

The Ordeal Of The Longhouse

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The Development of the Criminal Law of Evidence in the Netherlands, France and Germany between 1750 and 1870
The Penny Magazine of the Society for the Diffusion of Useful Knowledge
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richter examines a wide range of primary documents to survey the responses of the peoples of the iroquois league the mohawks oneidas onondagas cayugas senecas and tuscaroras to the challenges of the european colonialization of north america he demonstrates that by the early eighteenth century a series of creative adaptations in politics and diplomacy allowed the peoples of the longhouse to preserve their cultural autonomy in a land now dominated by foreign powers

this book describes the development of the criminal law of evidence in the netherlands france and germany between 1750 and 1870 in this period the development occurred that the so called system of legal proofs was replaced with the largely free evaluation of the evidence the system of legal proofs which had functioned since the late middle ages consisted of a set of strict evidentiary rules which predetermined when a judge could convict someone in this book an explanation is given of the question why between 1750 and 1870 the strict evidentiary rules were replaced with the free evaluation of the evidence the thesis of this research is that the reform was induced by a change in the underlying epistemological and political constitutional discourses which together provided the ideas which inspired a significant reform of the criminal law of evidence

henry charles lea was one of the first american historians to use what would later be termed comparative and anthropological approaches to history under his pen the study of the medieval ordeal becomes a study in cultural history reprinted here from the fourth revised edition of 1892 the book begins by tracing the role of the ordeal in non western and ancient societies showing the mental world to which it belongs a limited trust in the public order and purely human methods of inquiry and a larger faith in divine intervention and immanent justice the work then describes the uses of the institution through the european middle ages to its final abolition and in the process offers a rich typology of ordeals additional documents included in this edition present formulas and descriptions of some of the ordeals most frequently used the ordeal by boiling water by hot water by cold water by hot iron and water by glowing plowshares by fire and the ordeal of the cross

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