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Advanced Legal Writing Theories Strategies In Persuasive Writing

Peter A. O'Connell



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in different ways but all five rejected the magisterial opinion style of the eighteenth and nineteenth centuries in favor of a more personal and conversational format As a result their opinions have endured and even modern readers who cannot recall the justices names understand and embrace the ideas expressed in their legal writings and apply those ideas to current debates Practicing lawyers professors and students can use this book to study legal writing techniques and make their own writing more persuasive Essentials of Lawyering Skills in Africa Festus Emiri, Ernest Owusu-Dapaa, 2020-07-01 In twenty two chapters divided into six parts for convenience the authors not only lay bare the art of lawyering but also provide invaluable nuggets of perfecting and excelling as a solicitor and advocate There is little doubt that the contents of this book dramatically make a lawyer especially the lawyer in Africa to be more effective more skilful and a proper lawyer useful to the client and society **Critical and Comparative Rhetoric** Elizabeth Berenguer, Lucy Jewel, Teri A. McMurtry-Chubb, 2023-06-30 Through the lenses of comparative and critical rhetoric this book theorizes how alternative approaches to communication can transform legal meanings and legal outcomes infusing them with more inclusive participation equity and justice Viewing legal language through a radical lens the book sets aside longstanding norms that derive from White and Euro centric approaches in order to re situate legal methods as products of new rhetorical models that come from diasporic and non Western cultures The book urges readers to re consider how they think about logic and rhetoric and to consider other ways of building knowledge that can heal the law s current structures that often perpetuate and reinforce systems of privilege and power *Narrative and Metaphor in the Law* Michael Hanne, Robert Weisberg, 2018-02-08 Scholars from many disciplines discuss the crucial roles played by narrative and metaphor in the theory and practice of law *When Dissents Matter* Pamela C. Corley, Amy Steigerwalt, Artemus Ward, 2023-09-26 The ability of US Supreme Court justices to dissent from the majority to formally register and explain their belief that a case has been wrongly decided represents a time honored tradition of perhaps the most august American institution Yet the impact of these dissents which allow justices to engage in a dialogue over law and policy has seldom if ever been the focus of dedicated study Analyzing the influence of past dissents on later Supreme Court majority opinions this book presents the first comprehensive study of the effects of dissenting opinions and illuminates which types of dissents successfully influence legal and policy debates which ones fail to make a difference and why Drawing on the private papers of the justices and original data this book demonstrates that court majorities engage with dissents posing a particular threat to their opinions and that they can be persuaded by thoughtful and careful dissenting arguments **Introduction to Classical Legal Rhetoric** Michael H. Frost, 2017-03-02 Lawyers law students and their teachers all too frequently overlook the most comprehensive adaptable and practical analysis of legal discourse ever devised the classical art of rhetoric Classical analysis of legal reasoning methods and strategy is the foundation and source for most modern theories on the topic Beginning with Aristotle s Rhetoric and culminating with Cicero s De Oratore and Quintilian s Institutio Oratoria Greek and Roman rhetoricians created a clear

experience based theoretical framework for analyzing legal discourse This book is the first to systematically examine the connections between classical rhetoric and modern legal discourse It traces the history of legal rhetoric from the classical period to the present day and shows how modern theorists have unknowingly benefited from the classical works It also applies classical rhetorical principles to modern appellate briefs and judicial opinions to demonstrate how a greater familiarity with the classical sources can deepen our understanding of legal reasoning *Cicero and Modern Law* Richard O. Brooks, 2017-07-05 *Cicero and Modern Law* contains the best modern writings on Cicero's major law related works such as the *Republic* *On Law* *On Oratory* along with a comprehensive bibliography of writings on Cicero's legal works These works are organized to reveal the influence of Cicero's writings upon the history of legal thought including St Thomas the Renaissance Montesquieu and the U S Founding Fathers Finally the articles include discussions of Cicero's influence upon central themes in modern legal thought including legal skepticism republicanism mixed government private property natural law conservatism and rhetoric The editor offers an extensive introduction placing these articles in the context of an overall view of Cicero's contribution to modern legal thinking **The Rhetoric of Seeing in Attic Forensic Oratory** Peter A. O'Connell, 2017-03-01 In ancient Athenian courts of law litigants presented their cases before juries of several hundred citizens Their speeches effectively constituted performances that used the speakers appearances gestures tones of voice and emotional appeals as much as their words to persuade the jury Today all that remains of Attic forensic speeches from the fifth and fourth centuries BCE are written texts but as Peter A O Connell convincingly demonstrates in this innovative book a careful study of the speeches rhetoric of seeing can bring their performative aspect to life Offering new interpretations of a wide range of Athenian forensic speeches including detailed discussions of Demosthenes *On the False Embassy* Aeschines *Against Ktesiphon* and Lysias *Against Andocides* O Connell shows how litigants turned the jurors scrutiny to their advantage by manipulating their sense of sight He analyzes how the litigants words work together with their movements and physical appearance how they exploit the Athenian preference for visual evidence through the language of seeing and showing and how they plant images in their jurors minds These findings which draw on ancient rhetorical theories about performance seeing and knowledge as well as modern legal discourse analysis deepen our understanding of Athenian notions of visibility They also uncover parallels among forensic medical sophistic and historiographic discourses that reflect a shared concern with how listeners come to know what they have not seen

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