

Preparation/Homework (for student & teacher)

Teacher:

1. Read “The Myth of the Rhetorical Situation” by Richard Vatz and the following review of Rogerian argument: <https://writing.colostate.edu/guides/teaching/co300man/com5e1.cfm>
2. Review historical events that students can discuss over the course of the week. Suggestions for this week are MLK Jr.’s last speech “I’ve Been to the Mountaintop” and RFK’s speech (delivered the next day) on the assassination of MLK. These two speeches highlight excellent use of the rhetorical appeals, allow application of a rhetorical situation analysis; and show examples of Rogerian Argument in action.

Student:

1. Read and take notes on “The Myth of the Rhetorical Situation” by Richard Vatz.
2. Do some research on the Rogerian method of argument; Read the following excerpt: <https://writing.colostate.edu/guides/teaching/co300man/com5e1.cfm> What are the goals of Rogerian argument?

Lesson Objectives

1. Continue rhetorical situation analysis and apply to key historical moments.
2. Describe Vatz’s perspective/critique of Bitzer’s work on the rhetorical situation.
3. Consider which perspective is applicable in most legal situations.
4. Introduce Rogerian approach to argument.

Journal (beginning of class) &/or Discussion Prompt (prior to class)

1. Explain the main distinction between Bitzer and Vatz. Whose viewpoint do you agree with more? Which perspective applies most to legal situations? Think of the small group work you did last week? Does the situation call for rhetoric or does the rhetor create the situation?
2. Think of the Rogerian approach to argument. Why is this method helpful? Are there any difficulties to this approach? Now, think of legal situations and legal writing. Is there any context where application of the Rogerian approach to argument may be helpful? If so, when and why?

Activity in Class/Discussion

1. Discussion (15-20 minutes): What is the main distinction between Vatz and Bitzer? (clarify Bitzer relies on a situation to create rhetoric and Vatz argues the rhetoric itself (or rhetor) can create/craft a situation. The common understanding is that legal contexts align more with Bitzer (a situation calls for a response). However, students should consider how individuals can change the outcome of a particular situation based on their involvement (e.g. a jury with one group of people could produce a dramatically different result than another. This is why things like jury selection matter so much).
2. Provide the background context for the MLK Speech, “I’ve Been to the Mountaintop.” MLK was in Memphis to support striking sanitation workers in April of 1968. Then play: <https://youtu.be/zgVrlx68v-0?si=aLwesbLNSHpBHZGC> (explain to students this is an excerpt of the last 3 minutes of the speech.) At the end of this video the assassination of MLK is announced (it happened less than 24 hours after the speech was delivered.
3. Play the following speech delivered by RFK Jr. (RFK was running for the Democratic nomination for President at the time and was in the middle of campaigning when he delivered an impromptu speech within hours of MLK Jr.’s assassination: <https://youtu.be/A2kWia8wSC0?si=fAGOpymWZamXe7-F>.
4. Do a joint rhetorical analysis based on these speeches. Focus particularly on Bobby Kennedy’s speech (there are moments that would have changed had he delivered the speech today (racial awareness issues). Discuss how an understanding of the rhetorical situation can assist with understanding key historical and legally relevant moments.

Connection to Course Objectives

1. Apply the rhetorical situation and rhetorical theory to assist with an understanding of key legal/historical moments.
2. Consider the role of audience when legal rhetoric is delivered.

Reflections (draft notes below)