Outline:

Eloquence for Secondary Students

Roman eloquence history

- Roman teachers first created declamation after preliminary exercises in Progymnasmata. They would have been confused about why modern educators do not guide their classes past the preliminary exercises. Schlect uses the analogy of playing piano scales without ever attempting to learn a song afterwards.
- Classical educators like Schlect want to regain it for the best insights. Typically, the first approach to achieve this renaissance of ancient persuasion is to examine the ancient speeches. However, students don't construct skills by reading the theory or texts, teachers evaluate their performance.
- Ancient training in rhetoric has produced figures like Hortensia and Cicero.

Roman oratory activities - Declamation

- **Declamation exercises:**
- Rhetorical scenarios that force students to engage their literary and oratory skills. They are the next step in practicing eloquence after preliminary exercises.
- Students enjoy these activities where they fine-tune speech nuances - **identification of issues and respective stances, amplification, analysis, comparison, etc.**
- *"Players who act in real life."* - Cicero, regarding orators
- These exercises usually depict courtroom scenarios
- **Why did the Roman education pay so much attention to judicial performance?**
  - Courtroom setting is the best training ground for eloquence in other oratory fields.
  - Romans value eloquence in all situations. Declamation became popular outside of school, even to the extent of entertainment.

- **Two elements in Declamation exercise.**
  - Statement of law
  - Brief fact pattern.

First example (introduced by Seneca the elder)
- Violating a tomb carries a penalty. While the city was at war, a hero lost his weapons and borrowed other weapons from a dead hero's tomb, then returned them after the war. He was rewarded for fighting in the battle but prosecuted for raiding the tomb.
- Student has to defend or critique the hero in a 7-10 minute speech. The sparseness of the problem provides value.
- The law and setting are simulations so there's no information to research, the students cannot rely on studying a material to win.
- Stasis Theory
  - Hallmark of rhetorical invention, where the accusation conflicts with the defense. This creates systems for defining the various courtroom situations

Second example
- *A police officer pulls you over at the traffic stop for crossing into the oncoming lane.*
- If you deny
  - **Conjectural Issue** - denying the facts.
- If you say, "Yes I did, but law allows for it if lane wasn't occupied."
  - **Legal Issue** - defending the context behind the action
- If you say, "Yes but I was swerving to avoid a cat."
  - **Issue of Mitigation** - confessing action, accepting that it's a legal infraction, but explaining that he broke a law to avoid a more dire consequences.

Third example
- *Law grants landowner exclusive right to game on their own property. The State deems that a certain animal is a menace and grants bounty to anyone who kills one within the realm. Man discovers one of these on his neighbor's property and kills it.*
- Both man and neighbor then claim bounty. Which one should get the bounty?
- This is an **Issue of Conflicting Laws**, according to most Roman systems of Stasis Theory.

Fourth example
- *Law forbids exporting wool from Terenta. Terentine shepherd sells sheep to a foreigner and is labelled a law violator.*
- This is an **Issue of Definition**.

In conclusion, Schlect demonstrates one of these exercises
- *Law prohibits law officials from being named in stage comedy. A playwright produces a play mocking one of its characters Simon. Mannerisms and speech resemble Patrocles, state official. Playwright brought before the law court.*
- **Exercise: Prosecute or defend playwright**

- - Law prohibits state officials from being named in stage comedy. Schlect wonders if prosecutor had forgotten the contextual principles behind this law.
  - Schlect invites juror to review the list of character names and compare it to the roster of state officials.
- **Key questions:**
  - Does this law extend to putting a copyright on state officials' behavior and outfits?
  - If forefathers had cared about these intricate gestures, wouldn't they have defined these distinctions more strongly?
- Law is primarily to safeguard the individual's identity and dignity.
- Law also reflects the appreciation of place of public discourse in a free society. People have the right and freedom to critique and discuss a man's values and views, but they do not have that right to attack his identity.
- Prosecutors would have the court decision revolve around the infraction of a law that isn't clearly delineated. If the system could interpret laws and make decisions based off of that, then the original purpose of the law is being dismissed and abused through a ruler's whim. This violates a free society.