

[Tauristercus Ciceronis: Cicero and the Importance of Performative Bullshit](#)

1) *Pro Archia 3*

quaeso a vobis, ut in hac causa mihi detis hanc veniam, adcommodatam huic reo, vobis (quem ad modum spero) non molestam, ut me pro summo poeta atque eruditissimo homine dicentem, hoc concursu hominum literatissimorum, hac vestra humanitate, hoc denique praetore exercente iudicium, patiamini de studiis humanitatis ac litterarum paulo loqui liberius, et in eius modi persona, quae propter otium ac studium minime in iudiciis periculisque tractata est, *uti prope novo quodam et inusitato genere dicendi*.

However, I beg you that in this matter you will grant me some leeway, suitable to this case, which I hope will be in no way a problem for you, and that you will allow me, speaking as I am on behalf of this illustrious and most erudite man, in front of this gathering of the most learned men with such refinement and in front of this praetor sitting here in judgement, to describe just a little bit freely enlightened and scholarly endeavors, and, as is appropriate for this man's nature, which has, on account of his studies and his leisure been dragged so few times into the dangers of legal proceedings, to use a new and unusual manner of argumentation.

2) *Pro Archia 8*

Si nihil aliud nisi de civitate ac lege dicimus, nihil dico amplius: causa dicta est. Quid enim horum infirmari, Grati, potest? *Heracliaene* esse tum ascriptum negabis? Adest vir summa *auctoritate et religione et fide*, M. Lucullus, qui se *non opinari sed scire non audisse sed vidisse, non interfuisse sed egisse* dicit. Adsunt *Heraclienses* legati, nobilissimi homines: huius iudicii causa cum mandatis et cum publico testimonio [venerunt]; qui hunc ascriptum *Heracliensem* dicunt. His tu tabulas desideras *Heracliensium* publicas: quas Italico bello incenso tabulario interisse scimus omnis. Est ridiculum ad ea quae habemus nihil dicere, quaerere quae habere non possumus; et de hominum memoria tacere, litterarum memoriam flagitare; et, cum habeas amplissimi viri religionem, integerrimi municipi ius iurandum fidemque, ea quae depravari nullo modo possunt repudiare, tabulas, quas idem dicis solere corrumpi, desiderare.

If I have nothing more to say about his citizenship and the law, if I have nothing more to say at all, then the case is closed. For, Gratius, is it possible for any of this to be refuted? Will you deny that he was at that time enrolled in the roll at Heraclea? There is a man here today with the best reputation, a pious and credible man, Marcus Lucullus, who affirms that he does not think but that he knows, that he does not hear but that he says, that he was not simply present at but that he did the thing. The Heracleian deputies are here, those most noble men, who have come here for the sake of this proceeding and with this public statement: that Archias was enrolled at Heraclea. And still you want the public records of Heraclea to be produced, we all know were destroyed by fire during the Italian War. It's risible to say nothing about the evidence that we do have and to seek what we don't; and to be silent concerning human memory and to solicit only the testimony of written records; and, since you have the credible testimony of this excellent man, you have the sworn testimony of an unbiased citizenry, things which cannot be impugned, and yet you do, and demand written records though at the same time you claim that they are able to falsify.

3) *Pro Archia 32*

Quae de causa pro mea consuetudine breviter simpliciterque dixi, iudices, ea confido probata esse omnibus. *Quae* autem remota a mea iudicialique consuetudine, et *de hominis ingenio* et communiter *de ipsius studio* locutus sum, ea, iudices, a vobis spero esse *in bonam partem accepta*; ab eo qui iudicium exercet, certo scio.

I have spoken briefly and simply about the facts of this according to my custom, judges, and I trust that my words have been approved by you all. On the other hand, those things I said which were far removed from my usual court-room practice, and about the genius of this man and more generally about his endeavors, these things, judges, I hope have been accepted by you in the spirit in which they were intended as much as I am certain that they have been by the man who is presiding over this case.

4) *Plutarch Life of Cicero 39*

λέγεται δὲ καὶ Κοῖντου Λιγαρίου δίκην φεύγοντος ὅτι τῶν Καίσαρος πολεμίων εἷς ἐγεγόνει, καὶ Κικέρωνος αὐτῷ βοηθοῦντος, εἰπεῖν τὸν Καίσαρα πρὸς τοὺς φίλους: ‘τί κωλύει διὰ χρόνου Κικέρωνος ἀκοῦσαι λέγοντος, ἐπεὶ πάλαι κέκριται πονηρὸς ὁ ἀνὴρ καὶ πολέμιος;’

It is said that when Quintus Ligarius was being put on trial because he had been one of Caesar's enemies, and that Cicero served as his advocate, that Caesar told his friends: “What is there that stops us from listening to Cicero speak after so much time, when that man [Ligarius] has already been deemed a good-for-nothing and my enemy?”

5) *Pro Ligario 1*

Novum crimen, C. Caesar, et *ante hanc diem non auditum* propinquus meus ad te Q. Tubero detulit, Q. Ligarium in Africa fuisse, idque C. Pansa, praestanti vir ingenio, fretus fortasse familiaritate ea quae est ei tecum, ausus est confiteri. Itaque quo me vertam nescio. *Paratus enim veneram*, cum tu id neque per te scires neque audire aliunde potuisses, ut ignoratione tua ad hominis miseri salutem abuterer. Sed quoniam diligentia inimici investigatum est quod latebat, confitendum est, opinor, praesertim cum meus necessarius Pansa fecerit ut id integrum iam non esset, *omissaque controversia omnis oratio ad misericordiam tuam conferenda est*, qua plurimi sunt conservati, cum a te non liberationem culpae sed errati veniam impetravissent.

It is a new type of crime, Gaius Caesar, and one never heard of before this day that my relative Quintus Tubero has brought before you, that Quinus Ligarius had been in Africa, and this is the crime that Gaius Pansa, that man of outstanding character, perhaps leaning on his familiarity with you, has dared to avow. Thus, I do not know how to proceed. I had been prepared, when you didn't know anything about this, to make use of your ignorance for this wretched man's benefit. But, since what was hidden has been exposed by the earnestness of my opponent, it must be confessed, I think, especially since my friend Pansa made it so that it is no longer up for debate, that the entire question must be tossed out and my whole speech be turned towards your pity, by which so many men have been saved, since the obtained from you not a freedom from fault but a pardon for a mistake.

All translations of Latin texts are my own adaptations from the respective Loeb Classical Library texts.

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