Contents

Foreword by John O Ward	V
Acknowledgements	xi
List of contributors	xii
Introduction The necessity of argument: Recovering a lost tradition JT Gleeson and RCA Higgins	xv
PART 1: LAW AND LANGUAGE IN THE GRECO-ROMAN TRADITION	1
Chapter 1 "The empty eloquence of fools": Rhetoric in Classical Greece Ruth CA Higgins	3
Chapter 2 Cicero's De Oratore, Pro Milone and the Philippics: Character, Argument and Emotion Justin T Gleeson	45
Chapter 3 Quintilian and the Public Attainment of Justice Douglas Hassall	87
Chapter 4 Hermogenes of Tarsus: Rhetorical Bridge from the Ancient World to the Modern The Honourable Justice Arthur R Emmett	114
PART 2: THE PRACTICE OF PERSUASION	163
Chapter 5 The Rise (and Fall?) of the Barrister Class The Honourable Michael H McHugh AC, QC	165
Chapter 6 Rhetoric in Law – A Case for Optimism? The Honourable Justice Michael Kirby AC, CMG	194

REDISCOVERING RHETORIC

Chapter 7 Aspects of Rhetoric in Forensic Advocacy Over the Past 50 Years The Honourable Justice JD Heydon AC	217
PART 3: THE POLITICS OF PERSUASION	251
Chapter 8 The Political Rhetoric of American Aspiration Susan Thomas, PhD	253
Chapter 9 20th Century Political Rhetoric: Churchill, Menzies & Whitlam Graham Freudenberg AM	270
Annotated Bibliography for Chapters in Part 1	282
Table of Cases	286
Index	288