# Epieikeia In Aristotle S Nicomachean Ethics

Paperback reissue of one volume of the English Dominicans' Latin/English edition of Thomas Aquinas' Summa Theologiae.

What does it mean to respect the dignity of a human being? What sort of support do human capacities demand from the world, and how should we think about this support when we encounter differences of gender or sexuality? How should we think about each other across divisions that a legacy of injustice has created? In Sex and Social Justice, Martha Nussbaum delves into these questions and emerges with a distinctive conception of feminism that links feminist inquiry closely to the important progress that has been made during the past few decades in articulating theories of both national and global justice. Growing out of Nussbaum's years of work with an international development agency connected with the United Nations, this collection charts a feminism that is deeply concerned with the urgent needs of women who live in hunger and illiteracy, or under unequal legal systems. Offering an internationalism informed by development economics and empirical detail, many essays take their start from the experiences of women in developing countries. Nussbaum argues for a universal account of human capacity and need, while emphasizing the essential

role of knowledge of local circumstance. Further chapters take on the pursuit of social justice in the sexual sphere, exploring the issue of equal rights for lesbians and gay men. Nussbaum's arguments are shaped by her work on Aristotle and the Stoics and by the modern liberal thinkers Kant and Mill. She contends that the liberal tradition of political thought holds rich resources for addressing violations of human dignity on the grounds of sex or sexuality, provided the tradition transforms itself by responsiveness to arguments concerning the social shaping of preferences and desires. She challenges liberalism to extend its tradition of equal concern to women, always keeping both agency and choice as goals. With great perception, she combines her radical feminist critique of sex relations with an interest in the possibilities of trust, sympathy, and understanding. Sex and Social Justice will interest a wide readership because of the public importance of the topics Nussbaum addresses and the generous insight she shows in dealing with these issues. Brought together for this timely collection, these essays, extensively revised where previously published, offer incisive political reflections by one of our most important living philosophers. Studies the meaning of such key New Testament words as agape, charisma, and hubris in classical and Hellenistic Greek, the Septuagint, and the papyri Digital Technologies and the Law of Obligations critically examines the

emergence of new digital technologies and the challenges they pose to the traditional law of obligations, and discusses the extent to which existing contract and tort law rules and doctrines are equipped to meet these new challenges. This book covers various contract and tort law issues raised by emerging technologies – including distributed ledger technology, blockchain-based smart contracts, and artificial intelligence – as well as by the evolution of the internet into a participative web fuelled by user-generated content, and by the rise of the modern-day collaborative economy facilitated by digital technologies. Chapters address these topics from the perspective of both the common law and the civil law tradition. While mostly focused on the current state of affairs and recent debates and initiatives within the European Union regulatory framework, contributors also discuss the central themes from the perspective of the national law of obligations, examining the adaptability of existing legal doctrines to contemporary challenges, addressing the occasional legislative attempts to deal with the private law aspects of these challenges, and pointing to issues where legislative interventions would be most welcomed. Case studies are drawn from the United States, Singapore, and other parts of the common law world. Digital Technologies and the Law of Obligations will be of interest to legal scholars and researchers in the fields of contract law, tort law, and digital law, as well as to

legal practitioners and members of law reform bodies.

Aristotle and Natural Law lays out a new theoretical approach which distinguishes between the notions of 'interpretation,' 'appropriation,' 'negotiation' and 'reconstruction' of the meaning of texts and their component concepts. These categories are then deployed in an examination of the role which the concept of natural law is used by Aristotle in a number of key texts. The book argues that Aristotle appropriated the concept of natural law, first formulated by the defenders of naturalism in the 'nature versus convention debate' in classical Athens. Thereby he contributed to the emergence and historical evolution of the meaning of one of the most important concept in the lexicon of Western political thought. Aristotle and Natural Law argues that Aristotle's ethics is best seen as a certain type of natural law theory which does not allow for the possibility that individuals might appeal to natural law in order to criticize existing laws and institutions. Rather its function is to provide them with a philosophical justification from the standpoint of Aristotle's metaphysics.

Since the landmark desegregation decisions in the Brown vs. Board of Education cases, the proper role of the federal judiciary has been hotly debated. Has the federal judiciary, in its attempt to legislate social policy, overstepped its constitutional boundaries? In this volume, Gary McDowell considers the equity

power created by Article III of the Constitution, on which the most controversial decisions of the Supreme Court have rested. He points out the equity was originally understood as an extraordinary means of offering relief to individuals in cases of fraud, accident, mistake, or trust and as a means of "confining the operation of unjust and partial laws." It has now been stretched to offer relief to broadly defined social classes. This "sociological" understanding, in McDowell's view, has undermined equity as a substantive body of law. He urges a return to the former definition as a means of restraining the reach of federal jurisdiction. The rule of law is widely perceived to be a public law doctrine, concerned with the way in which governmental authority conforms to the dictates of law. The goal of this book is to challenge this presumption. The chapters in this volume all consider the idea that the rule of law concerns the nature of law generally and the conditions under which any relationship - that among citizens as well as that between citizens and the state - becomes subject to law. Addressing two major questions, they ask if our understanding of the rule of law is enriched by considering how and to what degree it is expressed or realized in private law, and whether our understanding of the private law is enriched by adding the principles of the rule of law to the traditional list of core private law concepts. Bringing together leading philosophers of private and public law, this volume examines

key questions in a little-explored field, and will be essential reading for all those interested in the rule of law and in private law theory.

Author John Staines here argues that sixteenth- and seventeenth-century writers in England, Scotland, and France wrote tragedies of the Queen of Scots - royal heroine or tyrant, martyr or whore - in order to move their audiences towards political action by shaping and directing the passions generated by the spectacle of her fall. In following the retellings of her history from her lifetime through the revolutions and political experiments of the seventeenth century, this study identifies two basic literary traditions of her tragedy: one conservative, sentimental, and royalist, the other radical, skeptical, and republican. Staines provides new readings of Spenser and Milton, as well as of early modern dramatists, to compile a comprehensive study of the writings about this important historical and literary figure. He charts developments in public rhetoric and political writing from the Elizabethan period through the Restoration, using the emotional representations of the life of this tragic woman and queen to explore early modern experiments in addressing and moving a public audience. By exploring the writing and rewriting of the tragic histories of the Queen of Scots, this book reveals the importance of literature as a force in the redefinition of British political life between 1560 and 1690.

Law, Person, and Community: Theological, Philosophical and Comparative Perspectives on Canon Law explores the understanding of the human person that underpins canon law. From theological, philosophical, and comparative perspectives, the book poses the question: What is law?" The book presents canon law as a classical legal system in which the positive law is derived from natural and divine law. The classical approach to law rests upon an understanding of human nature in which reason is able to know first principles and universal goods. The book indicates that the classical understanding contrasts with the modern positivistic theory of law in which the parameters of human reason are limited by the need for empirical verification. In the classical approach, law also reflects the supernatural destiny of the human person. This supernatural end leads to the priority of the contemplative over the political in the design of positive law. In comparison, liberal theory favors a political conception of justice and the human person. Although the classical approach to law recognizes universal norms, it remains open to the historically contingent. As illustrative of its historical development, canon law affirms the right of religious freedom on the basis of the traditional Western doctrines of the dignity of the human person and the separation of church and state. Religious freedom is understood not only as the freedom of individual belief but freedom for the religious community to prosper through the practice of its faith in the pluralistic society. The book suggests that the classical approach to law with its ground in natural and supernatural truth affords a more firm foundation for

the development of human rights than does the modern positivistic theory of law. The book further describes the classical role of law in setting the optimal conditions for human flourishing through membership, participation, and solidarity in community. Canon lawfulfills this function for the religious community of the Catholic Church. The book juxtaposes canon law's view of religious freedom with that of the modern secular state in which religious freedom has been reduced to a matter of private belief. Employing the example of United States constitutional law, the book describes how the modern secular state has curtailed the function of law in fostering the freedom of the religious community in the public order. The book observes that the modern view is at odds with religious traditions such as Judaism, Catholicism, and Islam in which the practice of faith depends on the proper relation between law, person, and community. The book thus proffers that canon law serve as a dialog partner in the broader discussion about what is law."

This is a book on equity in the civil law tradition from the double perspective of legal history and comparative law. It is intended not only for civil lawyers who want to better understand the role and history of equity in their own legal tradition, but also and perhaps more saliently for common lawyers who are curious about why the history of equity has unfolded so differently on the continent of Europe and in Latin America. The author begins with the investigation of the philosophical foundations of the Western notion of equity in the teachings of Plato and Aristotle and of how their ideas affected

the works of the great Attic orators (chapter 2). He then addresses the way in which Roman law turned this notion into a legal concept of considerable practical importance (chapter 3) and how it survived the fall of Rome and was later elaborated in the Middle Ages by civilists and canonists (chapter 4). Subsequently, the author analyses how the notion of equity was dealt with in the Modern Era by legal humanists, Protestant and Catholic theologians, scholars of the usus modernus pandectarum and of Roman-Dutch law, and then by legal rationalism and the philosophers of the Enlightenment (chapter 5). He then deals with the history of equity on the continent since the fragmentation of the ius commune and the codifications of the nineteenth century and with its reception in Latin America (chapter 6). Finally, the author offers some closing remarks on the fundamental equivocalness (or relativity, as some scholars put it) of the notion of equity in the civil law tradition today (conclusion).

Many people assume that what morally justifies private ownership of property is either individual freedom or social welfare, defined in terms of maximizing personal preference-satisfaction. This book offers an alternative way of understanding the moral underpinning of private ownership of property. Rather than identifying any single moral value, this book argues that human flourishing, understood as morally pluralistic and objective, is property's moral foundation. The book goes on to develop a theory that connects ownership and human flourishing with obligations. Owners have obligations to members of the communities that enabled the owners to live flourishing lives by

cultivating in their community members certain capabilities that are essential to leading a well-lived life. These obligations are rooted in the interdependence that exists between owners and their community members, and inherent in the human condition. Obligations have always been inherent in ownership. Owners are not free to inflict nuisances upon their neighbors, for example, by operating piggeries in residential neighborhoods. The human flourishing theory explains why owners at times have obligations that enable their fellow community members to develop certain necessary capabilities, such as health care and security. This is why, for example, farm owners may be required to allow providers of health care and legal assistance to enter their property to assist employees who are migrant workers. Moving from the abstract and theoretical to the practical, this book considers implications for a wide variety of property issues of importance both in the literature and in modern society. These include questions such as: When is a government's expropriation of property legitimated for the reason it is for public use? May the owner of a historic or architecturally significant house destroy it without restriction? Do institutions that owned African slaves or otherwise profited from the slave trade owe any obligations to members of the African-American community? What insights may be gained from the human flourishing concept into resolving current housing problems like homelessness, eviction, and mortgage foreclosure?

Arguments for forgiveness, mercy, and clemency abound. These arguments flourish in

organized religion, fiction, philosophy, and law as well as in everyday conversations of daily life among parents and children, teachers and students, and criminals and those who judge them. As common as these arguments are, we are often left with an incomplete understanding of what we mean when we speak about them. This volume examines the registers of individual psychology, religious belief, social practice, and political power circulating in and around those who forgive, grant mercy, or pose clemency power. The authors suggest that, in many ways, necessary examinations of the questions of forgiveness and pardon and the connection between mercy and justice are only just beginning.

Aristotle's Nicomachean Ethics is the first and arguably most important treatise on ethics in Western philosophy. It remains to this day a compelling reflection on the best sort of human life and continues to inspire contemporary thought and debate. This Cambridge Companion includes twenty essays by leading scholars of Aristotle and ancient philosophy that cover the major issues of this text. The essays in this volume shed light on Aristotle's rigorous and challenging thinking on questions such as: can there be a practical science of ethics? What is happiness? Are we responsible for our character? How does moral virtue relate to good thinking? Can we act against our reasoned choice? What is friendship? Is the contemplative life the highest kind of life? Covering all sections of the Nicomachean Ethics and selected topics in Aristotle's Eudemian Ethics and Protrepticus, this volume offers the reader a solid foundation in

Aristotle's ethical philosophy.

Interpretation of ancient Greek literature is often enough distorted by the preconceptions of modern times, especially on ancient morality. This is often equivalent to begging the question. If we think e.g. of aretê, which has different meanings in different contexts, we shall think in English (or in Modern Greek or in French or in German) and shall falsify the phenomena. If we are to understand the Greek concept e.g. of aretê we must study the nature of the situations in which it is applied. For it is an important fact in the study of Greek society that the Greeks used the one word (e.g. aretê) where we use different words. If we are to understand properly the texts, we have to view them in their historical and social context. Ancient Greek thought needs to be studied together with politics, ethics, and economic behaviour. Moreover, the best insights can be found in those who confine themselves to the terms of each ancient author's analysis. From this principle each of the contributions of the volume begins.

In a society where public speech was integral to the decision-making process, and where all affairs pertaining to the community were the subject of democratic debate, the communication between the speaker and his audience in the public forum, whether the law-court or the Assembly, cannot be separated from the notion of performance. Attic Oratory and Performance seeks to make modern Performance Studies productive for, and so make a significant contribution to, the understanding of Greek oratory. Although quite a lot of ink has been spilt over the performance dimension of oratory, the focus of

nearly all of the scholarship in this area has been relatively narrow, understanding performance as only encompassing 'delivery' – the use of gestures and vocal ploys – and the convergences and divergences between oratory and theatre. Serafim seeks to move beyond this relatively narrow focus to offer a holistic perspective on performance and oratory. Using examples from selected forensic speeches, in particular four interconnected speeches by Aeschines (2, 3) and Demosthenes (18, 19), he argues that oratorical performance encompassed subtle communication between the speaker and the audience beyond mere delivery, and that the surviving texts offer numerous glimpses of the performative dimension of these speeches, and their links to contemporary theatre.

Rationality in Greek Thought, a collection of specially written essays by leading international scholars, re-examines ancient ideas of reason and rationality. Conceptions of reason, rationality, and reasonableness have changed considerably over time, and scholars have all too easily projected contemporary ideas of reason onto ancient thought. This tendency has made it impossible for us fully to understand either the central tenets of ancient philosophers like Plato, Aristotle, and the Stoics, or empiricist tendencies in ancient thought. Rationality in Greek Thought examines distinctive aspects of ancient conceptions of reason, sharpening awareness of the considerable conceptual change, and helping to remove a serious obstacle to a full understanding of ancient philosophical texts. At the same time, the essays stimulate a reassessment of

our own ideas of reason and rationality, helping us set them in historical context and explore alternatives to them.

Mr. Friedrich develops his own position within the framework of the history of Western legal philosophy from the Old Testament down to contemporary writers. In addition, he highlights some important problems of the present day, including certain aspects of legal realism. First published in 1958, this book has been revised and enlarged.

The current study argues that different cultures can coexist better today if we focus not only on what separates them but also on what connects them. To do so, the author discusses how both Aristotle and Confucius see rhetoric as a mode of thinking that is indispensable to the human understanding of the truths of things or dao-the-way, or, how both see the human understanding of the truths of things or dao-the-way as necessarily communal, open-ended, and discursive. Based on this similarity, the author aims to develop a more nuanced understanding of differences to help foster better cross-cultural communication. In making the argument, she critically examines two stereotyped views: that Aristotle's concept of essence or truth is too static to be relevant to the rhetorical focus on the realm of human affairs and that Confucius' concept of dao-the-way is too decentered to be compatible with the inferential/discursive thinking. In

addition, the author relies primarily on the interpretations of the Analects by two 20th-century Chinese Confucians to supplement the overreliance on renderings of the Analects in recent comparative rhetorical scholarship. The study shows that we need an in-depth understanding of both the other and the self to comprehend the relation between the two.

The book presents a new focus on the legal philosophical texts of Aristotle, which offers a much richer frame for the understanding of practical thought, legal reasoning and political experience. It allows understanding how human beings interact in a complex world, and how extensive the complexity is which results from humans' own power of self-construction and autonomy. The Aristotelian approach recognizes the limits of rationality and the inevitable and constitutive contingency in Law. All this offers a helpful instrument to understand the changes globalisation imposes to legal experience today. The contributions in this collection do not merely pay attention to private virtues, but focus primarily on public virtues. They deal with the fact that law is dependent on political power and that a person can never be sure about the facts of a case or about the right way to act. They explore the assumption that a detailed knowledge of Aristotle's epistemology is necessary, because of the direct connection between Enlightened reasoning and legal positivism. They pay attention to the concept of

proportionality, which can be seen as a precondition to discuss liberalism.
This title was first published in 2001: Ethical thinking about medical decision-making has roots deep in history. This collection of contemporary essays by leading international scholars traces the development of modern bioethics and explores the theory and current issues surrounding this widely contested field.
This volume brings together leading scholars and rising researchers in the field of Greek law to examine the role played by the law in thinking and practice in the legal system of classical Athens from a variety of perspectives.
This book analyses whether, and how, equity and equitable principles can be employed as juridical tools in the legal reasoning of judges and lawyers in World Trade Organization (WTO) disputes where there is interaction between norms derived from the multilateral trade regime and other international legal regimes. Bringing the literature on equity and equitable principles in international law up to date this book tackles several legal problems which have emerged in WTO dispute settlement practice as well as engaging with the concept of the fragmentation of international law. The book provides an original argument about the role and significance of equity and equitable principles in the debate over fragmentation by providing a coherent methodology for addressing conflicts and overlaps between WTO and non-WTO norms in the context of Dispute

Settlement Body proceedings.

Although St Thomas Aquinas famously claimed that his Summa Theologiae was written for 'beginners', contemporary readers find it unusually difficult. Now, amid a surge of interest in virtue ethics J. Budziszewski clarifies and analyzes the text's challenging arguments about the moral, intellectual, and spiritual virtues, with a spotlight on the virtue of justice. In what might be the first contemporary commentary on Aquinas's virtue ethics, he juxtaposes the original text with paraphrase and detailed discussion, guiding us through its complex arguments and classical rhetorical figures. Keeping an eye on contemporary philosophical issues, he contextualizes one of the greatest virtue theorists in history and brings Aquinas into the interdisciplinary debates of today. His brisk and clear style illuminates the most crucial of Aquinas' writings on moral character and guides us through the labyrinth of this difficult but pivotal work.

Gabriel Richardson Lear presents a bold new approach to one of the enduring debates about Aristotle's Nicomachean Ethics: the controversy about whether it coherently argues that the best life for humans is one devoted to a single activity, namely philosophical contemplation. Many scholars oppose this reading because the bulk of the Ethics is devoted to various moral virtues--courage and generosity, for example--that are not in any obvious way either manifestations of

philosophical contemplation or subordinated to it. They argue that Aristotle was inconsistent, and that we should not try to read the entire Ethics as an attempt to flesh out the notion that the best life aims at the "monistic good" of contemplation. In defending the unity and coherence of the Ethics, Lear argues that, in Aristotle's view, we may act for the sake of an end not just by instrumentally bringing it about but also by approximating it. She then argues that, for Aristotle, the excellent rational activity of moral virtue is an approximation of theoretical contemplation. Thus, the happiest person chooses moral virtue as an approximation of contemplation in practical life. Richardson Lear bolsters this interpretation by examining three moral virtues--courage, temperance, and greatness of soul--and the way they are fine. Elegantly written and rigorously argued, this is a major contribution to our understanding of a central issue in Aristotle's moral philosophy.

Betr. u.a. Sebastian Castellio und den Druck bzw. die Rezeption von Werken der Kirchenväter in Basel.

A novel rereading of the relationship between ethics and ontology in Aristotle. Aristotle offers a conception of the private and its relationship to the public that suggests a remedy to the limitations of liberalism today, according to Judith A. Swanson. In this fresh and lucid interpretation of Aristotle's political philosophy,

Swanson challenges the dominant view that he regards the private as a mere precondition to the public. She argues, rather, that for Aristotle private activity develops virtue and is thus essential both to individual freedom and happiness and to the well-being of the political order. Swanson presents an innovative reading of The Politics which revises our understanding of Aristotle's political economy and his views on women and the family, slavery, and the relation between friendship and civic solidarity. She examines the private activities Aristotle considers necessary to a complete human life—maintaining a household, transacting business, sustaining friendships, and philosophizing. Focusing on ways Aristotle's public invests in the private through law, rule, and education, she shows how the public can foster a morally and intellectually virtuous citizenry. In contrast to classical liberal theory, which presents privacy as a shield of rights protecting individuals from one another and from the state, for Aristotle a regime can attain self-sufficiency only by bringing about a dynamic equilibrium between the public and the private. The Public and the Private in Aristotle's Political Philosophy will be essential reading for scholars and students of political philosophy, political theory, classics, intellectual history, and the history of women.

The Law in Action in Democratic Athens is the first extensive study of the importance of the rule of law in Athenian democracy.

Applying the ethical concepts of Thomas Aquinas to contemporary moral problems, this book both presents new interpretations of Thomist theology and offers new insights into

today's perplexing moral dilemmas. This volume addresses such contemporary issues as internalized oppression, especially as it relates to women and African-Americans; feminism and anger; child abuse; friendship and charity; and finally, justice and reason. The collection revives Aquinas as an ethicist who has relevant things to say about contemporary concerns. These essays illustrate how Thomistic ethics can encourage and empower people in moral struggles. As the first book to use Aquinas to explore such issues as child abuse and oppression, it includes a variety of approaches to Aquinas's ethics. Aquinas and Empowerment is a valuable resource for students of classical thought and contemporary ethics.

This book is the first collection of essays in English devoted solely to the relationship between Aristotle’s ethics and politics. Are ethics and politics two separate spheres of action or are they unified? Those who support the unity-thesis emphasize the centrality for Aristotle of questions about the good life and the common good as the purpose of politics. Those who defend the separation-thesis stress Aristotle’s sense of realism in understanding the need for political solutions to human shortcomings. But is this all there is to it? The contributors to this volume explore and develop different arguments and interpretative frameworks that help to make sense of the relationship between Aristotle’s Ethics and Politics. The chapters loosely follow the order of the Nicomachean Ethics in examining topics such as political science, statesmanship and magnanimity, justice, practical wisdom, friendship, and the relationship between the

active and the contemplative life. They have in common an appreciation of the relevance of Aristotle’s writings, which offer the modern reader distinct philosophical perspectives on the relationship between ethics and politics.

This book offers a systematic exposition of Aristotle's legal thought and account of the relationship between law and politics.

This collection embodies a debate that explores what could be characterised as the tension between judging and understanding. It seems that after a particular threshold of understanding of the basic facts leading to a given moral transgression, the more we understand the context and motives leading to crime, the more likely we are to abstain from harsh retributive judgement. Martha Nussbaum?s essay ?Equity and Mercy?, included in this collection, is the philosophical starting point of this debate, and Bernhard Schlink?s novel The Reader - a novel exploring the tension between judging and understanding, among other things - is used as a case study by most contributors. Some contributors, situated at one end of the spectrum of views represented in this collection, argue for the wholesale elimination of our practices of retribution in the light of the tension between judging and understanding, while contributors on the other side of the spectrum argue that the tension does not actually exist. A whole array of intermediate positions, including Nussbaum?s, are represented. This anthology is comprised of nearly all specially commissioned essays bringing together work dealing with the moral, metaphysical, epistemological and phenomenological issues required

for properly understanding whether in fact there is a tension between judging and understanding and what the moral and legal implications may be of accepting or rejecting this tension.

Like every discipline, Rhetorical Studies relies on a technical vocabulary to convey specialized concepts, but few disciplines rely so deeply on a set of terms developed so long ago. Pathos, kairos, doxa, topos—these and others originate from the so-called classical world, which has conferred on them excessive authority. Without jettisoning these rhetorical terms altogether, this handbook addresses critiques of their ongoing relevance, explanatory power, and exclusionary effects. A New Handbook of Rhetoric inverts the terms of classical rhetoric by applying to them the alpha privative, a prefix that expresses absence. Adding the prefix ?- to more than a dozen of the most important terms in the field, the contributors to this volume build a new vocabulary for rhetorical inquiry. Essays on apathy, akairos, adoxa, and atopos, among others, explore long-standing disciplinary habits, reveal the denials and privileges inherent in traditional rhetorical inquiry, and theorize new problems and methods. Using this vocabulary in an analysis of current politics, media, and technology, the essays illuminate aspects of contemporary culture that traditional rhetorical theory often overlooks. Innovative and groundbreaking, A New Handbook of Rhetoric at once draws on and unsettles ancient Greek rhetorical terms, opening new avenues for studying values, norms, and phenomena often stymied by the tradition. In addition to the editor,

the contributors include Caddie Alford, Benjamin Firgens, Cory Geraths, Anthony J. Irizarry, Mari Lee Mifsud, John Muckelbauer, Bess R. H. Myers, Damien Smith Pfister, Nathaniel A. Rivers, and Alessandra Von Burg.

Retribution is perhaps the most popular contemporary theory about punishment and has enjoyed enduring appeal as the oldest, even most venerable, penal theory with its strong ancient roots. Retribution is understood in many different ways, but the standard view of retribution is that punishment is justified where it is deserved and an offender should be punished in proportion to his desert. In this volume, retributivism is examined from various critical perspectives, including its diversity, relation with desert, the link between desert and proportionality, retributivist emotions and the idea of mercy. The theory of retribution has been the subject of a revival of interest in recent years and the essays selected for this volume are the leading works on retribution from the dominant international figures in the field.

In this book, experts from the fields of law and philosophy explore the works of Aristotle to illuminate the much-debated and fascinating relationship between emotions and justice. Emotions matter in connection with democracy and equity – they are relevant to the judicial enforcement of rights, legal argumentation, and decision-making processes in legislative bodies and courts. The decisive role that emotions, feelings and passions play in these processes cannot be ignored – not even by those who believe that emotions have no legitimate place in the public sphere. A growing body of literature on

these topics recognizes the seminal insights contributed by Aristotle. This book offers a comprehensive analysis of his thinking in this context, as well as proposals for inspiring dialogues between his works and those written by a selection of modern and contemporary thinkers. As such, the book offers a valuable resource for students of law, philosophy, rhetoric, politics, ethics and history, but also for readers interested in the ongoing debate about legal positivism and the relevance of emotions for legal and political life in today's world.

There is now a renewed concern for moral psychology among moral philosophers. Moreover, contemporary philosophers interested in virtue, moral responsibility and moral progress regularly refer to Plato and Aristotle, the two founding fathers of ancient ethics. The book contains eleven chapters by distinguished scholars which showcase current research in Greek ethics. Four deal with Plato, focusing on the Protagoras, Euthydemus, Symposium and Republic, and discussing matters of literary presentation alongside the philosophical content. The four chapters on Aristotle address problems such as the doctrine of the mean, the status of rules, equity and the tension between altruism and egoism in Aristotelian eudaimonism. A contrast to classical Greek ethics is presented by two chapters reconstructing Epicurus' views on the emotions and moral responsibility as well as on moral development. The final chapter on personal identity in Empedocles shows that the concern for moral progress is already palpable in Presocratic philosophy.

This book examines the birth of the European individual as a juridical problem, focusing on legal case dossiers from the European Court of Justice as an electrifying laboratory for the study of law and society. Foucault's story of the modern subject constitutes the book's main theoretical inspiration, as it considers the encounter between legal and other practices within a more general field of juridical power: a network of active relations, between different social spheres. Through the analysis of delinquent individuals – each expelled from one of the Member States – the raw material for constructing the idea of the European individual is uncovered. The European individual, it is argued, emerged out of the intersection of regimes of law, security and economy, and its practices of knowledge-power. Birth of the European Individual: Law, Security, Economy will be of interest to those studying the individual in law, as well as anyone considering the relationships between power and the individual.

This Handbook triangulates the disciplines of history, legal history, and literature to produce a new, interdisciplinary framework for the study of early modern England. Scholars of early modern English literature and history have increasingly found that an understanding of how people in the past thought about and used the law is key to understanding early modern familial and social relations as well as important aspects of the political revolution and the emergence of capitalism. Judicial or forensic rhetoric has been shown to foster new habits of literary composition (poetry and drama) and new processes of fact-finding and evidence evaluation. In addition, the post-Reformation

jurisdictional dominance of the common law produced new ways of drawing the boundaries between private conscience and public accountability. Accordingly, historians, critics, and legal historians come together in this Handbook to develop accounts of the past that are attentive to the legally purposeful or fictional shaping of events in the historical archive. They also contribute to a transformation of our understanding of the place of forensic modes of inquiry in the creation of imaginative fiction and drama. Chapters in the Handbook approach, from a diversity of perspectives, topics including forensic rhetoric, humanist and legal education, Inns of Court revels, drama, poetry, emblem books, marriage and divorce, witchcraft, contract, property, imagination, oaths, evidence, community, local government, legal reform, libel, censorship, authorship, torture, slavery, liberty, due process, the nation state, colonialism, and empire.