

Tauristercus Ciceronis: Cicero and the Importance of Performative Bullshit

Since the original publication of Frankfurt's *On Bullshit* in 1986 and especially since its reissue in 2005, the study of bullshit, or *taurascatics*, as Fredal (2011, 243) has termed it, has been the focus of a number of cross-disciplinary arguments. There are, of course, many kinds of bullshit, as evidenced by the work of Frankfurt (2005), Cohen (2002), Preti (2006), and Carson (2016), among many others. What we see in Roman Republican oratory, what I would argue is the key to Republican oratory, is what I call *performative bullshit*. This type of bullshit creates a relationship between orator and audience that delineated clearly when the orator was bullshitting and when he was not through deliberate misdirection while simultaneously avoiding lying in order to strengthen the legal arguments of the case at hand. I will argue that performative bullshit was a key component of Cicero's rhetorical strategy.

Fredal (2011, 254-6) has highlighted the importance of audience as well as the "asymmetrical power relations" that are integral to the act of bullshitting. Because bullshit is inextricable from the orator-audience relationship, especially as it pertains to the actual or artificial power dynamics between speaker and audience, the rhetorical usefulness of bullshit in Ciceronian oratory is apparent. As Tietge (2006) has argued, rhetoric is not the same as bullshit, but, and herein lies the importance of studying Ciceronian *taurascatics*, rhetoric can both create bullshit, as a demonstration of the orator's skill, and help an audience understand when the orator is bullshitting, through its own knowledge of rhetoric. That the audience understood when an orator was bullshitting them and when he was not contributed to a positive assessment of the skill of the orator and invited closer attention to the non-bullshit present in the speech. Bullshit is thus integral to the performative aspect of forensic rhetoric as well as the argumentative aspect.

Two speeches provide salient examples: the delivered *Pro Archia* and the literary *Pro Milone*. Both are indicative of the importance of bullshit and the author-audience relationship that allowed for, even required, bullshit. In *Pro Archia*, the long discourse on the value of literature that occupies the last three-quarters of the speech is a testament to creativity. With almost no relation to the question of law that is at issue, this encomium of the humanities is justly praised for its content instead of its function as proof of Archias' citizenship. I will argue is that this discourse is also a demonstration of bullshit's utility for an orator faced with a case in which rational rather than legal proof is required. Bullshit in fact worked in conjunction with stasis theory, not against it, and Cicero's audience was fully aware that he was bullshitting them (§9). The presence of bullshit in a forensic speech was not a sign of a weak argument but rather, because bullshit is inextricably tied with the truth, a way of promoting or exacting the truth while simultaneously establishing the author-audience relationship critical to a successful oration. This separation of bullshit from truth was key for the success of the speech; the audience expected bullshit in a forensic setting as much as they expected in an epideictic setting. With *Pro Milone*, Cicero's original speech failed precisely because the presence of armed soldiers and the rowdiness of Clodius' supporters disallowed his natural ability to bullshit and removed the audience expectation of performative bullshit. In the revised speech, particularly sections 72-83, Cicero engages in performative bullshit to demonstrate not a disregard for the truth but to fill in the gaps for a jury did not hear the witness testimony (§46). Through his performative bullshit, Cicero created a version of events that used the author-audience relationship to craft a masterful argument that bridged the gap between truth and opinion.

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