



"Sacer esto" y la pena de muerte en la Ley de las XII Tablas [

Universidad de León: Servicio de Publicaciones, 1993

text (article)

Analítica

It has been assumed that the juridical formula sacer esto was no more than a death sentence of the convict. In order to corroborate such a theory some points were shown as evidences: the ambiguity of the idea of sacred in Rome, which used to be identified with the concept of taboo; the existence of human sacrifices from which some scarps remain in the celebration of the ver sacrum; the definition given by Festus which seemed to hint the death of the horno sacer. Thanks to a detailed analysis of the sentences to the capital penalty in the Twelve Tables, of offences which make man sacred, of the real value of the adjective sacer and owing to a new reading of the passage of Festus, we consider ourselves capable of demonstrating that the declaration of horno sacer is not a death penalty but a ejection from society which includes the disgrace of the guilty person

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