bible took place according to the program found in Plato's Laws for creating a legally authorized national ethical literature reinforcing the importance of this specific Greek text to the authors of the Torah and Hebrew Bible in the early Hellenistic Era This study offers a fascinating analysis of the background to the Pentateuch and will be of interest not only to biblical scholars but also to students of Plato ancient law and Hellenistic literary traditions

In Good Faith Scott A. Shay,2018-09-04 Prominent atheists claim the Bible is a racist text Yet Dr Martin Luther King Jr read it daily Then again so did many ardent segregationists Some atheists claim religion serves to oppress the masses Yet the classic text of the French Revolution What is the Third Estate was written by a priest On the other hand the revolutionaries ended up banning religion What do we make of religion's confusing role in history And what of religion's relationship to science Some scientists claim that we have no free will Others argue that advances in neurobiology and physics disprove determinism As for whispering to the universe an absurd habit say the skeptics Yet prayer is a transformative practice for millions This book explores the most common atheist critiques of the Bible and religion incorporating Jewish Christian and Muslim voices The result is a fresh modern re evaluation of religion and of atheism Scott A Shay is a Co Founder and Chairman of Signature Bank and a longstanding Jewish community activist Shay started a Hebrew school an adult educational program and chaired several Jewish educational programs He is the author of Getting our Groove Back How to Energize American Jewry and has been thinking about religion reason and modernity since wondering why his parents sent him to Hebrew school **The Attic Orators** Edwin Carawan,2007-03-23 The Attic Orators have left us a hundred speeches

for lawsuits a body of work that reveals an important connection between evolving rhetoric and the jury trial The essays in this volume explore that formative linkage representing the main directions of recent work on the Orators the emergence of technical manuals and ghost written speeches for prospective litigants the technique for adapting documentary evidence to common sense notions about probable motives and typical characters and profiling the jury as the ultimate arbiter of values An Introduction by the editor explores the speechwriter s art in terms of the imagined community Four essays appear in English here for the first time and all Greek has been translated *Birth of Nomos* Zartaloudis Thanos

Zartaloudis,2018-11-14 This is a highly original interdisciplinary study of the archaic Greek word nomos and its family of words More recently used to mean simply law or law making Thanos Zartaloudis draws out the richness of this fundamental term by exploring its many roots and uses over the centuries The Birth of Nomos includes extracts from ancient sources in both the original and English translation including material from legal history philosophy philology linguistics ancient history poetry archaeology ancient musicology and anthropology Through a thorough analysis of these extracts we gain a new and complete understanding of nomos and its foundational place in the Western legal tradition **Cultural Perceptions of**

Violence in the Hellenistic World Michael Champion,Lara O'Sullivan,2017-04-21 Violence had long been central to the experience of Hellenistic Greek cities and to their civic discourses This volume asks how these discourses were shaped and how they functioned within the particular cultural constructs of the Hellenistic world It was a period in which warfare became more professionalised and wars increasingly ubiquitous The period also saw major changes in political structures that led to political and cultural experimentation and transformation in which the political and cultural heritage of the classical city state encountered the new political principles and cosmopolitan cultures of Hellenism Finally and in a similar way it saw expanded opportunities for cultural transfer in cities through re constructions of urban space Violence thus entered the city through external military and political shocks as well as within emerging social hierarchies and civic institutions Such factors also inflected economic activity religious practices and rituals and the artistic literary and philosophical life of the polis Legal Theory and the Media of Law Thomas Vesting,2018-02-23 As many disciplines in the

humanities have experienced a focus on culture s impact in recent decades questions surrounding the significance of media such as writing print and computer networks have become increasingly relevant This book seeks to demonstrate that a media and cultural theory perspective can also be highly productive for legal theory **Emotions, persuasion, and public**

discourse in classical Athens Dimos Spatharas,2019-07-22 This book is an addition to the burgeoning secondary literature on ancient emotions Its primary aim is to suggest possible ways in which recent approaches to emotions can help us understand significant aspects of persuasion in classical antiquity and especially audiences psychological manipulation in the civic procedures of classical Athens Based on cognitive approaches to emotions Skinner s theoretical work on the language of ideology or ancient theories about enargeia the book examines pivotal aspects of psychological manipulation in ancient

rhetorical theory and practice At the same time the book looks into possible ways in which the emotive potentialities of vision both sights and mental images are explained or deployed by orators The book includes substantial discussion of Gorgias approach to sights emotional qualities and their implications for persuasion and deception and the importance of visuality for Thucydides analysis of emotions role in the polis public communication It also looks into the deployment of *enargeia* in forensic narratives revolving around violence The book also focuses on the ideological implications of envy for the political discourse of classical Athens and emphasizes the rhetorical strategies employed by self praising speakers who want to preempt their listeners loathing The book is therefore a useful addition to the burgeoning secondary literature on ancient emotions Despite the prominence of emotions in classicists scholarly work their implications for persuasion is undeservedly under researched By employing appraisal oriented analysis of emotions this books suggests new methodological approaches to ancient pathopoia These approaches take into consideration the wider ideological or cultural contexts which determine individual speakers rhetorical strategies This book is the second volume of Ancient Emotions edited by George Kazantzidis and Dimos Spatharas within the series Trends in Classics Supplementary Volumes This project investigates the history of emotions in classical antiquity providing a home for interdisciplinary approaches to ancient emotions and exploring the interfaces between emotions and significant aspects of ancient literature and culture

Collections, Codes, and Torah

Michael LeFebvre,2006-10-01 Scholars of biblical law are already widely agreed that ancient Israel did not draft law texts for legislative purposes This study critiques and challenges the current consensus and presents an alternative hypothesis

The Laws of Hammurabi Pamela Barmash,2020-09-24 Among the best known and most esteemed people known from antiquity is the Babylonian king Hammurabi His fame and reputation are due to the collection of laws written under his patronage This book offers an innovative interpretation of the Laws of Hammurabi Ancient scribes would demonstrate their legal flair by composing statutes on a set of traditional cases articulating what they deemed just and fair The scribe of the Laws of Hammurabi advanced beyond earlier scribes in composing statutes that manifest systematization and implicit legal principles and inserted the Laws of Hammurabi into the form of a royal inscription shrewdly reshaping the genre This tradition of scribal improvisation on a set of traditional cases continued outside of Mesopotamia It influenced biblical law and the law of the Hittite empire significantly The Laws of Hammurabi was also witness to the start of another stream of intellectual tradition It became the subject of formal commentaries marking a profound cultural shift Scribes related to it in ways that diverged from prior attitudes it became an object of study and of commentary a genre that names itself as dependent on another text The famous Laws of Hammurabi is here given the extensive attention it continues to merit

Athens in Paris Miriam Leonard,2005-10-06 Athens in Paris explores the ways in which the writings of the ancient Greeks played a decisive part in shaping the intellectual projects of structuralism and post structuralism arguably the most significant currents of thought of the post war era Miriam Leonard argues that thinkers in post war France turned to the

example of Athenian democracy in their debates over the role of political subjectivity and ethical choice in the life of the modern citizen The authors she investigates who include Lacan Derrida Foucault and Vernant have had an incalculable influence on the direction of classical studies over the last thirty years but classicists have yet to give due attention to the crucial role of the ancient world in the development of their philosophy **The Prison Before the Panopticon** Jacob Abolafia,2024-07-09 A groundbreaking history of philosophy and punishment The Prison before the Panopticon traces the influence of ancient political philosophy on the modern institution of the prison showing how prevailing theories of carceral rehabilitation and common justifications for the denial of liberty developed in classical and early modern thought

Conceptions and Misconceptions of Legislation A. Daniel Oliver-Lalana,2019-06-14 This volume brings together an international group of legal scholars to discuss different approaches to lawmaking As well as reflecting the diversity of jurisprudence as a re emerging academic field it offers a broad overview of current developments and challenges in the theory of legislation and aspires moreover to counterbalance some questionable ideas or misconceptions widespread among jurists on what making laws entails The book is organized into three parts The first comprises a sample of ways and models of legislation ranging from classic legislative ideals to contemporary forms of regulation The essays in this part variances of focus notwithstanding revolve around the notions of legislative rationality quality effectiveness and legitimacy which may be regarded as the cornerstones of jurisprudence Interwoven with these notions is another core jurisprudential concern the justification of laws We address it separately in the next part by exploring the connection between lawmaking argumentation and constitutional democracy under the heading legislation in a culture of justification a number of aspects of this connection are tackled that have not been sufficiently considered so far in jurisprudential literature such as the intricacies of legislative reasoning and balancing or the justificatory problems posed by special interest legislation The under privileged status of jurisprudence in legal studies and the need for socially attentive and citizen oriented legislative research come to the fore in the third part of the book which turns to the relationships between jurisprudence lawyers and citizens All in all the thirteen articles gathered here provide a stimulating insight into the theory of legislation and can hopefully contribute to the reconciliation of the study of law and the study of its making **From Homer to Solon** ,2022-05-02 The study of Archaic Greece has undergone a fundamental transformation in recent decades Whereas studies up to the 1980s had favoured narratives that converged on the more tangible reality of the Classical period and emphasized radical change the increase in archaeological data and the cultural turn have led to an emphasis on long term developments and continuities After an introduction to the state of research the volume offers a wide range of studies under the headings Approaches on early Archaic Greece Citizens and Citizen States and Leaders and Reformers ranging from Homer to Solon and circling around the central problem of continuity and change in Archaic Greece

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