

III. Curse Tablets

Und sie laufen! Nass und nasser
wird's im Saal und auf den Stufen,
Welch entsetzliches Gewässer!
Herr und Meister, hör' mich rufen!
Ach, da kommt der Meister!
Herr, die Not ist groß!
Die ich rief, die Geister,
werd' ich nun nicht los.
(Johann Wolfgang von Goethe,
Der Zauberlehrling)

In addition to forensic speeches, curse tablets also served as a means for Athenians to talk about and exert violence in a ritual frame. The deposition of a curse tablet was a highly performative act, and the various magic formulas invoked were often viewed as a means of conflict resolution, regardless of the fact that malign magic could potentially exacerbate a conflict. What we know about binding-spells in ancient Athens, the so-called *defixiones* (Greek: *katadesmoi*), confirms this picture. The *defixiones*, “more commonly known as curse tablets, are inscribed pieces of lead, usually in the form of small, thin sheets, intended to influence, by supernatural means, the actions or welfare of persons or animals against their will.”¹ People deposited curse tablets in order to help cope successfully with crises.² Current evidence suggests that the Greek practice of depositing these tablets arose in Sicily during the sixth century BCE and was in use well into the late Byzantine and Ottoman periods. The use of this kind of ritual magic in Western Europe for over two thousand years suggests that its practitioners must have believed in its efficacy. The apparent importance of magic practices in the cultural context of conflict resolution provides the primary reason why it is necessary to examine the phenomenon here, despite the otherwise narrow definition of violence underlying this book.

In order to understand magic, one has to take into consideration the entire social context of a society, for magic can only work under special

1 SGD p. 151.

2 Graf 1996, 117, 139, 142.

circumstances. In order for magic to work effectively, it has to be deeply engraved in a culture's way of thinking, and notions of a magical worldview have to permeate that culture's social, economic, and psychological fabrics.³ This worldview is not only rooted in play, its outcome being as contingent and unpredictable as that of an Athenian trial,⁴ but is also characterized by a combination of integrative and logical thinking. It is inappropriate to judge magic in scientific terms only.⁵ It is true that both magic and science operate on analogical thought and action, but magic embraces "persuasive analogy," whereas science is based on "empirical analogy."⁶ Tambiah's far-reaching finding that magical speech acts are marked by two types of figurative speech, metaphor and metonymy,⁷ helps to explain, for example, the enumeration of body parts in ancient curse tablets.

Cross-cultural evidence suggests that the preconditions sketched above are also valid in the case of ancient Athens. The economy of ubiquitous sorcery in contemporary West Africa is strikingly similar to what we know about Athens.⁸ In Africa, envy and the resulting evil eye are the driving factors behind magic. In order to avoid these dangers, the rich give part of their wealth to the poor so as not to be cursed. Did rich Athenians not feel compelled to engage in *euergesia* and give to the poor in form of donations and *leitourgiai* also in order to be spared from *phthonos* and *baskania* (envy and the evil eye), and *katadesmoi*? In antiquity, many well-to-do made a virtue out of this necessity and strove to outdo each other with lavish gifts to the *dēmos* of the Athenians.

3 Mauss 1972, 9, 122 establishes magic as a "collective idea," a "social phenomenon," which is the main theme of his book. I am aware of how problematic the notion of a "magical worldview" is, but nevertheless use the term for heuristic reasons to describe Athens as a society for which magic seems to have worked. Cf. in addition Wax 1962 on the magical worldview.

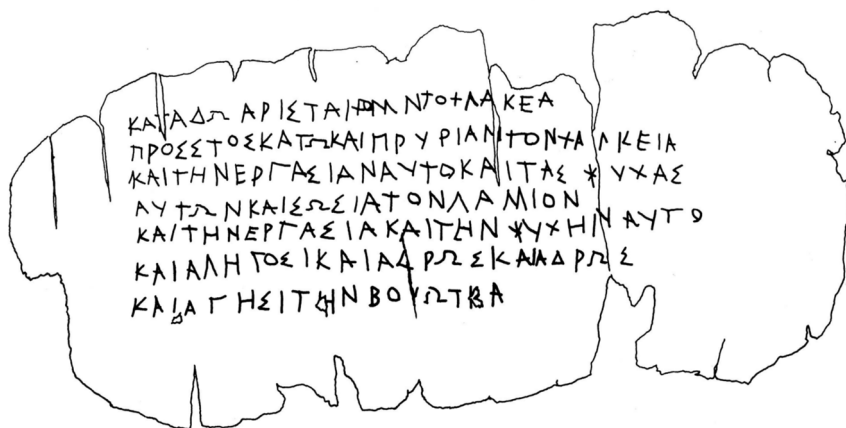
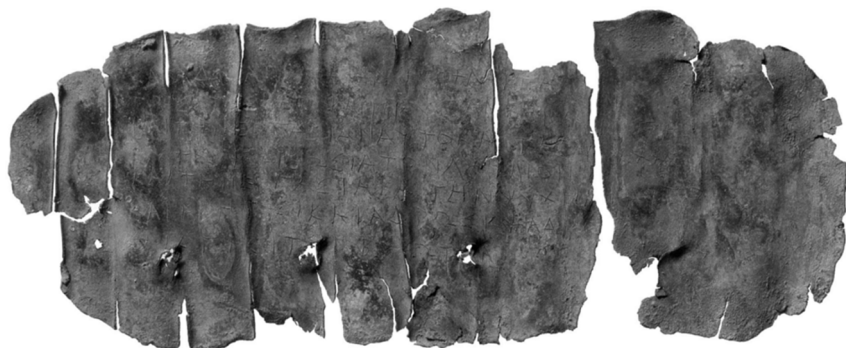
4 Huizinga ⁴1964, 76–88. Cf. above 138, n. 529 on the irrationality of the Athenian law court system.

5 Tambiah 1985a, 60.

6 Tambiah 1985a, 72.

7 Tambiah 1985b, 41–43.

8 Signer 2005.



IL 997

Both images are taken from J. B. Curbera – D. R. Jordan, “A Curse Tablet from the Industrial District near the Athenian Agora,” *Hesperia* 67, 1998, 215–218. On the ensuing page (unnumbered), plate 32 shows a photo and drawing of this curse tablet (Agora Inv. no. IL 997). Reproduction is courtesy of the Trustees of the American School of Classical Studies at Athens.

Transcription (p. 216):

καταδῶ Ἀρίσταιχμον τὸ<ν> χλακέα
 πρὸς τὸς κάτω καὶ Πυρρίαν τὸν χαλκεία
 καὶ τὴν ἐργασίαν αὐτοῦ καὶ τὰς ψυχὰς
 αὐτῶν καὶ Σωσία<ν> τὸν Λάμιον
 καὶ τὴν ἐργασία<ν> καὶ τὴν ψυχὴν αὐτοῦ
 καὶ ἃ λήγουσι καὶ ἃ δρῶσ<ι> {καὶ ἃ δρῶσ<ι>}
 καὶ Ἀγησι<ν> τὴν Βοιωτία<ν>.

Translation (p. 217):

‘I bind down Aristaichmos the smith
 before those below and Pyrrhias the
 smith and his work and their souls
 and Sosias of Lamia and his work
 and soul and what they say and what
 they do {and what they do} and
 Hagesis of Boiotia.’

Numerous scholars have categorized the curse tablets in various ways.⁹ Today, we distinguish five categories:¹⁰

- (1) Judicial or so-called “litigation curses.” These include political curses, but whether there is a separate and distinct category of political *defixiones* is a matter of debate.¹¹
- (2) *Defixiones agonisticae*, concerning competitions. In classical Athens, these curses refer to theatrical rather than sporting events; during the Roman Empire, they deal with athletes, charioteers, and gladiators.¹²
- (3) Trade curses or business/commercial spells, concerning the world of small-scale craftsmen and merchants.¹³ These open a window onto social strata that are otherwise almost unattested in the literary sources.
- (4) Erotic curses. These can be divided along chronological lines into the earlier separation (or separative) love spells (*diakopoi*)¹⁴ and the later attraction spells (*agôgai*).¹⁵
- (5) “Prayers for justice.” These do not have much in common with conventional binding spells;¹⁶ rather, their goal is the restitution of stolen goods and the punishment of the thieves. They are primarily a later phenomenon.

Given the chronological distribution of the different categories, this chapter will be mainly concerned with litigation and business spells preserved from fourth-century BCE Athens.

A few words on the situation of the sources may be appropriate. Approximately three hundred curse tablets have been excavated in Athens over the past hundred years, about two hundred seventy of which date

9 Graf 1996, 110, superseding Audollent 1904, lxxxix and, based on him, Trumpf 1958, 101; Gager 1992, 42–199; Faraone 1991a, 10, 16; Versnel 1991a, 62; Faraone 1985, 151; Preisendanz 1972, 9–10, 22; Kagarow 1929, 50.

10 I follow Ogden 1999, 31.

11 Gager 1992, 119.

12 Cf. Tremel 2004.

13 Ogden 1999, 33–35 in detail.

14 The best definition is given by Faraone 1991a, 13–14: “‘lover’s triangle,’ where two individuals were competing for the affections of a third.”

15 More subdivisions in Gager 1992, 79–80. Winkler 1990 has become a classic on attraction spells. Erotic spells must have been practiced at an earlier time in Athens, too (Lucianus, *DMeretr.* 4.4–5; S. *Tr.* 555–587, 1138–1142; Antiphon 1).

16 Versnel 1991a has established this category. Gager 1992, 175–199 speaks of pleas for justice and revenge.

back to the fourth century BCE.¹⁷ Whereas literary sources are easily accessible in manifold editions and in most cases also in translation, the state of the edition of curse tablets is still deplorable. A reliable, comprehensive edition of Athenian curse tablets corresponding to modern standards is lacking.¹⁸ This unfortunate situation is the reason for the curse tablets' being under-researched for their socio-historical value.

This chapter pursues two goals. A first thesis questions the *communis opinio*, which holds that the degree of violence expressed in these tablets was low. My own reading challenges this assumption by elucidating the highly ritualized form of violence exerted by these tablets, which are themselves imbued with the language of socially prevalent civil discourses on violence. I will demonstrate that, underneath the tame linguistic surface, quite a few curses may have been designed to kill the victim; moreover, further deliberations suggest that the potential of violence contained in binding magic was generally higher than scholarship has so far surmised.

A second thesis focuses on curse tablets in their role as an invaluable source for the study of Athenian culture. Because the texts preserved on these tablets display precise linguistic rules and discursive practices, and performance and theatricality play an important role in this genre, applying ritual and performance theory will add much to the current understanding of the curse texts. It is my goal to illuminate the discursive practices demonstrable in the extant body of curse tablets through a close reading of select texts. In doing so, I will explore the relationship between binding magic and Athenian democratic principles and procedures, with the goal of demonstrating that some assumptions underlying magic ritual reflect cultural practices of the Athenian democracy and can even be shown to be analogous to some aspects of Athenian lawcourt procedures.

17 Rabehl 1906 and Wilhelm 1904 could date most extant tablets to the fourth century BCE on grounds of prosopographical criteria.

18 Cf. the brief overview of research in Brodersen 2001, 57–59 and Ogden 1999, 86–90. The point of departure for every work on the Attic tablets is still the appendix of DTA. DT offers a few Attic curse tablets but deliberately excludes the pieces in DTA in order to publish all curse tablets known by 1904 in the Mediterranean basin. Indispensable are the overviews by Jordan (SGD and NGCT). Nevertheless, anyone working on this material is forced to consult the original publications.

Proportions – Social Origins of Cursers – Functions of Tablets

As in West Africa, magic in ancient Athens had to do with envy (*phthonos*)¹⁹ and the evil eye (*baskania*).²⁰ Although these phenomena occur in practically every human community, they are especially prevalent in societies that place a great deal of emphasis on competition and the values of honor and shame.²¹ Officially, envy was regarded as a base, destructive, and shameful emotion and thus not as a legitimate motivation for litigation in Athens, whereas enmity and revenge were acceptable reasons for taking someone to court.²² In reality, however, many forensic speeches in Athens must have been motivated by envy as well, among other reasons, for we will see that many orators and those who commissioned magicians shared the same motives and, in fact, are sometimes even one and the same person. But although envy could not be openly expressed in court and was literally driven underground through the use of curse tablets, it still lingered in the background of many lawsuits.

Approximately two hundred seventy curse tablets have been preserved from the fourth century; of these, one hundred forty are barely readable. About one hundred thirty offer an insight into violent language and the Athenian understanding of conflicts. The bulk is made up of judicial spells (ca. eighty instances) cast on adversaries before crucial trials,²³ approximately half of which were written or commissioned by, or

19 Konstan – Rutter 2003; Versnel 1999; Bernand 1991, 85–105 and *passim*; Gehrke 1987; Walcot 1978, 77–90. Cf. the early verses of Hes. *Op.* 25–26: καὶ κεραμεὺς κεραμεῖ κοτέει καὶ τέκτονι τέκτων / καὶ πτωχὸς πτωχῷ φθονέει καὶ δοιδὸς ἀοιδῷ, ‘and potter is angry with potter, and builder with builder, and beggar begrudges beggar, and poet poet.’ Cf. Hom. *Epigr.* 14, the “Potter’s Hymn” and Plin. *Nat.* 28.4.19 on the potters. *Phthonos* is explicitly mentioned in NGCT 24 = SEG XLIX 320, an early fourth-century Athenian tablet (side A). To Eidinow 2007a, 204 and 231, envy, jealousy, gossip, suspicion, and rivalry are always at the core of malign magic.

20 According to Rakoczy 1996, 271, the evil eye was already in existence in early Greek society. Pl. *Phd.* 95b connects the evil eye to malign magic. Later, *baskania* and *phthonos* became synonymous (Rakoczy 1996, 127–128). On the evil eye, cf. also Schlesier 1994; Dundes 1992; Dionisopoulos–Mass 1976; Arnaud 1912. To Luck 2006, 19, *baskania* is an indo-european concept. The earliest Greek text that describes the evil eye in detail is A.R. 4.1635–1690.

21 Cf. Cairns’ 1993 comprehensive study of the fifth century BCE.

22 Cohen 1995, 69, 81, 83.

23 The judicial context is mostly recognizable because the cursed victims are often designated as *antidikoi* or *sundikoi* (Boegehold 1995, 55). Faraone 1991a, 16, however, thinks that these terms are not necessarily connected to the judicial

deal with, members of the upper classes, the political elite.²⁴ Since the litigation curses were often involved in political conflicts, there is some degree of overlap with political curses.²⁵ In the complex procedures of Athenian democracy, many political issues were addressed and negotiated in the law courts. Conversely, the Assembly of the People sometimes had to conduct judicial business. The Boulê also fulfilled judicial functions. To the Athenians, there was no clear differentiation between politics and law. It is important to note that political trials were not an *agôn* between two persons only, but between two rival teams consisting not just of several supporting speakers on the sides of prosecution and defense (*sunêgoroi*), but also of their entire social entourage.²⁶ In this theatrical setting, the witnesses, in the end, performed functions different from those in modern courts. Although they were supposed to help reveal the truth, they often flaunted the social prestige of the main litigant more than they contributed to seeking the truth. The more influential supporters someone could muster on his behalf, the more weight he carried with the judges.²⁷ This special function of witnesses explains the long lists of names on many political/judicial curse tablets.²⁸ The entire opposing

sphere. They could simply mean ‘enemies’ and ‘friends.’ More precise is the term *sunêgoros*, which is to be translated as ‘supporting speaker’ (cf. Rubinstein 2000). On the older debate about whether the tablets were deposited before or after trials, cf. the summaries in Gager 1992, 117 and Faraone 1991a, 15. For a detailed and nuanced treatment of informers, judges, witnesses, supporting speakers, *sundikoi*, and *antidikoi*, cf. Eidinow 2007a, 173–183.

- 24 Faraone 1991a, 30, n. 76; 1989a, 156, n. 20 gives the first listings of politicians on the tablets.
- 25 Faraone 1991a, 16: “such a category [i.e., political] would be difficult-if-not-impossible to separate from the category of judicial curses.” Cf. also Eidinow 2007a, 168. A typical example is the spell against Andocides and his seafaring companions (Costabile 2004/5, 137–169). The *defigens* wrote this curse probably between 399 and 392 BCE, but we do not know his motives.
- 26 Rubinstein 2000.
- 27 Humphreys 1985b understands the law court proceedings as Social Dramas and fully recognizes the ritual function of the witnesses. On witnesses in general, cf. Rubinstein 2005a; Thür 2005; Mirhady 2002. Cf. above 46–47.
- 28 With 77 names cursed, no. 1 is the longest list: **1.** Gager no. 56 = Ziebarth 1934a, pp. 1023–1027, no. 1 A–B = Robert 1936, 13–14 = SGD 48 = López 30 = Eitrem 1936, 558 = Peek 1942, 166–167 = Ziebarth 1934b, 132–136; **2.** Gager no. 38 = DTA 103 = Wilhelm 1904, 122–25 = SEG XXXVII 220; **3.** Gager no. 41 = Trumpf 1958 = BE 1963, p. 125, no. 32 = SGD 9 = Jordan 1988, 275–276 = López 9 = Guarducci 1978, 244–245, fig. 68, 69 = SEG XXI 1093 = SEG XXXVIII 31; **4.** Gager no. 42 = Wunsch 1900, p. 63, no. 6 = DT 60 = Ziebarth 1899, p. 108, no. 6; **5.** Gager no. 57 = Braun 1970, 197–198 = Jordan

party, including wives and prostitutes, was often lumped together in one single spell in order to break its power.²⁹

Competition and business spells rank second, with about forty tablets.³⁰ Among them we also find competition between *chorêgoi* expressed.³¹ Separative love spells are rare (only nine examples are known from fourth-century Attica so far, some of them probably written by women).³²

It comes as no surprise that most Attic judicial curses date to the fourth century BCE,³³ the heyday of Attic democracy. In many ways,

1980a, 229–236 = SGD 14 = López 14 = SEG XXX 325.2 = SEG XXXV 211 = SEG XXXIX 293 = Costabile 2004/5, 176–182; **6.** Gager no. 102 = Wilhelm 1904, 120–122 = SGD 18 = López 18 = Stryd 1903, col. 59–60, no. 5; **7.** Gager no. 105 = Peek 1941, pp. 91–93, no. 3 = Jeffery 1955, p. 75, no. 19 = SGD 1 = López 1 = Ziebarth 1942, 19; **8.** López 5 = SGD 5 = Peek 1941, p. 96, no. 7 = Jeffery 1955, p. 75, no. 25; **9.** López 6 = SGD 6 = Peek 1941, pp. 93–94, no. 4 = Jeffery 1955, p. 75, no. 23; **10.** López 7 = SGD 7 = Peek 1941, pp. 94–95, no. 5 = Jeffery 1955, p. 75, no. 24; **11.** López 8 = SGD 8 = Peek 1941, p. 97, no. 8; **12.** López 24 = SGD 42 = Robert 1936, pp. 12–13, no. 11 = SEG XXXVII 214; cf. Bravo 1987, pp. 195 with 213, nn. 19 and 20; **13.** López 55 = Willemsen 1990, 142–143 = López 1992, 201–202 = SEG XLII 217 = NGCT 1; **14.** López 59 = Willemsen 1990, 148–149 = NGCT 5; **15.** DTA 10; **16.** DTA 11; **17.** DTA 57 = Wilhelm 1904, 115; **18.** DTA 65.

29 Eidinow 2007a, 189 rightly points out that entire social networks, i.e., inside and outside of the courts, were cursed. With regard to businessmen, Eidinow 2007a, 199 suggests that the people mentioned in long lists might have been cursed for varying reasons, but that someone commissioning a curse would have wanted to go to the effort of doing so only once.

30 Good examples are DTA 12, 30, 55 = Gager no. 64 = Wilhelm 1904, 107–108; DTA 69–71 = Gager no. 63; DTA 75 = Gager no. 65; DTA 86 = Gager no. 67; DTA 97 = Gager no. 66; DT 52 = SEG XLIX 321 = Ziebarth 1899, pp. 118–120, no. 20 = Wünsch 1900, p. 67, no. 20; cf., similarly, DTA 96; Gager no. 71 = Young 1951, 221–223 = SGD 20 = López 20 = SEG XL 273; SGD 3, 48, 52, 72. Cf. Curbera – Jordan 1998, 215–218.

31 E.g., **1.** Gager no. 1 = DTA 34; **2.** DTA 33 (Gager 1992, 49, n. 1); **3.** DTA 45 is directed against an actor; SGD 91 (Gela) against producers.

32 **1.** Gager no. 22 = DT 68 = Petropoulos 1988, 219–20 = Ziebarth 1899, pp. 114–116, no. 16 = Wünsch 1900, p. 65, no. 16. Cf. the detailed discussion of this curse in Eidinow 2007a, 218; **2.** DT 69 = Ziebarth 1899, pp. 116–117, no. 17 = Wünsch 1900, pp. 65–66, no. 17; **3.** Gager no. 23 = DTA 78 = Wilhelm 1904, 113 (with impotence as malevolent wish); **4.** Gager no. 24 = DTA 77 (with impotence as malevolent wish); **5.** Gager no. 104 = DTA 102 = Wilhelm 1904, 112–113 = SEG XXXVII 219; **6.** López 57 = Willemsen 1990, 145–147 = NGCT 3, **7.** DTA 89; **8.** DTA 90; **9.** DTA 92/93.

33 Faraone 1991a, 16.

the judicial tablets are a welcome supplement to the court speeches. The rich, especially, could afford to hire skilled logographers (and/or professional magicians, so-called *goêtes*³⁴), and, as a result, often resorted to the courts to seek redress in quarrels. They also tended to regard the courts as viable institutions for conflict management and sometimes conflict resolution.³⁵

Since members of the upper classes were primarily the ones to make use of the courts, they were also the writers or commissioners of most of the preserved judicial tablets.³⁶ In the highly public and competitive society of ancient Athens, the rich had more to lose, in social terms, by going to court, even on grounds of trifling charges, than did the lower classes. The culture of public display made trials vital for litigants, and being confronted with the danger of losing face in front of many people might cause a wealthy defendant to resort to all means available to win this contest in public.³⁷ These considerations suggest that the upper classes might have been at least as prone to violence as the lower classes, because they felt their stakes were higher than those of the humble.

Suing one's opponent and cursing him were parallel, complementary social practices. Both defendants and prosecutors resorted to magical practices in *dikai* and *graphai* alike.³⁸ Hiring a skilled logographer and a professional magician simultaneously were two sides of the same coin.³⁹ The elites vying for social prestige had at least two modes of expressing their aggression in the game for power:⁴⁰ a public one on the

34 Johnston 1999a, 103–116 on their functions.

35 The caveat is necessary, because court proceedings could also “provide an arena for ... exacerbating long-term feuds” (Faraone 1999a, 102). With this formulation, Faraone is perfectly in line with Cohen's terminology.

36 On the phenomenon in general, cf. Faraone 1985, 153.

37 Binding one's opponent's tongue was the easiest way to expose him to public ridicule: cf., e.g., **1.** Gager no. 40 = DTA 107 = Wilhelm 1904, 112 = SEG XXXVII 221; **2.** Gager no. 59 = DTA 47–50 (a–d) = Wilhelm 1904, 114–115; **3.** DTA 58; **4.** DTA 88; **5.** DT 66 = Wunsch 1900, p. 72, no. 4; **6.** Gager no. 66 = DTA 97; **7.** Gager no. 39 = DTA 95 = Wilhelm 1904, 119–120. Cf. Versnel 1999, 148–152; Cic. *Brut.* 60.217; *Orat.* 37.129.

38 Eidinow 2007a, 187–190; Faraone 1999a, 116. Gager 1992, 117 only thinks of prospective defendants using curse tablets.

39 Faraone 1999a, 116, 118.

40 We must not forget that most conflicts were settled outside of court through mediation and arbitration. Cf. Manley–Tannis 1998; Steinwenter ²1971; Harrell 1936. Going to court was just one of many options for dealing with a conflict. The decision to take a dispute to court, thus transforming it into a legal case

stage of the courts, and a more reclusive one in the sphere of malign magic. This is not to say that the wishes inscribed on the tablets could not be uttered in public. In a fictional speech by Antiphon, the speaker goes so far as to threaten the judges with language that strikingly reminds us of the idiom used in curse tablets: if the judges do not fulfill the speaker's wish, he warns, he will set the wrathful spirits of the premature dead upon them.⁴¹

The co-existence of these two different outlets for violence—the courtroom and magic curses—is revealing at yet another level. According to Turner's theory, malign magic is one method of overcoming conflicts.⁴² If the trial did not result in the conviction of the opponent, the curse would function as a fall-back option to make certain of a negative outcome for the opponent. This idea, however, is a modern supposition and may be inapplicable within the cosmos of the magical worldview. Since many people were not only concerned with causal and logical, but also with integrative thinking, it may be possible that a curse promised more success to many Athenians than a trial. Given that both forms of conflict resolution worked side by side, having recourse to the court system may not have constituted the primary method of dealing with a conflict. Many, perhaps even most people may have relied on magic rather than the court system. In addition, the curse was definitely much cheaper and less daunting than going to court.

Binding spells must have fulfilled vital functions for the cursers, by allowing them “to deal with the nonlegal side, the emotional dimension, of lawsuits and public trials.”⁴³ In a situation of crisis and extreme angst, the litigants could express their anxieties and could give a pre-moulded form to their aggressions and feelings of insecurity. Therefore, the formulaic character of the spells is easy to explain. It was not necessary to search for individual, personal phrases to tailor a spell to a particular person, because formulas already existed that promised instant help. Since the rich had the resources to resort to all means available in vying for power, itin-

and dichotomizing the involved parties, was made by the prosecutor. Cf. Johnstone 2003.

41 Antiphon 4.2.8: μή ὀρθῶς δὲ καταληφθεὶς ὑφ' ὑμῶν, ὑμῖν καὶ οὐ τοῦτο τὸ μῆνιμα τῶν ἀλιτηρίων προστρέψομαι, ‘but if I am wrongly convicted by you, I will inflict the wrath of his avenging spirits on you, not on him [i.e., the prosecutor]’ (addition added).

42 Turner 1989b, 173.

43 Gager 1992, 116–117.

erant magicians knocked on their doors to offer their services.⁴⁴ The fact that professional sorcerers did offer such services leads us to the vexed question as to what degree people sought professional help at various stages of casting a binding spell, and to what degree they did it on their own.⁴⁵

On the one hand, we have ample evidence for the employment of ritual experts. Sometimes the handwriting on the tablets is skilled and we can safely assume that not everyone knew the pertinent rites and formulas.⁴⁶ In one Athenian well, not only were the same formulas found on many tablets, but the same handwriting is discernable.⁴⁷ Moreover, it must have been unpleasant and highly dangerous to go to the Kerameikos at night, dig up a grave, and ideally place the curse tablet into the right hand of a corpse.⁴⁸ From the later collection of the *Papyri Graecae Magicae*, we know of the existence of standard models for curse tablets and instructions for their manufacture and deposition.⁴⁹ On the other hand, amateurs must have been active at all times.⁵⁰ On most tablets, the handwriting is not more than a scribble. Some tablets are barely literate. There is also evidence that many different writers deposited tablets at one find spot.⁵¹

Whereas many curse tablets appear to have been written or commissioned by members of the upper classes in the context of lawsuits, it is also likely that most disputes, especially among the lower strata of society, never reached the court level at all. Many less well-to-do people must have relied solely on curses to harm their enemies. A typical example of a curse tablet dealing with a quarrel that one party tried to set aside extra-judicially gives us a glimpse of the world of small-scale businessmen

44 Pl. R. 364b–c = Gager no. 140. Some experts of magic, however, must have been sedentary (Voutiras 1998, 49).

45 Ogden 1999, 54–55 differentiates four phases of a binding spell, where the expertise of a professional magician was almost certainly required: the drawing up of the curse text, the manufacture, inscription, and deposition of the tablet.

46 Bernard 1991, 20. DTA 55 = Gager no. 64 = Wilhelm 1904, 107–108 = SEG XXXVII 215 “resembles a public monument in the fineness of its lettering” (Ogden 1999, 58). Cf. Dickie 2003, 48; Ogden 1999, 54–55; Gordon 1999a, 256.

47 Graf 1996, 133; Wunsch 1900, 68.

48 Ogden 1999, 16, 60; Gager 1992, 20; Peek 1941, 89.

49 Ogden 1999, 56.

50 Although individuals were always at work, the number of professionals was on the rise during the Roman Empire.

51 Ogden 1999, 58.

and tavern keepers.⁵² It is only in rare cases that these humble people resorted to the courts, like the rich, and used binding spells as preparatory measures for their lawsuits. In fact, there are only three cases of business spells in which the vocabulary used (*sundikos*, *dikastês*) or the persons cursed hint with relative certainty at court proceedings.⁵³ This minimal overlap between business and judicial spells suggests that in most business matters curses were regarded as the most effective means of exerting violence against a rival. Thus, the use of binding spells was different in the upper and lower echelons of Athenian society. Whereas the upper classes considered the use of magical spells as a welcome, additional option of harming their enemies alongside other measures, to the underprivileged, curse tablets may have been the only method readily at hand to ward off an opponent. Hence, members of the lower classes primarily understood the curses as an extra-judicial means of conflict resolution. This result confirms the picture established so far. Most judicial spells were used by the upper classes and quite often had a political slant. Commercial spells only try to harm business rivals and rarely try to affect court proceedings. Their reach seems to have been more limited in its goals. The lower classes did not bring many business quarrels to the public stage of the *dikastêria*, for they only had access to the courts theoretically. Even if they had had the funds to hire logographers, they might have felt insufficiently eloquent to enter the public stage. Instead, they struck at home and in their neighborhoods, a *pre-polis* behavior that had not yet been altered by the new civil discourse of post-amnesty democracy. This rude behavior, however, was ridiculed and despised by the leading circles as rustic (cf. Menander's *Dyskolos*, e.g., 328–335; 890–905).⁵⁴ But although the elite had engendered and shaped the new discourse of civic

52 DTA 87 = Gager no. 62 = SEG XXXVII 216.

53 1. Gager no. 70 = Peek 1941, pp. 97–100, no. 9 = SGD 44 = López 26 = Ziebarth 1942, 19–20 (Nicias the politician cursed); 2. López 31 = SGD 49 = Abt 1911, pp. 155–158, no. 5 = Ziebarth 1934a, pp. 1030–1031, no. 4 = Eitrem 1936, 558; 3. López 45 = SGD 72 = Ziebarth 1934a, pp. 1033–1034, no. 7. Cf. Boegehold 1995, 55. There is one important caveat: in most cases it is not recognizable whether or not a business spell was written prior to a trial, but the rarity of the judicial terms just mentioned is revealing.

54 Schmitz 2005, 103, 126 adds that the lower strata of society generally had less access to legally sanctioned means of conflict resolution than the elites. That is why members of the under classes had fewer qualms about assaulting others.

peacefulness, its members were not less aggressive than those of the lower classes. Violence was distributed evenly among all social classes.⁵⁵

Although judicial spells make up the bulk of the fourth-century evidence, the use of binding magic cut across all social classes. Underprivileged groups, especially slaves, metics, and women, also embraced magic.⁵⁶ We know a good deal about women who were active in magic. Their exact role, however, is a matter of debate. Women certainly commissioned curse tablets, but there is no evidence that they wrote or deposited the tablets themselves, though it is likely that they did so.⁵⁷ On the level of literary discourse, witches were always female, but most tablets were probably produced by men. Women are underrepresented on the

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- 55 A few tablets mentioning prominent members of the elite may suffice as examples in this context: **1.** Gager no. 38 = DTA 103 (seventeen readable names, among them seven trierarchs of 325–322 BCE, an overseer of the docks in 333/2 BCE, and one treasurer for the building of the fleet in 323/2 BCE); **2.** In Gager no. 56 = Ziebarth 1934a, pp. 1023–1027, no. 1 A–B = Robert 1936, 13–14 = SGD 48 = López 30 = Eitrem 1936, 558 = Peek 1942, 166–167 = Ziebarth 1934b, 132–136, there were originally more than a hundred names inscribed, seventy-seven of them readable today, among them Demosthenes (doubtfully the great orator), Demeas of Paeania, Demophilus and Lysicles of Acharnae, Xenocles and Polyeuctus of Sphettus, Strombichus and Strombichides of Euonymon, Phocion, Democrates, and Calliphanes; **3.** Gager no. 57 = Braun 1970, 197–198 = Jordan 1980a, 229–236 = SGD 14 = López 14 = SEG XXX 325.2 = SEG XXXV 211 = SEG XXXIX 293 = Costabile 2004/05, 176–182 (the diadoch Cassander, his brother Pleistarchus, his general Eupolemus and Demetrius of Phaleron); **4.** Gager no. 42 = DT 60 = Wunsch 1900, p. 63, no. 6 = Ziebarth 1899, p. 108, no. 6 (Lycurgus and Demosthenes); **5.** Willemssen 1990, 148–149 = López 59 = NGCT 5 (Lycurgus, Hyperides, Callisthenes); **6.** SGD 42 = López 24 = Robert 1936, pp. 12–13, no. 11 (Aristophon of Azenia, Chaerestratus of Collytus); **7.** Ziebarth 1934a, p. 1027, no. 2 (Callistratus of Aphidna). **7.** Gager no. 58 = DTA 24 = Wilhelm 1904, 115–122 (Phocion, Eupherus, and Aristocrates, brothers of Callistratus); **8.** Gager no. 41 = Trumpf 1958 = BE 1963, p. 125, no. 32 = SGD 9 = Jordan 1988, 275–276 = López 9 = Guarducci 1978, 244–245, figs. 68, 69 = SEG XXI 1093 = SEG XXXVIII 31 (Mnesimachus, Theozotides); **9.** DTA 94 (Diocles); **10.** López 55 = Willemssen 1990, 142–143 = López 1992, 201–202 = SEG XLII 217 = NGCT 1 (Diocles); **11.** Costabile 2004/5, 137–169 (Andocides and some of his sea-faring followers); **12.** Costabile 2004/5, 182–192 (Leptines); **13.** DTA 65 (Callias; Hipponicus); **14.** SGD 6 = NGCT 9 (Smindyrides, possibly one of the profaners of the Mysteries, cf. And. 1.15).
- 56 Ogden 1999, 67; Bernand 1991, 30–34, 160. Among prostitutes magic seems to have been widespread (Voutiras 1998, 85–87).
- 57 Johnston 1999a, 112–113; Voutiras 1998, 94–95.

tablets, especially as authors of curses.⁵⁸ They had to consult professional male sorcerers or knowledgeable “wise women,” often prostitutes, to make the tablets for them.⁵⁹ In this process, we may detect one reason why women were underrepresented in this business: they were subject to tight social control and might have it found difficult to approach a male sorcerer and to pay him the fee.⁶⁰ From this perspective, it might be a bit too optimistic to assume (with regard to attraction spells), as some have, that “it is precisely through *defixiones* that women emerge from their stereotyped seclusion and passivity in aggressive pursuit of their own erotic dreams.”⁶¹ But whatever leeway women could enjoy, whether they wrote curse tablets themselves or commissioned professionals, they did find an outlet for their aggressions and wishes in the world of magic. Before shifting the focus of traditional interpretations of magic away from religious-historical aspects to a sociological and cultural historical analysis, I shall briefly address the ritual character of binding magic, for the deposition of a curse tablet was always a ritualized form of indirect, that is, mediated violence.

Ritual Framing

In Greek society, people believed that evil thoughts alone, especially when motivated by envy, can cause harm.⁶² Envy itself is bred and disseminated by gossip, and its personification is the Evil Eye. If evil thoughts alone already had some destructive power, how much more effective must a ritual be that conveys form and meaning to negative feelings like envy, spite, and vengeance? Although we know a lot about the ritual framing of binding spells, its significance has been underestimated. This

58 Ogden 1999, 63–64. Cf. above 171 the love spells quoted in n. 32.

59 In Antiphon 1, the wealthy citizen woman prepares the potion for her husband and his friend herself, but has it administered via her maidservant. It is interesting to see that the wife could put the blame for the botched drink—both men die—on the slave woman, who was executed immediately without trial. Antiphon’s case was not about malign magic, but about homicide. Homicide by poison (*pharmakon* in its double sense as poison and magic) was treated before the Areopagos (D. 23.22, 24; Arist. *Ath.* 57.3). On Antiphon 1 as example of a love philter and deadly magic, cf. Voutiras 1998, 55, 89. On the “wise women,” cf. Gordon 1999b, 182–185.

60 Ogden 1999, 64–65.

61 Gager 1992, 80–81. Similar, but more cautious, is Ogden 1999, 62.

62 Versnel 1999, 134–135.

chapter, therefore, argues that curse tablets were not as harmless as hitherto thought, but were considered serious attacks on the well-being of others. The violence committed through curse tablets was carefully calculated, followed specific rules, and was deliberately orchestrated in order to achieve full malicious force.

Although depositing a curse tablet was very different from conducting a lawsuit or staging a drama, not least because of the lack of an audience, the person cursing an opponent followed many ritual patterns. In the elaborate process of casting a binding spell, rituals are discernable on a macro- as well as micro-level, like in the delivery of a forensic speech. The macro-level involves the ritual actions that the curser or professional sorcerer performed with his body,⁶³ while the micro-level involves specific ritual language—words spoken, sung, and written—during the performance of the ritual. Ritual actions (*drômena*) and ritual language (*legomena*) are bound inextricably together; one is inconceivable without the other.⁶⁴

Ritual Actions (*drômena*)

From later evidence, especially from the Greek magical papyri, we can glean evidence for rites of separation. Fasting, abstinence from sexual intercourse, ritual cleansing, the wearing of special clothes, and most of all the production of the tablet itself and sometimes the “voodoo doll”⁶⁵ dissociated the curser or the professional sorcerer from everyday life. At the same time, these separative rites prepared him for the core of the ritual, the final deposition of the curse tablet. In order for the ritual to work, preliminary steps were of vital importance.⁶⁶

63 Rituals live by and through performance only: “Magical acts are ritual acts, and ritual acts are in turn performative acts” (Tambiah 1985, 60).

64 Cf. Tambiah 1985b, 29; similarly, Tambiah 1985a, 80. With regard to Athenian binding rituals, cf. Faraone 1991a, 5; similarly, Versnel 2002, 107. It might be assumed that, historically, actions and spoken words came first and the emergence of longer written texts was a phenomenon of later antiquity. But even with the longer and more elaborate curses written down from Hellenistic times on, the actions and the oral components of spells did not lose any of their vital importance. On the ritualistic macro- and micro-level in oratory, cf. above e.g. 102.

65 Faraone 1991b.

66 Gager 1992, 20: “the client’s attempt to prepare a *defixio*, from the initial decision to its actual commission, must be located in a series of actions, a total flow

The most important stage was the liminal phase that followed the preparation of a tablet. Deposition took place outside the boundaries of daily life and ordinary society, in precincts dedicated to chthonic gods or goddesses, such as the Kerameikos, the burial field outside the city walls, at Athens.⁶⁷ Places of deposition included, in descending order of importance (calculated on the basis of extant tablets), tombs, shrines for chthonic deities, wells, places relevant to the victim (house, workshop), or other sanctuaries, especially in the case of prayers for justice.⁶⁸ As to time, the ritual had to take place outside of ordinary daylight hours, at dusk or at night so that the curser or magician could not be observed. Some of these patterns of action were perhaps en vogue in classical Athens, but the lack of evidence for the fourth century prevents us from making any definitive conclusions.⁶⁹

During the liminal act of depositing the tablet, anti-structural features became visible on multiple levels.⁷⁰ Whereas “normal” rituals required an audience, the sorcerer or curser performed the ritual alone and invoked a sinister, topsy-turvy world. He was actor and spectator at the same time, a dual function that made the sender and recipient of the message identical⁷¹ (unless we take into consideration the vertical axis of communication, suggested by Graf, with the gods thought to be present as invisible partners of communication).⁷² The ritual of deposition was both a ritual of interaction (with the chthonic gods and the dead) and a ritual of representation that marked the extraordinary significance of the magical act.

During the ritual itself, three types of “restless dead,” believed to be full of spite and easy to mobilize against opponents, could be invoked: the unburied (*ataphoi*), the untimely or prematurely dead (*aôroi*), and those

of events rather than a single isolated act. It is a serious mistake to focus attention solely on the innocuous piece of corroded lead and not to perceive other actions that accompanied its commission.” Cf. in detail Mauss 1972, 48–49, who speaks of “entry rites.”

67 Mauss 1972, 45, speaks about a “lonely place.” Detailed, also with regard to special times, is Mauss 1972, 46–47.

68 Ogden 1999, 15.

69 PGM V 304–369 = GMP pp. 106–107 gives a detailed instruction for depositing a tablet. Cf. Trumpf 1958, 95.

70 Graf 1996, 203–204 speaks about reversals, the deliberate turning upside down of a common ritual practice.

71 Graf 1996, 189, 191.

72 Graf 1996, 191–192. Cf. below 187, n. 110.

who had died a violent death, the so-called *biaiothanatoi*.⁷³ It was recommended to place the tablet in the graves of members of the last two groups, and ideally in the right hand of a corpse. Two new beliefs that gradually emerged in the late archaic period were the basis of these magical practices. First, the dead themselves were perceived as potential threats to the living.⁷⁴ They no longer needed agents like the Erinyes to become active. Second, the living were able to mobilize the deceased and call them back into action. The underlying notion that rituals had an impact on the dead⁷⁵ demonstrates that people firmly believed in rituals and ascribed extraordinary power to them and all those who knew how to handle them, like the *goêtes*.

In carrying out the ritual proper, the conjurer or curser used magic materials and tools.⁷⁶ The material vestiges that remain are the curse tablets themselves and, in some cases, wax, clay, or wooden effigies that have rightly been called voodoo dolls. To my knowledge, there are nine examples extant from Attica.⁷⁷ In Theocritus' second *Idyll*, which dates to the third century BCE, the girl Simaetha tries to win back her lover Delphis with love magic. She uses barley groats, crimson flower, bay leaves, a waxen puppet, some bran, the herb *hippomanes* (thorn-apple), liquids,

73 Gordon 1999b, 187; Johnston 1999a, 127 (both with a variety of source materials). Tablets were indeed found in graves of young persons, but this evidence is scanty overall (SGD pp. 152–153). Maggidis 2000, 89 reports that the archaeological evidence confirms this hypothesis. SGD 54 (Athens), 109 (Sicily) and 173 (Olbia) speak of offering gifts to someone. The context is always unclear; is it a gift for the dead or the gods of the underworld to activate the spell? Cf. below 216, n. 251 on the interaction among the agent of the curse, the gods, and the dead as expressed by Plato. In X. Eph. 5.7.7–8, one of the dead, not a god, strikes Anthia with epilepsy. Cf. also Hom. *Il.* 22.358–360; *Od.* 11.72–73; Hes. *Op.* 124 = 254; A. *Pers.* 618–80; *Ch.* 129–130, 456, 489–509; E. *Alc.* 1003–1004; Pl. *Lg.* 865e, 926e–927b. Cf. also passages in the much later magical handbook PGM IV 296–466 = GMP pp. 44–47; PGM IV 1416–1431 = GMP p. 65; PGM IV 1460–1495 = GMP p. 66; PGM IV 2725–2739 = GMP p. 89; PGM IV 2943–2966 = GMP p. 94. Although these passages clearly evince the syncretism of Graeco–Roman magic as practiced in Egypt, some features, among them the mentioning of the traditional chthonic deities, must go back to much older notions of magic.

74 This is why cemeteries were placed outside the cities from late archaic times on. In Athens this shift probably occurred around 500 BCE (Felton 2007, 88).

75 Johnston 1999a, 31, 37. Cf. also the summarizing article Johnston 1999b.

76 Mauss 1972, 47.

77 Faraone 1991b, 200–201. Ogden 2008, 140 speaks of thirty-eight voodoo dolls from antiquity all together.

a piece of her lover's cloak, pulverized lizard, a bronze gong, a bull roarer, and a four-spoked magical wheel of brass. We cannot gauge the level of fictionality in Theocritus' intense description of magical practice.⁷⁸ A spectacular, still unpublished find from Athens gives us more insight into magical materials. A *chytra*, a common form of cooking vessel, was found in a commercial building near the Agora. Dated to 325–270 BCE, the vessel contained the head and feet of a chicken, was inscribed with at least twenty-two names, and was pierced with an iron spike attached to the underside of an iron disk. The transfixion of the container and its gloomy contents was so forceful that the nail punched a hole in the bottom of the container. After performing this magical action, the curser(s) hid the vessel in a hole dug along the back wall of a workshop. The use of a dismembered chicken is unique so far in our evidence.⁷⁹ According to the later magical recipes preserved, we know that people sometimes put a bit of the victim's hair or clothing into the grave with a corpse in the hope that "what is effected upon part of the victim may be effected upon the whole of him (*pars pro toto* magic) ... [This practice] might have a 'deadening' or restraining effect upon the rest of him."⁸⁰ Beyond the words spoken or sung, the practitioner's entire body was perhaps involved in the ceremony. A song performed during the ritual might have been accompanied by dance.⁸¹ We have no way of telling whether or not practitioners of magic aimed for a state of trance or rev-

78 Cf. Theoc. *Ep. 2 passim*. Verg. *Ecl.* 8.64–109 closely follows Theoc. *Ep. 2*.

79 I am greatly indebted to Marcie Handler and John Camp for their permission to mention this find in this context. I draw here on her unpublished paper delivered at the annual meeting of the Archaeological Institute of America at Philadelphia in 2009.

80 Ogden 1999, 14 (addition by author); cf. also Gager 1992, 16–18. More recipes from PGM are cited by Faraone 1985, 153, n. 21. Although the magical papyri stem from later eras, they enshrine magical traditions that emerged centuries earlier. Luck ²2006, 16, 47 assumes that they reflect at least Hellenistic traditions. As to rituals, Theoc. *Ep. 2* exactly conforms to practices as described in the later magical papyri (Luck ²2006, 45–46). Cf. also Lucianus, *DMeretr.* 4.4–5. Archaeological evidence (SGD p. 251) has confirmed the magical recipes. Four curse tablets from Roman Egypt and one tablet from third-century CE Athens show traces of human hair and other organic material. To Mauss 1972, 50–54 sympathetic or symbolic magic mainly consists of non-verbal rites. Tambiah 1985a, 72 calls the act of "influencing certain objects by manipulating other objects which resemble them" the "homeopathic act." Cf. below 198–199 on the problematic use of the term "sympathetic magic."

81 Johnston 1999a, 222; 1999b, 97–98 specifies the *goêteia*/mysteries/music triangle in the tradition of Orpheus, who is *psuchopompos*, initiator, and singer.

erie, but often participants in liminal states are eager to experience psychologically and physically the transformative power of rituals.⁸² After performing the rites, the practitioners had to be released back into the normal world. Rites of reaggregation, “exit rites,”⁸³ helped achieve this goal. Not only the rites performed during the liminal act, but indeed all actions framing the deposition were highly meaningful to the cursers.

Despite the reclusive character of the *depositio*, some evidence suggests that the magical act cannot have been completely hidden. Some cursers may have deliberately put up with a certain kind of publicity. Their deeds were not meant to be completely anonymous; it is possible that the efficacy of the spell depended on psychology,⁸⁴ its becoming known, especially to the victim of the curse.⁸⁵ If someone went out to the Kerameikos at dawn or dusk to dig up a grave, place a tablet into the hand of a corpse, mutter formulae, and sing and dance around the grave, he may well have been observed.⁸⁶ The entire preparatory sequence, the hiring of a professional magician, and all the activities involved during the cursing ritual could probably not be completely hidden from society.⁸⁷ When the relatives of a deceased person visited a grave, at the least, they would have discovered that someone had tampered with the integrity of the tomb. That is the reason why I speak of the semi-secret sphere of malign magic. It is even possible that news of the casting of a binding spell spread like wildfire through gossip and could thus achieve its desired effect through the victim’s becoming aware of the existence of a curse.⁸⁸

Ritual Words (*legomena*)

Actions and words, treated separately here, intrinsically belonged together, for magical acts were not thinkable without magical words.⁸⁹ Together, they show a highly performative character during the illocutionary speech

82 Mauss 1972, 49.

83 Mauss 1972, 49–50.

84 Johnston 1999a, 121.

85 This is especially true for attraction spells. Cf. Gager 1992, 21, 82–83, who lists five good reasons to assume the relative publicity of the magical act.

86 Ogden 1999, 17.

87 Kiernan 2004, 102.

88 Cf. Parker 2005, 124; Versnel 1999, 139.

89 Mauss 1972, 54–60 speaks of verbal rites.

act of binding another person.⁹⁰ The oral and written language used during the *depositio* concerns the micro-level of the magical act itself. Only a careful consideration of specific linguistic features will enable us to gauge the specific form of violence expressed in these tablets. One important caveat must be made, however: the language on the tablets is highly formulaic and metaphoric.⁹¹ It is extremely difficult to ascertain emotional engagement in the tablets because the texts cannot be taken literally. Moreover, the individual did not speak extemporaneously, but rather resorted to preexisting formulas. The purpose of every ritual is its efficacy, not the expression of individual emotions and feelings. Magic was a common practice in Athens, and the magician had to make use of pre-moulded formulas to achieve a certain goal for his client. Both magician and client believed in the success of the binding spell, provided that the ritual was conducted properly.⁹² On a psychological level, the ritual was a means of coping with feelings like helplessness, fear, despondence, spite, and even revenge. On this level, the healing function of ritual lay in its capacity to restrain anger and wrath by giving these feelings a special form, thus hedging them in. The un-individualized texts were able to check *orgê* (wrath), a major theme throughout fourth-century discourses. Whether Demosthenes contained his *orgê* against Meidias by suing him instead of beating him, or Menander pleaded again and again in his comedies to exert self-control and engage in dialogue to resolve conflicts, in many instances in fourth-century discourse, we encounter the central topic of anger control making society function. From this perspective, binding magic was an intrinsic part of Athenian life and cultural discourse rather than a bizarre superstition at the margin of society.

Notwithstanding these remarks, the binding formulas do display a considerable amount of violence under the surface of relatively tame language. Before tackling this crucial aspect, it is first necessary to come to a thorough understanding of how magical language works. Malinowski's dictum of "verbal missiles" adequately renders the enormous force and thrust of magical utterances.⁹³ The basic idea is that the speech act on the micro-level, which is powerful *per se*, is firmly embedded in a macro-ritual structure that charges the speech act with additional symbol-

90 Cf. Thomassen 1999, 60–61.

91 Gager 1992, 22.

92 Faraone 1991a, 19.

93 Based on Malinowski 1935, 248–249, Tambiah 1985c, 142 also speaks of "verbal missiles" in this context.

ic meaning. The speech act derives its power from its performative character. Basing his argument on Austin's *How to Do Things with Words*, Tambiah renders the relevance of the illocutionary speech act as follows:

utterance which has a certain conventional force, a performative act which does something ... Usually the explicit illocutionary utterance is reducible or analyzable into a form with a verb in the first person singular present indicative active ... These statements cannot be subject to the true-false test, but are normatively judged.⁹⁴

Thus interpreted, the utterance *katadô* (I bind) *is* the real action, and the target truly *is* bound in the eyes of the speaker. From the importance of the speech act we can deduce that the oral curse existed prior to its written form. The first written binding spells accompanied the ritual action and the performative speech act.⁹⁵ What we find written on the early tablets may just be a small portion of the words actually uttered aloud at a *depositio*.⁹⁶

Gradually, the texts of curses became more elaborate and longer. The written word was regarded as less transient than the spoken word, and the written spell was thus viewed as more permanent.⁹⁷ Nevertheless, the oral curse never lost its primary significance.⁹⁸ Why were these formulas so successful on the psychological level, if they could not express individual feelings? The magical word had always been regarded as special, persuasive, seductive, and even coercive.⁹⁹ As such, it had to be different from ordinary speech. It had to be poetic. The similarity between magic and rhetoric has long been recognized.¹⁰⁰ The Greeks realized that the skillful use of words in speeches and spells alike charmed their audiences. Early medicine, which was inseparable from magic, relied heavily on incanta-

94 Tambiah 1985a, 79.

95 Ogden 1999, 9: "So perhaps the earliest tablets should be seen as simplified voodoo dolls and vestigial physical accompaniments to verbal curses."

96 The inscriptions on the tablets do not necessarily give a one-to-one rendering of the actual words spoken, as Wunsch 1902, 29 thinks. On the utterance of incantations, cf. Johnston 1999a, 92; Ogden 1999, 82; Gager 1992, 7.

97 Ogden 1999, 10.

98 During the Roman imperial period, some illiterates at Bath threw their curse tablets uninscribed into the sacred spring of the Temple of Sulis Minerva, relying solely on the oral performance of their curses (cf. Ogden 1999, 60).

99 On the coercive power of words, cf. Gager 1992, 120–121.

100 Eidinow 2007a, 189; De Romilly 1975, 3–22. The most important literary documents testifying to the supernatural power of rhetoric are Gorgias' treatise *Helen* as well as Pl. *Men.* 80a–b; *Euthd.* 303a (indirectly). Cf. above 29, nn. 40–43.

tions. Consequently, all ritually framed and enacted speech was carefully shaped. But there are different degrees of ritualized language. The three genres addressed in this book reveal different levels of linguistic ritualization. Rhetorical prose in forensic speeches was meticulously formed. It abounds in stylistic devices and avoids *hiatus*. According to circumstances, the orator adjusted the level of style to the respective occasion and audience. He was always aware, however, that he spoke in a ritually defined arena and that his language could not be that of the ordinary Athenian on the street.¹⁰¹ Dramatic language in comedy, and especially in tragedy, was even further removed from everyday language. New Comedy did excel in the natural flow of an easy-to-grasp Attic, but it still clung to iambic trimeter in large portions of the plays. The strictest linguistic ritual, however, ritually bound language, was performed in the world of magic. In magical spells language had to be more operational than in any other ritual genre. We can visualize the different grades of formalization in a kind of continuum according to the cultural context of the event: forensic speeches are ritualized on a relatively low level, followed by dramatic plays, which are characterized by an increased degree of ritualization. The curse tablets record what is by far the most ritualized language; hence their formulaic character. From very early on, some spells worked like prayers and incantations, seeking direct contact with the supernatural powers of chthonic gods and the spirits of the dead. A solemn, poetically bound language was especially appropriate for this specific purpose.¹⁰²

Magical language has been intensively studied.¹⁰³ In the case of Athenian curse tablets, three basic formulas are discernable: (1) the “direct

101 Cf. Gänzle 2000, 37. Gänzle 2000, 41 offers a definition of performance that is strictly bound to a specific context: “Unter einer Performanz verstehe ich hierbei ... eine Handlung, die durch einen bestimmten Rahmen (*frame*) gekennzeichnet ist, welcher sie von der alltäglichen Ebene des Handelns abhebt.”

102 The following observation (Gänzle 2000, 39) refers to ritualistic language as exercised by the Mewahang Rai in Eastern Nepal, but it may also hold true for ancient Athens: “Am stärksten ausgeprägt ist der formulaische Sprachstil bei den Texten der initiierten Ritualspezialisten, die im höchsten Maße ritualisiert sind. Schon die Vortragsweise hat mehr musikalische Qualitäten, und die Sprache ist besonders reich an idiomatischen Wendungen, poetischen Formen und Figuren: Sie hat also einen ausgeprägten ästhetischen Wert. Gleichzeitig eröffnet sie jedoch ein eigenes – wie ich es nenne – diskursives Universum, d.h. eine Welt, die nur im Ritual erfahrbar wird.” Cf. DTA 108, perhaps dating to the third century BCE; it is composed in dactylic hexameters and even comprises an elegiac couplet.

103 Tambiah 1985b, 30–32 offers an overview of theories of magical language.

binding formula” in the form of a “performative utterance,” (2) the “prayer formula” directed to the gods of the underworld to carry out the binding, and (3) the so-called “*similia similibus* formula” that is based on the principle of “persuasive analogy” in Tambiah’s sense.¹⁰⁴

The language used is highly rhetorical. Repetitions are frequent and produce a certain rhythm that facilitated the oral performance and thus the ritualization of the text.¹⁰⁵ In addition, pleonasm, personification, exaggeration, threats, promises, prayers, formal appeals, metaphors, and similes are popular stylistic devices.¹⁰⁶ Tambiah stresses above all the metaphoric and metonymic use of language that engenders the *similia similibus* effect.¹⁰⁷ In brief, metaphors generate similarity—the principle being imitative¹⁰⁸—whereas metonymy (in a more narrow sense *pars pro toto*) is based on the principle of contiguity. From this perspective, the enumeration of body parts to be bound, like hands, feet, tongue, and psyche, makes perfect sense. The individual parts are standing for the whole body of the victim. Ritual actions involving substances that represent the victim, such as hair, nails, or voodoo dolls, accompany and enhance both linguistic procedures. What is true for the magic Malinowski observed with the Trobriands also applies to Athens:

Malinowski’s characterization of this process as a “rubbing” effect is felicitous, for indeed in Trobriand magic the verbal creation of force is made more realistic and operational by using substances (which themselves have metaphorical associations named in the spell) metonymically, so that a transfer of effect is made through blowing, rubbing, smoking, and various

104 Faraone 1991a, 10; cf. Gager 1992, 13.

105 Gordon 1999a, *passim*; Ogden 1999, 9; Faraone 1985, 152, n. 13; Kagarow 1929, 34, 37–38.

106 Gager 1992, 13–14. Although Versnel 2002, 110 concentrates on the poetics of the magical aspects of incantations and charms, not curse tablets, many of his findings are applicable to some of the more elaborate curse tablets as well, especially given his definition of magic (Versnel 2002, 155–156), which certainly also comprises the curse tablets. Beside “persuasive analogy” the “poetics of magical formulas” is a second important concept in magic according to Versnel 2002, 151.

107 Tambiah 1985b, 35–37, 41, 43–44.

108 E.g., Gager no. 40 = DTA 107 = Wilhelm, p. 112 = Faraone 1991a, 15 = SEG XXXVII 221: καὶ ὡς οὗτος ὁ βόλυβδος ἄτιμος καὶ ψυχρὸς, οὕτω ἐκε(ῖ)νος καὶ τὰ ἐκε(ῖ)νω ἄτιμα καὶ ψυχρὰ ἔστω, ‘and just as this lead is worthless and cold, so let the man and his property be worthless and cold.’ The *similia similibus* formula is also well expressed, e.g., in DTA 67, 96–97, 105–106.

tactile manipulations. The cross-linkages in this art are manifold, and combine to produce an arrow-like thrust.¹⁰⁹

Rituals typically require an audience in order to be effective; thus, at first glance, the lack of observers seems to be a defining feature of magic. Indeed, the audience of a magical ritual is often thought to be identical with its performer, making the performer and the recipient of a magic ritual one and the same person. On this view, the message of a collective ritual is directed at an entire group, but the message of a magician is relevant only to himself. Given the information we have today, however, this can hardly be true.¹¹⁰ The magician and his client, or the individual casting a spell, exerted so much effort in preparing the binding curse that it does not seem likely that he should have designed the whole procedure just for himself. Many tablets were written in haste and are not clearly legible. They were not destined for human recipients. The tablets were buried and ideally put into the right hand of a corpse. From these details, we can infer that the intended readers were the chthonic gods and goddesses as well as the dead themselves.¹¹¹ If true, the ritual words spoken and the actions carried out during a *depositio* had a very concrete communicative function which was in no way different from that of any other ritual setting. In the eyes of the practitioners, there *were* spectators attending the ritual of depositing a *katadesmos*,¹¹² for gods, demons, and the ghosts of the dead were the addressees of the rituals in question. Some tablets even name the gods as direct recipients of the messages.¹¹³ We speak of letters to the underworld.¹¹⁴ A curse tablet dating to the third century

109 Tambiah 1985c, 143; Tambiah 1985b, 36, 43 (similar). Versnel 2002, 155 characterizes “the relationship of text and reality as one of synecdoche.”

110 Cf. above 179, n. 72. Graf 1996, 189–192, especially 189 on the vertical axis of communication.

111 Bernand 1991, 406.

112 Cf. Faraone 1999a, 103, who seems to hint at this belief. Cf. Theoc. *Ep.* 2.

113 Brodersen 2001, 67–68.

114 1. Gager no. 104 = DTA 102 = Wilhelm 1904, 112–113 = Versnel 1991a, 65 = SEG XXXVII 219: Ἐπιστο<σ>λὴν πέμπων δ[αίμο(σιν) καὶ Φρεσσεφών(η)<ς> [sic], ‘sending the letter to the demons and Persephone.’ 2. Gager no. 38 = DTA 103 = Wilhelm 1904, 122–25 = SEG XXXVII 220: Ἐρμ[ῆ] καὶ Φερσεφ[ό]ν[η] τήνδε ἐπιστο[λ]ὴν ἀποπέμπω, ‘I send this letter to Hermes and Persephone.’ 3. DT 43 and 44 (Arcadia, third century BCE). 4. Bravo 1987, 206 (Olbia, 4th/3rd century BCE, reference to unpublished piece). 5. López 1990, pp. 134–144, no. 27 = SGD 109 (Lilybaion, late Hellenistic). According to Graf 1996, 118, these letters to the underworld are rare.

BCE mentions the names of gods as addressees, as if in a letter, on the exterior side of the folded tablet.¹¹⁵

In accordance with the anti-structural features that characterize the liminal phase of enacting a curse, there are inversions on numerous levels.¹¹⁶ Magical rites were not performed in open daylight, but at night. The Olympic gods were not called upon, but instead the gods of the underworld: Hermes, Hecate, Kore, Persephone, Hades/Pluto, Ge/Gaia, and Demeter.¹¹⁷ In many cases, the writing appears in reverse (with the letters running from right to left, but still facing right),¹¹⁸ and occasionally even in retrograde (with the letters running from right to left, with the letters facing left);¹¹⁹ cases of “boustrophedon” form are also known, with the letters alternately running from left to right and right to left.¹²⁰ This latter peculiarity, mainly attested in archaic inscriptions, created an archaic patina deliberately sought by sorcerers and their clients. The typical foldings and nail piercings of the tablets themselves, as well as the distortions of the dolls, also serve the purpose of inversion.¹²¹ The names of the victims are often scrambled or jumbled in various ways. All these forms of “twisting” have an inherent metaphorical meaning,¹²² for the victims were to be confused and distorted like the letters on the tablets. From the second century CE on, the targets were often identified via matronymics.¹²³ Everything speaks in favor of the magical ritual being a full-scale ritual on the macro- (non-verbal rites) and micro-level (verbal rites), endowed with enormous power. To the Athenians the intent to perpetrate violence was already regarded as violence. Harming someone via energetic rituals certainly went beyond intending to do so; it was a violent action in its own right.

115 Ziebarth 1934a, p. 1039, no. 20: *πρὸς τὰς Πραξιδικὰς πρ[ὸς Ἑρμῆν*, ‘to the Praxidikai, to Hermes.’

116 Ankarloo – Clark 1999, xii speak of a “countercultural cloak.”

117 Cf. Ogden 1999, 45 (with older literature); Gager 1992, 12. On Hecate now in detail Zografou 2010.

118 E.g., Gager no. 42 = Wünsch 1900, p. 63, no. 6 = DT 60 = Ziebarth 1899, p. 108, no. 6.

119 E.g., **1.** DTA 26; **2.** DTA 33; **3.** NGCT 15 = Shear 1973, 127–128 = Boegehold 1995, 55–57; **4.** Gager no. 68 = DTA 68.

120 E.g., DTA 33–34. Cf. Ogden 1999, 29.

121 Ogden 1999, 29–30.

122 Gager 1992, 5.

123 Ogden 1999, 9, 61; Gager 1992, 14. An early example is DTA 102 = Gager no. 104 = Wilhelm 1904, 112–113 = SEG XXXVII 219 (fourth century BCE).

Degree of Violence

The level of violence that such curse tablets were intended to exert is debatable. Only ancient cursers could tell us how violent they meant their tablets to be. According to Faraone, the spells were merely protective. They did not aim at killing the victim, but fulfilled defensive functions with the goal only of impeding the victim by damaging his success.¹²⁴ Since murderous intentions are hardly ever mentioned in the tablets, indeed, Faraone's claim is the *communis opinio* today.¹²⁵ But research in general tends to underestimate the violent force of ritual speech and action. Reading sentences such as "The earlier curse tablets did not usually seek to kill their victims, even when wishfully comparing them to a corpse. But in the later tablets this aim is more frequently expressed,"¹²⁶ one wonders what made Athenians apparently more peaceful in earlier stages of their history and more aggressive in later times.

A re-evaluation of the evidence challenges the current view that all early tablets were intended only to restrain the victim and not to maim or kill by showing that some of them were indeed meant to be lethal, and many of them may have been more malicious in their intent than hitherto thought. Is it not possible that the early spells were meant to be as malicious as the later tablets, thus standing in a line of unbroken continuity? Could the different phrasing of earlier and later spells stem from changed practices of discourse rather than changes in the underlying notions and intentions of the cursers? Since the ritual actions were accompanied by verbal rites that were not necessarily inscribed on the tablets, we cannot automatically infer harmless intentions from the brief texts we have. They may constitute only the smallest part of the formulas originally uttered. Conversely, one cannot make *argumenta ex silentio* and postulate malevolence in those parts of the curse that were only spoken. We must work with what we have and probe deeply into the semantic meaning of the words actually preserved in order to come to more substantial conclusions with regard to violence in binding spells. One more caveat may be permissible here: the prefabricated formulas did not express individualized sentiments in most cases; the ritualistic texts were highly metaphoric and cannot be taken literally. And yet, these formulas

124 Faraone 1999b, 81–82; 1992, 133–134; 1991a, 3, 8, 9, 20; 1991b, 166, 193–194; 1988, 155–161, 171, 182–183.

125 E.g., Ogden 1999, 73.

126 Ogden 1999, 22.

can also be subject to a careful analysis of their discourse. They were created in a broad cultural matrix that only becomes visible against the backdrop of the other genres dealt with in this book. Many reasons speak in favor of reconsidering and re-evaluating the potential of violence contained in the tablets. It will become clear that it is higher than currently assumed.

Whereas in most cases the malevolent meaning of the tablets has to be revealed via complex methodological deliberations, some tablets definitely display more violent language than others. A famous judicial spell that curses seventy-seven persons, represented in a long list, has an unusual formulation in its first line: ‘I bind, I deeply bury, I cause to vanish from mankind.’¹²⁷ Again, it may well be that this formulation is not to be taken at face value, but its deviation from most other tablets should be noted. There are two more similar tablets.¹²⁸ One dates to around 300 BCE and deals with cooks and butchers, figures who recall the world of New Comedy: ‘All of these I bind, I hide, I bury, I nail down.’¹²⁹ A further blatant example formulates: ‘All of these I consign, [inscribed] in lead and in wax and in water [?] and to unemployment and to destruction and to bad reputation and to [military?] defeat and in tombs.’¹³⁰ Some tablets aim specifically at the life of their targets; for example: ‘I bind Dionysius the helmet maker and his wife Artemis the goldworker and their household and their work and their products and their life—and Kallip[os

127 Gager no. 56 = Ziebarth 1934a, pp. 1023–1027, no. 1 A–B = Robert 1936, 13–14 = SGD 48 = López 30 = Eitrem 1936, 558 = Peek 1942, 166–167 = Ziebarth 1934b, 132–136: Καταδῶ, κατορύττω, ἀφανίζω ἐξ ἀνθρώπων.

128 1. López 31 = SGD 49 = Abt 1911, pp. 155–158, no. 5 = Ziebarth 1934a, pp. 1030–31, no. 4 = Eitrem 1936, 558 (Athens, fourth century BCE): [κα]ὶ [τὴν ἔν]δειξιν [ἀφα]νίζο καὶ [κατορύττω] ... καὶ αὐτὸν ἐπικατορύ[ττω] ... καὶ τοὺς συνδίκους αὐτοῦ, ‘and the indictment, I cause to vanish and [I bury] ... and I deeply bury him ... and his lawyers.’ 2. SGD 115 (Sicily, first century CE?): ἀν ἐξάρης αὐτὸν ἐκ τοῦ ἀνθρωπείνου γένεος, ‘remove him from the human race.’

129 Gager no. 44 = Ziebarth 1934b, pp. 109–110, no. 10 = Wunsch 1900, pp. 63–64, no. 10 = DT 49: τοὺτους ἅπαντας καταδῶ ἀφα[v]ρίζω κατ[ο]ρύττω καταπατταλεύω. Graf 1996, 111–112 emphasizes that binding a victim “down” is no harmless thing. Cf. also Ogden 1999, 26.

130 Gager no. 64 = DTA 55 = Wilhelm 1904, 107–108 = SEG XXXVII 215: Τούτους ἐγὼ καταδίδημι ἅπαντας ἐν μολύβδῳ καὶ ἐν κηρῷ(ι) καὶ ἐμ [πο]τῷ καὶ ἐν ἀργίῳ καὶ ἐν ἀφανί(αι) κα(ι) ἐν ἀδοξίᾳ καὶ ἐν ἥττ(η)ι καὶ ἐμ μνήμασιν. Cf. also DTA 87 = Gager no. 62 = SEG XXXVII 216: τοὺτους πάντας καταδῶ ἐν μνήμασι, ‘I bind them all down in tombs.’

...].¹³¹ This is a classical binding spell. The expression *kai ton bion* is unusual enough to deserve mention. Similar formulations can be found.¹³²

The text of one tablet is structured in four paragraphs that all show the same formula: ‘Until he goes down into Hades.’¹³³ This is a rare and ambivalent formula that has two meanings: either the curse will be in force throughout the victim’s life, implying that the curse is not lethal, or the curse is meant to kill the victim and will work effectively until this goal is achieved. Since all binding spells are in effect without time limits, the second possibility is more likely. Consumption, called down upon the victim in this particular spell, was lethal in pre-modern times. Hermes and Persephone are addressed with imperatives here in their functions as restrainers (κατέχετε).¹³⁴ Usually, it is only Hermes that is endowed with the epithet *katochos*.¹³⁵ In another tablet the “earth” is understood in a chthonic sense: ‘I send as a gift to the underworld.’¹³⁶ There are also cases where the dead are used in their *similia similibus* function; for example: ‘I hand him over to Ge and to Hermes Chthonios, and he shall be as useless as this corpse lies useless.’¹³⁷ In one business spell, even the hope for an afterlife is destroyed.¹³⁸

131 Gager no. 63 = DTA 69 = Lechat 1889, 77–80: Καταδῶ [Δι]ονύσιον τὸν κρανοποιὸν καὶ τὴν γυναῖκα αὐτοῦ Ἀρτεμείν τὴν χρυσωτρίαν καὶ τὴν [ο]ϊ[κ]ίαν αὐτῶν καὶ τὴν [ἐ]ργασίαν καὶ τὰ [ἔ]ργα καὶ τὸν βί[ο]ν αὐτῶ[ν καὶ] Κάλλιπ[πον ...].

132 DTA 53: οἶκον [καὶ] ἔργα γλῶτταν ... θ]υμὸν ἔργα γλῶτταν ... β]ίον τὸν Δίωνος, ‘the house and products, the tongue ... the courage, the products, the tongue, ... the life of Dion.’ DTA 76: κ(αὶ) Διονυσόδωρος τὸν βίον, ‘and the life of Dionysodorus.’ Gager no. 65 = DTA 75 intends to make someone perish. Cf. the similar spells SGD 89 (Sicily, second century BCE) and DT 92 (third-century tablet from the Black Sea). A later Attic spell (DT 51 = Ziebarth 1899, p. 133, no. 2 = Wünsch 1900, pp. 70–71, no. 2) wishes to burn to death Gameta, the daughter of Hygia.

133 DT 50 (p. 86 with commentary) = Ziebarth 1899, pp. 113–114, no. 15 = Wünsch 1900, pp. 64–65, no. 15: Ἐρμῇ κάτοχε καὶ Φερσεφόνη κατέχετε Μυρρίνης τῆς Ἀγνο]θέο(υ) Πειραιέως γυναικὸς σῶ[μα καὶ ψυχὴν καὶ γλῶτταν καὶ πό]δας καὶ ἔργα καὶ βου[λὰς ἕως ἂν εἰς Ἄιδου καταβῇ ...] φθίνουσα, ‘Hermes, restrain, and Persephone, both restrain the body of Myrrhine, wife of Hagnotheus from the Peiraeus, and her soul and tongue and feet and deeds and plans, until she goes down into Hades, she who is being consumed.’

134 Further examples from Attica are, e.g., López 48 = SGD 75 = Ziebarth 1934a, p. 1036, no. 13 and DT 50 = Ziebarth 1899, pp. 113–114, no. 15 = Wünsch 1900, pp. 64–65, no. 15.

135 On *Hermes katochos*, cf. Graf 1996, 130–131. Cf. below 209, n. 228; 211, n. 234.

136 SGD 54: πέμπω δῶρον ἀποκάτω εἰς τὴν γῆν.

137 López 51 = SGD 78 = Ziebarth 1934a, p. 1038, no. 17 = Ziebarth 1899, pp. 116–117, no. 17 = DT 69 = Wünsch 1900, pp. 65–66, no. 17: [κατα]δίδημι Γῆι κ[αὶ]

It should be noted that none of the fourth-century examples mentioned above is a prayer for justice, a valuable heuristic category that Versnel has successfully established in the study of ancient religion and magic. In these prayers for justice the explicit expression of violence was more common than in other spells.¹³⁹ Prayers for justice gradually emerged during the fourth century BCE, but they were most frequent during the third and fourth centuries CE. The evidence is clustered in Great Britain, mainly at Bath. They are primarily concerned with the restitution of stolen property; sometimes they also envision revenge. Most of them were nailed to temple walls so that the thieves could read them, be rebuked by their consciences, and return the stolen property. According to Versnel, these prayers for justice are so different from the traditional curse tablets that they should not be categorized together at all,¹⁴⁰ a view that, in my opinion, is questionable for the fourth-century Athenian tablets. Versnel summarizes the distinctive features of prayers for justice in nine aspects: (1) All hoards of tablets of this type were found in the sanctuary of a respectable deity, not in a grave. (2) These deities, even if sometimes chthonic, are different from those mentioned on binding spells, because they are called 'great' or 'superior.' They are worshipped in an officially acknowledged cult. (3) These gods are addressed with flattering adjectives or praising formulas (φίλη, 'friend') or kingly titles (κύριος, κύρια, δέσποινα, βασίλισσα, 'lord,' 'lady,' 'mistress,' 'queen'). (4) These deities are invoked and implored with great awe and respect (ἱκετεύω,

...πρὸς] 'Ερμῆν χθόνιον [καὶ ὡς οὗτος ὁ νεκρὸς ἀτε]λῆς κεῖται ὡς ἀτελ[ῆ εἶναι]. Cf. also DT 85 = Gager no. 20 = Wünsch 1900, p. 70, no. 1 = Ziebarth 1934a, pp. 1040–1042, no. 23 = Ziebarth 1899, pp. 132–133, no. 1 from Boeotia. On the multiple meanings of *atelês*, cf. Graf 1996, 136–137, 245, n. 106; Jordan 1993, 129–131: *atelestoi* are either people who have to go down into Hades without being initiated in some kind of mystery cult, or unmarried people who have not yet fulfilled their purpose in life (i.e., procreation), or corpses that have not yet received proper burial rites and have therefore incurred *miasma*. Graf discusses in detail Gager no. 22 = DT 68 = Petropoulos 1988, 219–220 = Ziebarth 1899, pp. 114–116, no. 16 = Wünsch 1900, p. 65, no. 16. Jordan 1993, 129–131 discusses a curse tablet from Selinous. Cf. Pl. *Phd.* 69c (*atelês* as uninitiated). Cf., summarizing, Maggidis 2000, 89, n. 26; Johnston 1999b, 87, n. 12.

138 Gager no. 74 = DT 72 = Abt 1911, pp. 143–149, no. 1 = Robert 1936, pp. 14–16, no. 12 = Wünsch 1900, p. 66, no. 18 and 19 = Ziebarth 1899, pp. 117–118, no 18: καὶ ἐλπίδας καὶ παρὰ θεῶν καὶ πα(ρ) ἡρώων καὶ ἐργασίας [ἀ]πάσας, 'and also (I bind) the hopes {of those men and women} from the gods and the heroes, and all their business' (angled brackets addition by author).

139 Versnel 1991a.

140 Versnel 1991a, 61, 68–75.

βοήθει, βοήθησον μοι, ἱκέτης σου προσπίπτω, ‘I implore you,’ ‘help,’ ‘help me,’ ‘I bow before you as a suppliant’). (5) These tablets were exposed publicly. (6) The cursers regard themselves as victims and often give their names. (7) The cursers justify or excuse their doing (ἀδίκημαι γάρ, ‘for I suffered injustice’). (8) Terminology and names that refer to (in)justice and punishment (Praxidikê, Dikê; ἐκδικέω, ἀδικέω, κολάζω, and κόλασις, ‘I mete out punishment,’ ‘I commit injustice,’ ‘I punish,’ ‘chastisement’). (9) The tone is often emotional, as attested by long enumerations of body parts, the cursing of which does not fulfill a direct purpose.¹⁴¹

Although these differences from the binding spells are undeniable, this categorization has not remained unchallenged. Ogden lists striking similarities between prayers for justice and traditional curse tablets:

Both are usually written on lead, rolled and transfixed by nails. Prayers for justice conform to the latter part of Jordan’s definition of curse tablets: “... intended to influence, by supernatural means, the actions or welfare of persons or animals against their will.” ... Prayers for justice are typically deposited in sanctuaries or sacred springs, as are many curse tablets. A significant number of cross-over cases, which share elements both of traditional curses and prayers for justice, prevents categorical differentiation between the two groups.¹⁴²

Prayers for justice sometimes transfer the victims, the suspected culprits, to the gods for punishment.¹⁴³ This fact demonstrates already the rather close connection between prayers for justice and the Athenian curse tablets, in which the victims are also handed over to the gods.

Versnel rightly stresses that some tablets show features typical of both traditional curse tablets and prayers for justice and thus create a so-called

141 Versnel 2009, 22–24. Similarly, Versnel 2010, 279–280, referring to Versnel 1991a, 68. In these latter two instances, he speaks of seven characteristic features. I would like to add three more criteria that Ogden 1999, 38–39 mentions and that Versnel 2010, 327 summarizes: “Not binding language, *voces magicae* etc., but prayer language ... The target is generally unknown ... Whereas other curses are supposed to be permanently effective, prayers for justice tend to be conditional and of finite duration.” Note that points five and six in the above-mentioned list of nine criteria make these prayers more like curses in court orations and less like the clandestine deposition of curse tablets.

142 Ogden 1999, 38; similarly Graf 1997, 159–161. Graf adds that people wrote both prayers for justice and curse tablets in times of crisis, out of preoccupation with the past and the future. Moreover, thieves were also subject to binding spells. Versnel 2010, 324–327 discusses the various points in detail and tries to refute them one by one.

143 Ogden 1999, 40.

border area between the two distinct groups.¹⁴⁴ This construction allows him to discern a whole gamut of forms ranging from one end (curse tablets) to the other (prayers for justice).¹⁴⁵ Only a few Attic tablets from the fourth century seem to belong to this border area. Because of the violent language they employ, they deserve special attention. Versnel has established seven “alien elements” that characterize the zone between *defixiones* proper and prayers for justice. Not all of them need to appear on a tablet; they are almost identical to the criteria of prayers of justice as mentioned above:

- (1) The name of the author. (2) an argument defending the action. (3) a request that the act be excused. (4) the appearance of gods other than the usual chthonic deities. (5) address of these gods ... either with a flattering adjective ... or with a superior title. (6) expression of supplication ... added to personal and direct invocations of the deity. (7) terms and names that refer to (in)justice and punishment.¹⁴⁶

One of the earliest Attic examples of a piece belonging to the border zone is dated to the fourth or third century BCE.¹⁴⁷ It fulfills requirements five, six, and seven. At the same time, the curse is a traditional binding spell:

Euruptolemos of Agrulê I bind Euruptolemos and Xenophôn {Xenophôn} who is with Euruptolemos, and their tongues and words and deeds; and if they are planning or doing anything, let it be in vain. Beloved Earth, restrain Euruptolemos and Xenophôn and make them powerless and useless; and let Euruptolemos and Xenophôn waste away. Beloved Earth, help me; and since I have been wronged by Euruptolemos and Xenophôn I bind them.

144 Versnel 2010, 281, 324–342 is the most detailed discussion and defense of the concept to date, developed originally by Versnel 1991a, 61, 64–68. Versnel 2009, 43 assumes that these border curses developed out of the “pure” form of *defixio*.

145 Versnel 1991a, 92: “it seems better to see prayer and *defixio* as two opposites on the extreme ends of a whole spectrum of more or less hybrid forms.”

146 Versnel 1991a, 68.

147 DTA 98 = Gager no. 83: Εὐρυπτόλεμος Ἀγρυλῇ[θ]εν· Ἐὐρ]υπ[όλ]εμον καταδῶ καὶ Ξενοφῶντα Ξενοφῶν· τὸμ μετ’ Εὐρυπτολέμου καὶ γλώττας τὰς τούτων καὶ ἔπη καὶ ἔργα τὰ τούτων καὶ εἴ τι βουλευονται καὶ εἴ τι πράττουσιν ἀτελῇ αὐ[το]ί[ς] γένοιτο· Φ[ί]λῃ Γῇ κάτεχε Εὐ[ρυ]πτόλεμον [κ]αὶ Ξενοφῶντα καὶ ἀδυνάτους αὐτοὺς πόει καὶ ἀτελεῖς καὶ φθόην Εὐρυπτολέμωι καὶ Ξενοφῶντι· φίλῃ Γῇ βοῆθαι μοι· ἀδικούμενος γὰρ ὑπὸ Εὐρυπτολέμου καὶ Ξενοφῶντος καταδῶ αὐτούς.

Another example of an early border case¹⁴⁸ shows criteria six ('Hermes and Ge, I beg you')¹⁴⁹ and seven ('to take care of all this and punish them, but save her who has 'struck' the lead')¹⁵⁰ alongside characteristic features of classical binding spells. Hermes is called again 'Restrainer' (*katochos*). In another piece, Hermes, Gaia, and Persephone are simultaneously invoked (criterion six) to restrain the victim.¹⁵¹ Because of its formula, another tablet may date to the third century or later. Line 12 of this text, however, mentions the wickedness of the Thirty (ἀνιέρωσιν, 'unholiness'), indicating that the tablet could date to the end of the fifth century. This tablet is interesting, because the victim is explicitly dedicated to the gods of the underworld (*theoi epitumbioi*).¹⁵² The fact that they are invoked (criterion six) suggests that this tablet belongs to the border area.¹⁵³ Another border-area spell was indeed found in an Athenian sanctuary, that of Palaemon Pancrates.¹⁵⁴

All these examples show that border cases may be understood as traditional binding spells. It seems rather artificial to separate very few specimens from the genre to which they belong, on grounds of two or three deviations from the main pattern. These abnormalities can be readily explained if one keeps in mind the different occasions for which people wrote curses. The formulas had to be flexible enough to adjust to dif-

148 DTA 100 = SEG XXXVII 217 = Versnel 1991a, 65–66. It is of special interest that a woman, Onesime, prays for the preservation of the one who actually struck the lead tablet. Did she manufacture the tablet herself or did she commission the tablet and therefore prays for the magician's safety? Cf. Ogden 1999, 59.

149 [Ε]ρμῆ καὶ Γῆ, ἱκετεύω ὑμᾶς.

150 τηρ(ε)ῖν ταῦτα καὶ τούτους κολάζ(ε)τ(ε) [σφύζετε τῇ]ν μολυβδοκόπον.

151 López 48 = SGD 75 = Ziebarth 1934a, p. 1036, no. 13: Ἑρμῆ καὶ [τ]οχε κα(ῖ) Γῆ κάτοχε κα(ῖ) Φρεσσ[ε]φόνη (sic) κάτεχε Ἀφροδίτην καὶ (?), 'Hermes restrain and Gaia restrain and Persephone restrain Aphrodite and (?).'

152 DTA 99 = SEG XXXVII 223: ὧ] δεσπότ[α]ι χθόνιοι καὶ ἐ[π]ιτύμβιοι, 'ο rulers of the underworld and of the tombs.'

153 A full-scale Athenian prayer for justice dating to the first century CE is Gager no. 84 = López 63 = SGD 21 = Elderkin 1937, 389–395 = Jordan 1980b, 62–65 = SEG XXX 326 = SEG XXXIX 1847 = Versnel 1991a, 66–67 = BE 1938, 23 = Aubert 1989, p. 435, no. 23. Two further instances (both probably dating to the fourth or third century BCE) need to be mentioned in this context (DTA 120 and DTA 158), because they allude to the wrong that the target of the spell has committed.

154 NGCT 14; cf. on this spell in detail Versnel 2010, 311–312. Other border-area cases from the fourth-century BCE are DTA 102, 109, and NGCT 3, which all fulfill criterion seven. NGCT 24 = SEG XLIX 320 is also a "borderland" case.

ferent circumstances and individual needs.¹⁵⁵ In addition, it is doubtful that the Greeks really thought in neatly separated compartments and assumed they were allowed to exert massive violence in judicial prayers, but they could not do so in binding spells. These categories are modern constructions. If one had the permission to be violent in judicial prayers, then it was also allowed to be so in binding spells. At least with fourth-century Athenian spells, this strict categorization does not work well, which suggests that the border-area cases of classical Athens are just examples of more openly malicious binding spells. If we accept that prayers for justice are indeed probably closer to the other spells than hitherto surmised and if prayers for justice are more violent than other curses, we can assume that the traditional Attic tablets were also meant to be more malevolent than has been usually believed. One could express his malicious intentions more or less directly. Even if the specific rules of the fourth-century democratic discourse did not allow one to call down violence on victims openly, strong feelings must often have loomed in the background. The fact that they were in most cases not inscribed on the tablets *expressis verbis* does not mean that the cursers had harmless intentions.¹⁵⁶

In a later article, Versnel undertakes to differentiate groups of binding spells.¹⁵⁷ As far as body parts are concerned, he separates the earlier competitive/agonistic or instrumental spells from the later anatomical spells. The former group consists of the early tablets, mainly from fourth-century Athens. According to Versnel, they are laconic, show no real intent to do serious harm, and enumerate a few body parts in a quite functional way. Only the body parts mentioned on the tablets are to be bound. The tablets in the latter group, by contrast, are more elaborate and therefore also more emotional. The relationship between the longer lists of body parts in these tablets and the human body is one of *synecdoche*. Since the parts listed stand for the whole body, there is intent to harm the entire person. These later anatomical spells fall into two subgroups: prayers for justice and love spells.

This categorization of instrumental versus anatomical spells seems problematic. First, the body parts enumerated in the early spells may

155 Also Versnel 2009, 43 concedes a high degree of spontaneity and individuality on the part of the cursers.

156 In my opinion, Versnel 2010, 337 draws too sharp a distinction between binding/paralyzing and punishing/torturing/killing. As we will see, the semantics of binding is broad. It can even encompass death, and certainly includes the desire to torture or punish someone after having suffered injustice.

157 Versnel 1998a.

also stand for the whole body. Second, some early spells were meant to be harmful, too. The sharp division between early harmless curses and later malevolent spells is artificial. Third, we cannot deduce a lack of emotion or aggression merely from the brevity of a text. The words accompanying the ritual of deposition may have been more brutal than the written curses. Perhaps a formulaic language was to be found and formulated. This evolutionary process took time. Gradually, the verbal formulas came to be written down as well. Furthermore, we do not have access to the cursers' state of mind.

Sometimes it is not the preserved text but the archaeological evidence that suggests the fatal character of a spell. One of the most famous Athenian "voodoo dolls" represents Mnesimachus, who was cursed along with some other more prominent Athenians of the late fifth century BCE.¹⁵⁸ The lead figurine was found *in situ* in the Kerameikos. The name Mnesimachus is scratched on the doll's right leg. Two small lead plates formed a little coffin for the figurine, one of them bearing the curse. The *similia similibus* function is clear enough. This kind of magic plays with the notion of a coffin: the cursed person is to suffer the fate of his leaden representation through the force of magic. He is to lie in his grave, powerless and destroyed.¹⁵⁹ Fortunately, the objects were found *in situ*. The skeleton at whose pelvis they were found was slightly disturbed.¹⁶⁰ Perhaps the person had been murdered, for it was common practice to deposit curse tablets in the graves of *biaiothanatoi*, persons who had died a violent death.

The assessment of the potential violence enshrined in the curses requires an investigation into the core of magical practices, the *similia similibus* function. Research agrees that the *tertium comparationis* ('X is to become

158 Gager no. 41 = Trunpf 1958, 97–101 = BE 1963, p. 125, no. 32 = SGD 9 = Jordan 1988, 275–276 = López 9 = Guarducci 1978, 244–245, figs. 68, 69 = SEG XXI 1093 = SEG XXXVIII 31 = Faraone 1991b, p. 201, no. 5 = 1991a, 156, n. 20. Mnesimachus counted among Lysias' enemies. Other opponents of the orator were Nicomachus and Theozotides, who are also attested on curse tablets (cf. above 176, n. 55), the latter's name also inscribed on a little voodoo doll (Parker 2005, 129). Cf. above 163, n. 596. Another spell from Lysias' environment is analyzed by Costabile 2001; 1998.

159 Trunpf 1958, 98.

160 The archaeological context is not clear. Previous scholars liked to see a murdered person whose corpse had been seriously mutilated (*maschalismos*). Cf. Graf 1996, 153–154, 248–249, n. 174.

like lead') is an attribute that the victim lacks. Through magical, metaphoric practices, the quality lacking is to be transferred to the target.¹⁶¹ But how exactly this worked and to what degree the various verbal and material representations of the victim and the *similia similibus* actions were thought to be "real" is a matter of debate. As a point of departure, we should remember that the Greeks themselves regarded the magical act as an act of violence. To Malinowski, it was the psychological dimension that enabled the agent of the curse to experience a "real" action. Malinowski stressed the paramount importance of the "emotional setting" during the performance of the magical rite. For example, the destruction of the doll is, to him, a "clear expression of hatred and anger."¹⁶² He concludes: "The substitute action in which the passion finds its vent, and which is due to impotence, has subjectively all the value of a real action, to which emotion would, if not impeded, naturally have led."¹⁶³

This emotionalist approach has been harshly criticized by Graf and Faraone.¹⁶⁴ According to Graf, the psychological interpretation does not work, because the rituals were too complicated to allow the curser to vent aggressions spontaneously, and, in many cases, professional magicians performed the rites themselves. These *goêtes* were not necessarily emotionally engaged in a certain cause; they merely conducted business on behalf of a client.¹⁶⁵ Speaking of the "sympathetic action" proper, Graf takes a radical stance. The "sympathetic action," according to him, is redundant because it is dispensable. Voodoo dolls were not employed every time and many curses could do without them. Graf even goes so far as to claim that there is no homology between ritual and goal, and argues that this is the reason why we should not speak any more of "sympathetic magic."¹⁶⁶

161 Cf. Kropp 2004, 93. A good example is López 51 = SGD 78 = Ziebarth 1934a, p. 1038, no. 17 = Ziebarth 1899, pp. 116–117, no. 17 = DT 69 = Wunsch 1900, pp. 65–66, no. 17: [κατα]δίδημι Γῆι καὶ ... πρὸς] Ἑρμῆν χθόνιον [καὶ ὡς οὗτος ὁ νεκρὸς ἀτε]λὴς κείται ὡς ἀτελ[ῆ εἶναι], 'I hand him over to Ge and to Hermes Chthonios, and he shall be as useless as this corpse lies useless.' If the victim really will lie like a corpse, the wish expressed is lethal. Since formulas like this are quite frequent, they are of prime importance for the assessment of violence in the tablets.

162 Malinowski 1974, 71.

163 Malinowski 1974, 80–81.

164 It was partly resumed, however, by Tambiah 1990 and Winkler 1990, but with different, more anthropological slants.

165 Graf 1996, 132.

166 Graf 1996, 131.

Taking a stance in this discussion requires considering the different notions of depositing voodoo dolls, the *similia similibus* action *par excellence*. In popular belief, figurines and victims were probably equated. Graf concedes that the effigies somehow represent the victims whose names they bear, but the emphasis is on “somehow,” for effigy and victim cannot be identical. Figurines were not direct portraits of their targets, but rather ideograms or symbols of them.¹⁶⁷ Some dolls are inscribed with more than one name.¹⁶⁸ Most curses did not require any pictorial representations, meaning that the use of a figurine was only optional. From this perspective, the transfixion of a doll with needles cannot be interpreted any more as a “sympathetic act.” Moreover, many historians of religion, including Graf, think that the term “sympathetic magic” has become untenable anyway. It carries too much problematic baggage and evokes Sir J. Frazer with his colonial belief, derived from the Enlightenment period, of a constant upward movement of mankind, from primitive, magic beginnings to religion and finally science, culminating in the rationalism of the British Empire. Leaving the question of “sympathetic magic” aside, the question remains as to what use the dolls actually had. If they had no goal, as Graf poses, the magical rite of transfixion can no longer be understood as violent act, which seems odd.

In stark contrast to Graf’s and Faraone’s assumptions is Collins’ radical stance. In a provocative article, he also rejects the notion of “sympathetic magic,” but for reasons opposite to those of Graf. Basing his argument on theories of ancient Greek agency in general, he claims that the figurines do not *represent* the victims, but rather *are* the victims. Collins attempts to show that figures and statues were regarded not only as living creatures,¹⁶⁹ but as social agents capable of causing events to happen in their vicinity.¹⁷⁰ Thus, he states, “statues were bound not as an analogical gesture but to prevent them from moving.” By this logic, “the binding of a figurine *is* the binding of its agency, not a symbolic or persuasive act.”¹⁷¹

If this notion is true, binding magic was incredibly brutal, at least as far as the maltreatment of voodoo dolls is concerned. And if the principles of symbolic or persuasive acts did not exist in Greek magic—in Collins’ sense—all spells were meant to be direct and extremely violent. The

167 Graf 1996, 125–126. Similarly, Faraone 1991b, 190; 1988, 171.

168 Ogden 1999, 75.

169 Collins 2003, 39.

170 Collins 2003, 17, 38, 43.

171 Collins 2003, 43.

question of how exactly the maltreated voodoo doll directs its aggressions onto the victim still remains. Frazer's term "sympathetic magic" has become obsolete, but Tambiah's less problematic "persuasive analogy" does not possess enough explanatory force either. What we need to comprehend in the following analyses is how the transfer of negative characteristics onto the victims via magical means was supposed to work. Without intending to do so, Collins makes a case for such a high degree of violence that it is not compatible with the evidence. His position is more extreme than what I am trying to demonstrate in this chapter. To recapitulate, Graf and Collins reject the idea of "sympathetic magic" for diametrically opposite reasons.

Johnston is less radical and takes a mediating position between Graf/Faraone and Collins: "The Greeks used very small statues as magical dolls: by affecting the doll, one affected the individual whom the doll represented."¹⁷² She concedes a representative function of the doll. In many cases, the doll was not needed, because writing the name of the victim on a tablet was already enough to bind him or her. This can only mean that the name itself stood for the person. Gaining control over the name on the tablet entailed control over the real person.¹⁷³ That is why many tablets were pierced with nails. Taking this broad idea of representation seriously—even names on tablets can represent human beings—means allowing for a considerable degree of violence attached to binding spells. What might happen in malign magic has been explained in classical terms by the sociologist Mauss, who, like Malinowski, thought that the passion of violence has to be enacted. But in contrast to Malinowski, Mauss did not focus on the individual's soul, but firmly embedded the curser in his or her society, a collective that believes in magic. According to Mauss, three principal laws constitute magic: the law of contiguity (simultaneity, *totum ex parte*), the law of similarity (mimetic sympathy, even identity), and the law of opposition. The law of similarity can be characterized by two formulas: "like produces like, *similia similibus evocantur*; and like acts upon like, and, in particular, cures like, *similia similibus curantur*." The law of similarity may be equal to the one of contiguity. The third principle can be circumscribed by the phrases "opposite acts on opposite" or "like drives out like in order to produce the opposite." "Opposite drives away opposite" is also possible within this law of opposition.¹⁷⁴

172 Johnston 1999a, 60; similarly 158 and *passim*.

173 Gager 1992, 14.

174 Mauss 1972, 64–73. Cf. the useful summary in Luck ²2006, 5.

The basic idea is that, in the magical worldview, which is *not* primitive, everything is connected with everything else and has multiple repercussions. No action stands isolated; every action refers to and reflects countless other actions, which in turn trigger other events.¹⁷⁵ These assumptions are discussed today by chaos and coincidence theorists and their opponents. So, if one is violent toward an effigy or a tablet (or the name inscribed on it), there is a certain possibility that a human victim is affected too.

At this point, the *defixiones* should be put into the larger context to which they belong, and the connection between binding magic and public *arai*, which are often meant to be deadly, has to be more closely examined. *Ara* is the personification of a curse and almost synonymous to the Erinyes.¹⁷⁶ It heaps the state of being cursed, the *Fluchzustand* onto an accursed victim. In his book on curse poetry in antiquity, Watson has proposed a useful categorization of curses. To him, *ara* is an overarching term that comprises four sub-categories:¹⁷⁷ (1) Revenge curses, which we nowadays call prayers for justice, according to Versnel's terminology, or vindictive curses, if we want to follow Gordon's suggestion.¹⁷⁸ (2) Provisional curses, which were often publicly proclaimed and set up in stone in a public place, visible for all to deter potential treacherous behavior and wrongdoings. They are *arai* in the more narrow sense, as the term is often employed in secondary literature. They protect cities,¹⁷⁹ assemblies,¹⁸⁰ consti-

175 Cf. above Tambiah's very similar linguistic categories. Luck ²2006, 5, 33–34 speaks of "cosmic sympathy."

176 K. Wernicke, s.v. "*Ara*," *RE* II, Stuttgart 1896, col. 337–338.

177 Watson 1991, 6–12.

178 Gordon 1999b, 167, 246. Apart from the Bath tablets, the lead tablets of Cnidus are famous (Audollent 1904, 1–13; I. Knidos 147–159; 300 BCE–100 CE). They were often put up in public. Cf. Versnel 2010, 281. Watson 1991, 6–7 lists literary sources.

179 Syll. I³ 37–38 = GHI I 23 = M/L 30 = HGIÜ I 47 (*Dirae Teiorum*). The curse hits all those who may exert malign magic against Teos or some of its citizens, endanger the import of grain, may be disobedient to the magistrates, commit treason while being magistrates, engage in banditry or piracy, or support the enemies of Teos. Cf. Latte 1920, 70–73 with more sources. Note that some curses try to harm enemies of the city. The Athenians, e.g., cursed Alcibiades (Plu. *Alc.* 22; 33), Philip V of Macedon (Liv. 31.44.4–6), and those who were guilty of profaning the mysteries in 415 BCE (Lys. 6.51). These curses transfer the offenders over to the infernal gods and are thus meant to be deadly. And since gods of the underworld are also mentioned on most curse tablets, their deadly character should impose itself on the modern interpreter.

tutions,¹⁸¹ treaties, laws, decrees,¹⁸² tombs,¹⁸³ private corporations, and phratries,¹⁸⁴ as well as wills and possessions,¹⁸⁵ and are therefore regarded as legitimate *Rechtsschutz*. (3) Self-imprecations (*Selbstverwünschungen*) overlap with *arai* in the more circumscribed sense of (2). Within this third category, I differentiate between provisional self-imprecations as parts of oaths,¹⁸⁶ and unconditional imprecations,¹⁸⁷ which comprise the *devotiones* mentioned below.¹⁸⁸ Watson's last category (4) are unprovoked curses, that is, binding spells. Although Watson clearly differentiates between these very different forms of curses, it is telling that all of them

180 Din. 2.16; Andoc. 1.31; D. 19.70–71; 20.107; 23.97; Lyc. 1.31. Ar. *Th.* 295–371 parodies the entrance prayer of the Assembly of the People, which puts friends of the Persians, tyrants, and all enemies of the people under a spell.

181 The five thousand put their novel order under the guarantee of an *ara* (Th. 8.97). Many *arai* are directed against tyrants and enemies of the people (Latte 1920, 73–74).

182 Cf. Watson 1991, 9, 19, 22 (with sources); Latte 1920, 74–76. Cf. Pl. *Lg.* 871b; *Criti.* 119e; D. 20.107 on the intricate connection between law and curse. The curse proclaimed by the Amphictyones against potential settlers of the plain of Cirrha is fully spelled out by Aeschin. 3.110–111. Cf. OGIS I 55.30–33, “a sanction ... attached to a decree of Lycian Telmessus setting up a cult for Ptolemy son of Lysimachus” (Watson 1991, 19–20).

183 Famous are the imprecations against tomb violators from Asia Minor, most of which hail from third century CE Phrygia (Strubbe 1997). Although normally grouped with *arai*—“they belong to the domain of justice and were socially accepted” (Strubbe 1997, XI)—they do show some traits of *defixiones*. If they invoke deities, these are the gods of the underworld that are also mentioned in binding magic (Strubbe 1997, XVI).

184 Ziebarth 1895, 69.

185 D. 36.52.

186 Most famously the oath of Plataiai (GHI II 204 = HGIÜ I 40; Plu. *Arist.* 10.6; D.S. 11.29.2–3; Lyc. 1.80–81) and the decree of Cyrene (HGIÜ I 6 = M/L 5.40–51), which is enhanced by a ritual practice of malign magic, i.e., the melting of waxen statues. Cf. Stengel 1898, 78 on curses as parts of oaths. Latte 1920, 73: “Die Exekration gehört ja zur griechischen Eidesformel.” Watson 1991, 8–9 (with more sources) also cites Plu. *Q. Rom.* 275d: *πᾶς ὄρκος εἰς κατάραν τελευτᾷ τῆς ἐπορκίας*, ‘every oath concludes with a curse on perjury.’ Further important examples are Syll. I³ 527.78–94 (*Drerorum ius iurandum*) and the oath of the Lacedaemonians before the war against the Messenians (Str. 6.3c279; Plb. 12.6b9). Cf. Parker 1983, 186, nn. 234 and 235 with numerous literary and epigraphical sources.

187 Cf., e.g., Oedipus’ curse on all those who do not actively search for Laius’ murderer (S. *OT* 269–275). Further literary sources appear in Watson 1991, 9–10.

188 Cf. below 207–208.

are, in the end, *arai*.¹⁸⁹ For older continental research this fact was self-evident. To Stengel, Ziebarth, and Nilsson the *defixiones* were a private form of the public *arai*.¹⁹⁰ I do not mean to play down the fundamental differences between *arai* in the narrow sense and the *defixiones*. *Arai* are public, *defixiones* secret. The first often name the agent of the curse, the latter do not.¹⁹¹ The first cannot name the victim, because she or he is only potential—that is, the person is only cursed *if* he breaches an oath or does some harm to the community that protects itself with the curse. The latter explicitly name the victims, who are supposed to suffer harm, even if they did not do any wrong. *Arai* are socially accepted, a religious and legitimate form of self-help that is intrinsically tied to *dikē* (justice), which the *ara* is supposed to implement more firmly,¹⁹² whereas binding curses were laid down in a clandestine way because they were socially unacceptable. Most *arai* are specific in their ill wishes and clearly express the desire for destruction in contrast to most binding spells, at least those from Athens. But are the differences really so great?¹⁹³ The author of a binding spell often sought to redress justice in his own sense, a form of justice that the institutions of the city had not or may not have provided for him.¹⁹⁴ From this perspective, even binding spells can be considered as working alongside the courts and, in this sense, are similar to prayers for justice. The grave inscriptions, normally grouped

189 Watson 1991, 22 makes this abundantly clear: “ἀραί were quite as widespread in the private sphere. Some of the relevant types have already been noted – ἀραί from the worlds of poetry and myth, curses against grave-violators, and *defixiones*.”

190 Stengel 1898, 75 mentions that *arai* also bind, thus almost equating them with the *defixiones*. Cf. E. Ziebarth, s.v. “*Fluch*,” *RE* VI 2, Stuttgart 1909, col. 2771–2773, 2772 and Nilsson ⁴1976, 802 stating that the curse tablets stem from the tradition of the *arai*. Cf. also Nilsson ⁴1976, 803–804, where he explicitly mentions death as one possible aim of a binding curse.

191 There are some rare exceptions, however. SGD 54 (Athens, fourth century?) and SGD 91 (Sicily, fifth century BCE) name the curser.

192 On the connection between *arai* and justice, cf. Watson 1991, 38–42.

193 Voutiras 1998, 37–38 follows Audollent 1904, XXXII, XXXVI–XXXVII, XL in strictly separating binding spells from *arai*. Although Maggidis 2000 regards binding curses as relatively harmless, thus following Faraone and others, he comes to a conclusion that brings *defixiones* nearer to *arai*: “The binding spell on the curse tablet is in effect nothing but a ritualized, thus more powerful and efficient, ‘borderline’ prayer (ἐὐχά, SGD 91).”

194 NGCT 14, 23, 24, 66; DTA 98, 100, 102, 103, 120, 158. SGD 58 speaks about some kind of injustice suffered. All of these tablets belong to Versnel’s category of border-area curses. Cf. Eidinow 2007a, 229–230.

with the *arai*, invoke the same infernal gods that can be found on the curse tablets. Most of all, in both forms of cursing, a *Fluchzustand*, a certain kind of contagious pollution (*miasma*) is called down on the victim.¹⁹⁵ The Greeks had a precise word for this state of being accursed—*loimos*, which might be incurred either because of personal misdeeds, especially in the case of sacrilege (*agos*),¹⁹⁶ or as a result of an *ara* or binding spell. The person who incurred *loimos* was then considered *enagês*, ‘held in the *agos*.’¹⁹⁷ In contrast to the *defixiones*, *arai* often spell out the dire implications of *loimos* expressively: pestilence, crop failures and ensuing famines, infertility of women and cattle, or abnormal children and young cattle, as well as the destruction of the whole family.¹⁹⁸ Hesiod, in his *Works and Days*, gives an almost classical definition of *loimos*:¹⁹⁹

But to those who care only for evil outrageousness and cruel deeds, far-seeing Zeus, Cronus’ son, marks out justice. Often even a whole city suffers because of an evil man who sins and devises wicked deeds. Upon them, Cronus’ son brings forth woe from the sky, famine together with pestilence, and the people die away; the women do not give birth, and the households are diminished by the plans of Olympian Zeus. And at another time Cronus’

195 On the pollution of the accursed victim, cf. Versnel 2009, 16, n. 21.

196 Parker 1983, 180. *Agos* is a subcategory of *miasma*, i.e., every *agos* is a *miasma*, but not every *miasma* is an *agos*. It must be noted that, originally, the concept of *agos* (sacrilege) and that of *miasma* (pollution) were unrelated. Soon, these two terms became indistinguishable, i.e., by the classical period, an *agos* was also perceived as a state of pollution (Parker 1983, 144–147; Moulinier 1952, 247–259). For Latte 1920, 77 it is self-evident that sacrilege pollutes.

197 Parker 1983, 192. This also means that diseases and other misfortunes could be washed off by purifiers (Parker 1983, 224, 232, 246, 251).

198 All of the above-mentioned curses (nn. 178–187) contain several of these ill wishes. Cf. Watson 1991, 31–34 with more sources on the infertility and destruction-of-the-*genos* motif.

199 Hes. *Op.* 238–247:

οἷς δ’ ὕβρις τε μέμηλε κακὴ καὶ σχέτλια ἔργα,
τοῖς δὲ δίκην Κρονίδης τεκμαίρεται εὐρύοπα Ζεὺς.
πολλάκι καὶ ξύμπασα πόλις κακοῦ ἀνδρὸς ἀπηύρα,
ὅς κεν ἀλιτραίνῃ καὶ ἀτάσθαλα μηχανάται.
τοῖσιν δ’ οὐρανόθεν μέγ’ ἐπήγαγε πῆμα Κρονίων,
λιμὸν ὁμοῦ καὶ λοιμόν, ἀποφθινύθουσι δὲ λαοί·
οὐδὲ γυναῖκες τίκτουσιν, μινύθουσι δὲ οἴκοι
Ζηνὸς φραδμοσύνησιν Ὀλυμπίου· ἄλλοτε δ’ αὖτε
ἢ τῶν γε στρατὸν εὐρὺν ἀπώλεσεν ἢ ὃ γε τεῖχος
ἢ νέας ἐν πόντῳ Κρονίδης ἀποαίνυται αὐτῶν.
Similarly S. *OT* 22–30.

son destroys their broad army or their wall, or he takes vengeance upon their ships on the sea.

A preserved oracle of Apollo at Clarus gives advice to the city of Sardis that was beleaguered by plague under Marcus Aurelius (after 165 CE; SEG XLI 981). It mentions *loimos* and malign magic in one breath. As a remedy, a procession in honor of Artemis of Ephesus was supposed to be introduced, and wax maumets, probably found by chance, were to be destroyed in a ritual. Thus, people believed that the magical spell caused by voodoo dolls could be unbound by destroying them.²⁰⁰ Very clearly, *defixiones* and *loimos*, and, consequently, *arai*, belong together in the imagination of ancient believers.²⁰¹

Why are the Athenian curse tablets more silent on the harm they inflict? Apart from discursive restrictions, which I will address below, much was a matter of proportion. It would have been senseless for a potter to call down crop failure and ensuing famine on a neighbor. What the *polis* could do on a large scale was often not applicable on the small scale of a local businessman or a prostitute. But the thought-worlds underlying public *arai* and private *defixiones* were quite similar: both kinds of curses involved incapacitating a victim by various means for various reasons. It was the firm belief in both cases that pollution could be heaped upon a target by supernatural means, thus transferring him or her into the state of *loimos*. It goes without saying that the ritual practice of depositing a curse tablet was supposed to pollute the victim. By burying the tablet in a grave, sometimes even putting it into the hand of a corpse, the sorcerer came into contact with the dead, who were always thought to be polluting. And since the name on the tablet could represent the actual victim, as we have seen, a real person was thought to have been exposed to immediate *miasma*, or, in other words, to a certain kind of *loimos*, similar to the one called down on targets by public *arai*.²⁰² What kind of misfortunes

200 I quote the translation of Gordon 1999b, 209: 'She [Artemis of Ephesus] will be distressed at the calamity <which has befallen the city>, and by her fiery torches unbind man-destroying magic of plague (*loimoio* ... *pharma[k]a*) by melting with her night-flame (the) maumets of wax, the wicked signs of a magician's art (*magou* ... *symbola technês*)' (lines 6–9).

201 Rubinstein 2007 *passim* emphasizes the continuous deterrence *arai* exercised through Hellenistic and Roman times. Despite changes in the formulas, she cannot detect a trivialization of this kind of cursing.

202 Cf. Jordan 1993, 129–131 on the pollution caused by the dead in *defixiones*, especially with regard to the *atelestoi*. A good example of *atelestoi* in Athens is found in Audollent 1904, 68. Theophrastus' superstitious man (Thphr.

this *loimos*, enshrined in the binding curse, entailed is encapsulated in the broad semantics of the binding word *katadō*,²⁰³ but is sometimes spelled out more drastically, as we have seen above. Imprecations against desecrators of a grave, as preserved from Asia Minor, which, in my opinion, stand between *arai* and binding curses, call down four different categories of punishments on all those who might violate the tomb: death (as the most frequent form of punishment), physical sufferings of all kinds, the situation of being accursed, and even punishments after death.²⁰⁴ These ill wishes fully confirm the picture established so far. Number 40 in Strubbe's corpus speaks about the air, which is supposed not to be pure and healthy for the culprit and his family;²⁰⁵ Number 146 may speak of pestilence.²⁰⁶ The underlying assumption of contagious pollution and *loimos* is clear. Without speaking about *loimos*, Strubbe gives a definition of it under the rubric "The situation of being accursed":

death, especially death by drowning, burning, starvation or falling down and all strange and cruel ends of life; diseases, especially blindness, mental disorder and epidemics; infertility of women and the birth of abnormal children; all natural disasters and disruptions of the normal order, like drought and flood, hail and storm, crop failure and famine.²⁰⁷

When depositing binding spells, the cursers certainly also had some of these very same polluting ill wishes in the back of their minds.²⁰⁸ This means that bad luck and pollution were inextricably intertwined. Whoever suffered from bad luck had to be polluted in the eyes of his or her con-

Char. 16) feels compelled to purify his house all the time, because he assumes that Hecate has been activated against it. Her power was thought to be impure (Parker 1983, 222–223). Hecate appears on many curse tablets from fourth-century Athens, obviously because her power was also supposed to pollute the victim.

203 See below 214–216.

204 Strubbe 1997, XVII–XIX.

205 καὶ μήτε αὐτῷ μήτε γενεᾷ μήτε γένει ἀὴρ καθαρὸς ἢ ὑγιεινὸς, 'and neither for him nor for his family and offspring shall the air be pure and healthy.'

206 Εἴ τις ἔτι σκύλη, λυμὴ γε [...] Τ[.] δὲ ἐξαπόλοιτο, 'whoever plunders [the tomb], may he perish through an epidemic disease.' Strubbe takes λυμός as λοιμός and translates the term with 'epidemic disease.' L. Robert could not make sense of the word (*REA* 42, 1940, 309).

207 Strubbe 1997, XVIII. Cf. a similar listing in Watson 1991, 35–36. An inscription from Chalcis (IG XII 9 1179) provides an omnibus malediction (Watson 1991, 31–32).

208 Cf. Moulinier 1952, 296.

temporaries. Consequently, wishing someone bad luck entailed polluting him or her in one way or another.

If a public *ara* could already be lethal, how deadly then was the clandestine devotion of a victim to the gods of the underworld meant to be? In the liminal act of a *depositio*, the downward movement to chthonic deities is a reversal of the official cult of the *polis*, which addressed the Olympian gods.²⁰⁹ This important anti-structural stance is often enhanced by reverse writing. Such inversion was deemed appropriate for the gods of the underworld, who were thought to be opposite to the Olympians. The verbs of “writing” or “binding down” have a kinetic component, underscored by the preposition *pros*, with the inherent dynamic of establishing contact between target and chthonic deity.²¹⁰ The victim is handed over, transferred, or dedicated to the gods of the underworld. The act of dedicating or devoting someone to these gods is expressed by *katadô* (‘I bind down’), *katagraphô* (‘I write down’), *katatithêmi* (‘I put down’), and *kata-didômi* (‘I give down’),²¹¹ verbs that correspond to *devotio* in Latin. The *devotio* in Roman culture, however, always meant death by transferring a person to the gods for the sake of his or her destruction.²¹² Military commanders like P. Decius Mus devoted themselves to the gods in hopeless situations on the battlefield.²¹³ The unconditional sacrifice of their lives was meant to avert defeat and secure the survival of the Roman troops. In conditional self-execrations, which are often found as parts of oaths, people called down destruction upon themselves. Such execrations had a long tradition in ancient cultures as *dirae* and were typically meant to be lethal.²¹⁴ In Latin the word “curse” is also rendered as *devotio*,²¹⁵

209 Graf 1996, 116.

210 Kropp 2004, 94.

211 Eidinow 2007a, 145 rightly translates the derivatives of *tithêmi* and *didômi* with ‘to consign.’

212 H. Versnel, s.v. “*devotio*,” *Der Neue Pauly* 3, Stuttgart – Weimar 1997, col. 493–494.

213 Allegedly, Decius Mus won the battle of Sentinum in this way in 295 BCE (Duris FGrHist 76 F 56; Liv. 10.26–30). His father is also reported to have sought death in the same way in a battle against the Latins in 340 BCE (Liv. 8.6; 8.9–11). This may be a projection from the son to the father (K.–L. Elvers, s.v. “Decius,” *Der Neue Pauly* 3, Stuttgart – Weimar 1997, col. 347).

214 Cf. the famous *Dirae Teorum* (Syll. I³ 37–38 = GHI I 23 = M/L 30 = HGIÜ I 47), the curse of the city of Teos against some miscreants, and the oath of Plataiai (GHI II 204 = HGIÜ I 40; cf. Plu. *Arist.* 10.6; Lyc. 1.80–81; D.S. 11.29.2–3). Cf. Graf 1996, 117. Cf. above 201, n. 179 and 202, n. 186 in the context of *arai*.

showing that, for native speakers of Latin, the connection between death and curse was self-evident. Among modern scholars, Bernand goes so far as to equate the *defixio* with the *devotio*: for him, the *defixio* is just the process through which the *devotio* is achieved.²¹⁶ Undoubtedly the Attic curse tablets are to be seen in this larger context as well. But did the Greeks, like the Romans, seek the reason for unexpected deaths in malign magic? Yes, indeed. Graf has presented a list of more than thirty inscriptions that demand revenge for the sudden, premature, and inexplicable *deaths* of close relatives through magic. The earliest inscription dates to the second century BCE.²¹⁷ Through these inscriptions, we see that every misfortune and calamity, ranging from broken pots in one's kiln to loss of memory in court²¹⁸ to the death of one's child, could be explained through the malicious force of malign magic.

On the tablets, devotions to the gods of the underworld clearly suggest the direction into which the dead were supposed to drag the victims, but further evidence must be considered. It is the *communis opinio* that the chthonic gods invoked—in most Attic cases, Hermes, Persephone, and Hecate—served as witnesses who oversaw the magical act.²¹⁹ Terms used on the tablets, such as *katagraphô* ('I write down'), *apographô* ('I write away'),²²⁰ and *paradidômi* ('I hand over'), normally appear in judicial contexts to validate business transactions. It is all the more likely that the chthonic gods are envisioned as witnesses in the magical act if, in the tablets, the preposition *pros* is used to mean 'in the presence of,' a meaning typical in legal contexts. A good example is the curse against Litis: 'I bind Litis in the presence of Hermes the Restrainer and Persephone' (line 1); 'in the presence of Hermes the Restrainer, Persephone, and Hades' (line 17).²²¹ The repetitive, mantra-like character of the preposi-

215 S.v. "*devotio*," OLD 1982, 534. *Devotio* is also the word used to designate the accusation of binding magic in Tacitus (Graf 1996, 116). Versnel 2010, 351 reminds us that the Latin term for curse tablet is not *defixio*, but *devotio*.

216 Bernand 1991, 110: "La 'défixion' n'est que le procédé par lequel s'exerce la dévotion." Cf. Bernand 1991, 108–110 on the whole complex.

217 Graf 2007b.

218 Ar. Scholia V. 946–948; Cic. *Brut.* 60.217; *Orat.* 37.129.

219 Faraone 1991a, 5.

220 I thank David Phillips (UCLA) for alerting me to the fact that *apographô* is also the technical term for registering a person as a debtor to the state (e.g., SEG XII 100; Lys. 29.1; D. 53.1–6, 19, 23, 28).

221 Gager no. 70 = SGD 44 = Peek 1941, pp. 97–100, no. 9 = López 26 = Ziebarth 1942, 19–20: 1: Λιτίαν καταδ[ῶ] πρὸς τὸν Ἑρμῆν τὸν κάτο[χ]ον [καὶ τῇ]ν

tional phrase is well shown in another piece: ‘in the presence of Hermes, in the presence of Hermes, in the presence of Hermes.’²²² The business sphere evoked in these curse tablets suggests that the victims were registered with the gods or in their presence,²²³ with the deities thus serving as witnesses. The victim was bound in the deities’ presence in the sense that the gods passed the curse on to the corpse, which would then put it into action.²²⁴

But the gods are not just witnesses. In legal contexts, the accusative case is regularly used to refer to the magistrate who has jurisdiction over a case. This means that the agent of the curse renders the accursed person subject to the jurisdiction of the chthonic powers named. As we will see, this kind of registering of the victim with the gods endowed the dead with extraordinary functions.²²⁵ Curbera and Jordan have added that *pros* has a more geographical meaning as well, for it can denote the sanctuary of the god or the cemetery where the curse tablet is deposited.²²⁶ I would like to expand on the semantic range of this preposition, which is so crucial in the context of curse tablets. *Pros* in its basic meaning also signifies the direction of an action in the sense of ‘to,’ ‘toward,’ ‘in the direction of.’²²⁷ Verbs of motion like *katadô*, *katagraphô*, and *katatithêmi* all denote a downward movement, and the chthonic gods addressed were thought to dwell in the underworld.²²⁸ Hence, this meaning of *pros* makes a great deal of sense, since the dead were supposed to drag the cursed person down into the underworld. In this con-

Φε[ρ]σεφόνην. 17: πρὸς[ς] τὸν Ἑρμῆν τὸν κάτοχον καὶ τὴν Φερσεφόνειν καὶ τὸν Ἄϊδην.

222 DTA 80: Πρὸς τὸν [Ἑρμ]ῆ[ν·π]ρὸς τὸν Ἑρμῆν πρὸς τὸν Ἑρμῆν.

223 Graf 1996, 112. Curbera – Jordan 1998 translate *pros* as ‘before.’ Carastro 2006, 173 sees a connection between binding magic and civic life: “les *katádesmoi* étaient calqués sur des procédures courantes de la vie administrative en Grèce.” Decidedly also Gordon 1999a.

224 Johnston 1999a, 73–74, n. 112 summarizes the discussion. Cf. Ogden 1999, 26 (with older literature).

225 Johnston 1999a, 74 in contrast to Parker 2005, 127–128, esp. n. 48, who emphasizes the importance of the dead’s immobility.

226 Curbera – Jordan 1998. Cf. Johnston 1999a, 73–74, n. 112.

227 S.v. “*pros*,” Liddell – Scott 1968, 1496–1497: “Prep., expressing directions, *on the side of, in the direction of*, hence c. gen., dat., and acc., *from, at, to*.” In the curse tablets, the case used is accusative throughout; hence the definition on 1497: “WITH ACCUS., it expresses motion or direction towards an object.”

228 Cf. Parker 2005, 126. In DTA 91 Hermes is characterized by two adjectives simultaneously, *chthonios* and *katochos*—that is, in his earthly, underworld, and restraining qualities.

text, *pros* does not only mean ‘in the presence of,’ as exclusively rendered in the secondary literature; rather, in addition to its legal connotation, *pros* is used in the curse tablets in its very basic meaning denoting a downward direction. The translation offered by Gager—‘I hand over X before/to the presence of Hermes’²²⁹—should thus be complemented by ‘I write X down to/in a downward direction to Hermes.’ Curbera and Jordan report that formulas with *pros* or *para* “followed by names of chthonians ... or by collective terms of them” are attested twenty-six times in the extant corpus of fourth-century Attic tablets;²³⁰ this amounts to roughly 10 percent. We can assume that *pros* has the same connotation in all instances where it is used. If this is the case, many tablets aim at sending their victims down to the underworld rather than merely registering them with the deities of the underworld. If this is true, the malevolent and morbid character of many early tablets is once more firmly established.

In the few “letters to the underworld,” the preposition *pros* is unnecessary; the context is abundantly clear. The gods appear in the dative, for example, in the following judicial spell, where the letter is addressed *to* Hermes and Persephone:²³¹

I am sending this letter to Hermes and Persephone, since I am presenting wicked people to them, for it is fitting for them to obtain the final penalty, O Justice/Dikê: Kallikratês son of Anaxikratês, Eudidaktos, Olympiodôros ... Theophilos ... Zôpuros Pasiôn Charinos, Kallenikos, Kineias ... Apollo-dôrus, Lusimachos, Philoklês, Dêmophilos and their associates and any other friend of theirs. Dêmokratês, the one going to court for the case: Mnêsimachos, Antiphilos.

The whole mental context of devoting one’s victim to the underworld is not a uniquely Greek phenomenon. A parallel can be found in Mesopotamian curses, in which the dead also had the task of taking victims down to the underworld.²³² Greece is not Mesopotamia, but the oriental evi-

229 Gager 1992, 20.

230 Curbera – Jordan 1998, 215.

231 DTA 103 = Gager no. 38 = Wilhelm 1904, 122–125 = SEG XXXVII 220 = López 67: Ἐρμ[ῆ] καὶ Φερσεπφ[ό]ν[η] τήνδε ἐπιστο[λ]ήν ἀποπέμ[πω· ὅπ]ότε ταῦτα (ἐ)ς ἀνθρώπο(υ)ς ἁμαρ[τωλο(ῶ)ς] φ[έ]ρω, αὐτο(ῶ)ς, Δίκη, τυχεῖν τέλο(υ)ς δίκης. Καλλικράτης Ἀναξικράτους; Εὐδίδα[κ]τος Ὀλυμπιόδωρος ... ὅς Θεόφιλος ..ρ[ο]ς Πλ...Χαρῖνος Καλλένικος Κινείανδωρος [Λυσί]μαχος Φιλοκλῆς [Δη]μόφιλος καὶ σύνδικοι καὶ [εἰ] τις ἄλλος [φίλος αἰ]ὐτοῖς· Δημοκρ[ά]της τ(ὸ)ν περὶ τῆ(ς) δίκης[ς] δικαζ[ό]μενον· Μνησίμαχος Ἀντί[φιλος].

232 Johnston 1999a, 89.

dence is valuable, for it shows that such an idea was not uncommon in the ancient world. It is likely that the Greeks borrowed this notion from the East. The epithet *katochos*, with which Hermes is often characterized on the tablets,²³³ offers an additional hint. *Hermes katochos* presses down, holds back, prevents the return of the dead. *Katochos* also means tombstone.²³⁴

Regarding the magical act as a *devotio* often meant to be lethal, and considering the consequences of the spatial dimensions as expressed on the tablets, leads to a better understanding of who the agents involved, real and imaginary, actually were. In what follows, I would like to propose that the human and supra-human agents of magic rituals reflect some cultural practices of the Athenian judicial system and can even be regarded as being analogous to it.

Admittedly, the agents are not always specified on the tablets, or are unclear. The dead play a crucial role, although they are in most cases not directly invoked. The following pattern is, however, discernible: the early tablets were almost without exception buried in graves; the preferred dead were those who had been murdered (*biaiothanatoi*) or who had died prematurely (*aôroi*) before reaching life's major goals, mainly marriage and/or procreation. In the eyes of those surviving, these dead were deprived of social esteem and would, consequently, feel dishonored. Not having successfully completed the course of their lives, they were denied access to the underworld. Belonging neither to the upper nor to the underworld, they were doomed to hover in the liminal sphere between the world of the living and the world of the dead until a relative performed the appropriate rites on their behalf.²³⁵ What do these unhappy souls have to do with the chthonic deities invoked on the tablets? Some scholars have imagined the corpse to be a kind of postman, taking the tablet down to the gods and goddesses of the underworld.²³⁶ But why then would the agents of the curses invoke these deities? The ritual experts, the *goêtes*, manipulated the dead through addressing the gods. These professional sorcerers, often marginalized figures from out of

233 E.g., DTA 85; DTA 86 = Gager no. 67; DTA 87 = Gager no. 62 = SEG XXXVII 216; DTA 88–91; DTA 93; DTA 100 = SEG XXXVII 217 = Versnel 1991a, 65–66; DTA 109 = Gager no. 61; DTA 161.

234 L. Ganschietz, s.v. "*katochos*," *RE* X, Stuttgart 1919, col. 2526–2534, 2533. To Eidinow 2007a, 147 *Hermes katochos* is basically an immobilizer.

235 Johnston 1999a, 127, 149–152 and *passim*.

236 Graf 1996, 115, 119.

town,²³⁷ would have been responsible for handling the complicated verbal and non-verbal rites. These specialists knew how to deal with demons, gods, and the dead, which was especially uncomfortable.²³⁸

New theories of agency as developed by Johnston and Collins, which are based on a variety of source materials, elucidate these connections and confirm that psychopompic figures like Hecate and Hermes were supposed to trigger the chain of action and get the dead going against the victims of curses.²³⁹ Hermes was considered especially powerful, able to wake up a dead body and activate it.²⁴⁰ The dead were thus forced into action by the gods.²⁴¹ These gods did not have to carry out the curse themselves, but had to register it and make sure that the restless spirits of the dead, often longing for revenge, would enact the spell.²⁴² The task of the chthonic gods and *daimones* was one of mobilization and supervision.

237 According to Johnston 1999b, 99, *goêteia* came from the East. This fact and the circumstance that these foreign practitioners worked with the dead made them despicable. Similarly, Gordon 1999b, 231. Cf. below 222–223 on the unclear origins of Greek magic.

238 Johnston 2008, 14, 19–20; 1999a, 53–54, 83, 99, 103–120; 1999b, 84, 98–99 with the definition of the *goês* as a communicator between the living and the dead. *Goêtes* could also perform initiations into mystery cults and protect cities—i.e., they could also be hired by entire *poleis* (Johnston 1999b, 94). Voutiras 1998, 72 supposes that, by the middle of the fourth century, professionals must have been at work who collected formulas and materials and passed them on to the next generations.

239 According to Felton 2007, 90–92, Hecate especially is responsible for the restless dead.

240 I thank Bärbel Kramer (Trier) for drawing my attention to a new papyrus find, a fragment of Aeschylus' tragedy *Psuchagôgoi* (P. Köln III 125 = TGF III fr. 273a; cf. also TGF III fr. 273, 275), in which thirteen verses of a choral song hint at Odysseus' necromancy as described in Hom. *Od.* 11.12–224, where the *aôroi* are also mentioned. The chorus of the *psuchagôgoi*, the servants of the oracle, descending from Hermes, help Odysseus in conjuring up Teiresias. Johnston 1999b, 84–85 also refers to Aeschylus' *Psuchagôgoi*. A similar scene is to be found in A. *Pers.* 623–651. It does not come as a surprise that in the new papyrus Hermes Chthonios and Zeus Chthonios (= Hades) are invoked (cf. also A. *Ch.* 727; S. *Aj.* 832; E. *Alc.* 743). Thus, the papyrus provides a direct literary link to similar invocations on Attic curse tablets. Cf. the *psuchagôgoi* in Plato below 216, n. 251. They lead the souls with the help of the gods.

241 Johnston 2008, 17; Johnston 1999a, 72–73 and *passim*; 1999b, 86–87. Similar Maggidis 2000, 90; Gager 1992, 118.

242 Felton 2007, 98 is convinced that ghosts were supposed to be able to kill. Parker 2005, 127 rightly emphasizes that the tablets were still deposited in graves, even if they do not mention chthonic powers.

Consequently, it makes sense that only the gods are mentioned on the tablets, but not the dead.²⁴³

Sometimes the tablet was placed into the right hand of the corpse.²⁴⁴ If the dead person is not the *transmitter of the tablet*, but rather the *executor of the spell*, and if we assume that the curse tablet alone can represent the victim, we may hypothesize that the dead person is supposed to take the tablet, representing the victim, down with him into Hades, the final resting place of the *aōros*, where he or she was eager to go. From the texts alone we could only surmise that corpses were supposed to drag living people down into the underworld. The non-verbal ritual act, hinted at in the archaeological context, may have had priority over the written spell.

Is there additional proof that the transference of victims to the gods of the underworld implies death? Semantic considerations sustain the thesis presented so far. In an influential article on imprisonment in Athens, Hunter has investigated the semantics of binding in general without mentioning the connection to curse tablets. In the absence of a formal jail, Athenians relied on putting a suspect into chains and keeping him in a primitive building for several days until the judgment was rendered or the penalty executed, the most famous example being Socrates. Forceful

243 There are a few notable exceptions where the dead are mentioned: Gager no. 64 = DTA 55 = SGD 105 (indirectly); Gager no. 62 = DTA 87 (indirectly); DTA 99, 100, 102 = Gager no. 104; DTA 103; Ziebarth 1934a, pp. 1040–1042, no. 23; DT 52 = SEG XLIX 321 = Ziebarth 1899, pp. 118–120, no. 20 = Wunsch 1900, p. 67, no. 20 (third/second century BCE Attica); Gager no. 22 = DT 68 = Ziebarth 1899, pp. 114–116, no. 16 = Wunsch 1900, p. 65, no. 16; DT 69 = Ziebarth 1899, pp. 116–117, no. 17 = Wunsch 1900, pp. 65–66, no. 17 (both from fourth-century BCE Attica); SEG XXXVII 673 (from fourth/third century BCE Olbia); DT 43, 44 (Arcadia, third century BCE). Cf. Johnston 1999b, 87. Bravo 1987 *passim* overemphasizes the difference between the notions of the dead as immobile and those endowed with power and agency (a minority in the evidence). The Greeks did not have clear-cut notions of the dead. The fact that the accused victim should become as motionless as the corpse in whose grave the curse tablet was buried does not preclude some agency on the part of the soul of the deceased. Bravo does not explain the exceptions away, where the dead show up as powerful figures (DTA 99, 100, 102, 103 [indirectly]), but attributes too much importance to quantifying considerations.

244 E.g., 1. Gager no. 105 = Peek 1941, pp. 91–93, no. 3 = Jeffery 1955, p. 75, no. 19 = SGD 1 = López 1 = Ziebarth 1942, 19 (fifth century BCE); 2. López 2 = SGD 2 = Peek 1941, pp. 95–96, no. 6 = Ziebarth 1942, 19–20 = Jeffery 1955, p. 75, no. 20 (fifth century BCE). Cf. Graf 1996, 119; Jordan 1988, 273–74.

restraint as a systematic long-term punishment was not yet established.²⁴⁵ Hunter shows that the semantics of binding and imprisonment are mostly one and the same, with *desmos*, the action of binding, also meaning imprisonment. Consequently, the verb *dein* or *katadein* can mean both to bind and to put in prison. The most common word for prison, *desmôtêrion*, means nothing other than a place for binding.²⁴⁶

Who was bound in Athens and for what purpose? Most of the time, those who suffered being bound were debtors and criminals (*kakourgoi*) who had been given over to the Eleven (who also served as executioners), or had been summarily arrested by them (mostly killers, robbers, house-breakers, burglars, thieves, kidnappers, and clothes-snatchers).²⁴⁷ They awaited their trial or imminent execution. If a trial took place, the death penalty was often the verdict rendered. Binding by the Eleven, in fact, often preceded execution. This cultural practice of binding recurs on the curse tablets with the same semantics. This finding gives rise to several all-important questions: Why do the curses use the binding metaphor at all? What is its purpose? Why did Athenians not resort to different semantic fields, different forms of wishing adverse conditions and expressing harm, such as hanging, stoning, drowning, or burning? To begin with, verbs of binding evoked certain associations. They were supposed to put someone into fetters metaphorically. On the one hand, the metaphorical chains did not in themselves kill the target; on the other hand, applying them was only meant to be a preliminary step. Did the cursed victims await trial? Yes, in a twofold sense. Most curses were judicial spells and

245 Cf. the discussion in Harrison 1971, 241–244.

246 Hunter 1997, 308. Cf. s.v. “*katadeō*,” Liddell – Scott 1968, 889. Athens seems to have been the first city to employ the binding metaphor in malign magic, which corroborates the thesis presented here. Not one of the earlier Sicilian curse tablets uses derivatives of binding, but of writing (e.g., *katagraphō*, *engkatagraphō*; cf. the corpora López Jimeno 1991; Arena 1989; Dubois 1989). The second oldest tablets hail from Athens. The fact that the famous Macedonian tablet from the fourth century refers to the writing metaphor further corroborates my thesis. Cf. Voutiras 1998, p. 8, line 1: [Θετί]μας καὶ Διονυσοφώντος τὸ τέλος καὶ τὸν γάμον καταγράφω, ‘of Thetima and Dionysophon the ritual wedding and the marriage {I write down} by a written spell.’ I have changed Voutiras’ ‘I bind’ to ‘I write down’ because this is what the text actually says. That other cities followed the lead of Athens and later used the binding metaphor is only to be expected. A thorough geographical and chronological analysis of all verbs used in binding spells is a blatant gap in existing research.

247 Cf. Lys. 10.10; D. 24.204; Arist. *Ath.* 52.1. Cf. Ruiz 1994, 57 and Hansen 1976 on the various groups of *kakourgoi*.

were deposited before real trials took place. The agent of the curse hoped for the most negative possible judgment against the opposing litigant. If the deposition did not refer to a lawsuit, the victim was to be bound metaphorically to face trial in front of the gods, first in front of the psychopompic figures of Hermes *katochos*, Hecate, and Persephone, and perhaps secondly before the judges in the underworld, typically Minos (who can be replaced by Triptolemus), Rhadamanthys, and Aeacus.²⁴⁸ Unlike in the courts of Athens, the juridical function in the realm of magic was split up between the psychopompic gods and the underworld judges, with the former deciding the fate of the accursed person in general. In accordance with the concept of *loimos*, the gods defined what *kata-dô* meant in each individual case and mobilized the dead to impose all kinds of adverse conditions on the intended targets of spells. If the psychopompic gods rendered a final verdict of death, they ordered the dead to lead the victims down into Hades, where the above-mentioned judges would decide further about the future of the newly deceased in the underworld. Like the Eleven, the dead fulfilled the executioner's function. From this perspective, the broad semantics of *katadein* not only means binding in the narrow sense of restraining or hindering someone by foiling his plans or business, but also evokes associations linked to imprisonment and preparation for execution. Consequently, verbs of binding *may* also point to imminent death.²⁴⁹ Thus we could say that the metaphorical binding by the curser is the preliminary action before the psychopompic gods convict the victim, and, if the verdict rendered is death, the dead carry out the execution. It was crucial that the person casting the spell did not perform the killing himself. Mediation of violence through intermediary agents was all-important. Hermes, Persephone, He-

248 Hom. *Od.* 11.568; Pl. *Ap.* 41a; *Grg.* 523e–524a. On Hades as judge, cf. A. *Supp.* 228–231; *Eu.* 273–275. Pl. *Phd.* 107c–108b, 113d–114d takes a trial in the underworld for granted, which punishes the wicked and rewards the good. On the *Totengericht*, cf. Nilsson ³1974, 231, 233; ⁴1976, 821–822. In prayers for justice, councils of judging gods are regularly mentioned (Versnel 2009, 29–30).

249 It must not be forgotten that the binding metaphor occurs in many more contexts, especially in Greek mythology with regard to the gods. They cannot be killed, but bound (cf. Collins 2008, 67–69; Carastro 2006, 178 with examples). Note that what is bound can also be loosened (Lib. 1.245–250; Eidinow 2007a, 151–152; Carastro 2006, 180–181). The curser of SGD 18 (Athens, fourth century BCE) emphasizes that he does not intend to loosen his spell: *καταδῶ ... καὶ οὐκ ἀναλύσω*, ‘I bind ... and I will not loosen.’ One could deactivate a spell by digging it up and unraveling it (Ogden 2008, 141). *Arai* could also be loosened (Versnel 2009, 33).

cate, and their like stood in an intermediate and mediating position between the cursers and the executioners. Asking a panel of superior magistrates, in this case the psychopompic gods, for someone's execution was not the same thing as killing him personally or ordering an executioner to do the actual work. The dead fulfilled the function of the Eleven and conducted the victim off into the underworld, a grand metaphor for killing him on the command of the mighty psychopompic gods. The *kata*-verbs in combination with the preposition *pros* on some tablets (to hand someone down and over to someone else) are neatly parallel to the process of handing over the convicted person to the Eleven, whose task it was to lead the condemned away to their ultimate punishment.²⁵⁰

Which came first? Did the dead derive their function in curse tablets from the Eleven, or were the Eleven as executionary organs of the courts created after the model of the obedient dead who could not resist their godlike masters' cruel orders? With the agent of the curse representing the speaker in court, the accursed victim the opponent (curses were used by prosecutors and defendants alike), the psychopompic gods and underworld judges standing for the Athenian jurors, and the dead symbolizing the subordinate position and functions of the Eleven, the whole process of cursing stood in a certain analogy to the Athenian system of law. It is significant that the curse tablets originated from the judicial sphere. What *peithō*, the forceful persuasion of judges, was in the courtroom, verbal and non-verbal magical rites were in the process of cursing; the infernal gods had to be convinced of the opponent's wrongdoings.²⁵¹ The incantations used were deeply embedded in rhetorical

250 This finding is in full accordance with what Johnston has demonstrated in her book (1999a): it is not the gods of the underworld themselves, but the corpse who takes the accused person down into Hades, *upon the order* of the chthonic deities who are invoked by the curser.

251 It is telling that Pl. *R.* 364b–c uses the word *peithō* in characterizing the activities of the *goētes* versus the gods: ἀγύρται δὲ καὶ μάντιες ἐπὶ πλουσίων θύρας ἰόντες πείθουσιν ὥς ἔστι παρὰ σφίσι δύναμις ἐκ θεῶν ποριζομένη θυσίαις τε καὶ ἐπωδαῖς, εἴτε τι ἀδίκημά του γέγονεν αὐτοῦ ἢ προγόνων, ἀκεῖσθαι μεθ' ἡδονῶν τε καὶ ἑορτῶν, ἐάν τέ τινα ἐχθρὸν πημῆναι ἐθέλῃ, μετὰ σμικρῶν δαπανῶν ὁμοίως δίκαιον ἀδίκῳ βλάψειν, ἐπαγωγαῖς τισὶ καὶ καταδέσμοις τοὺς θεοὺς, ὥς φασι, πείθοντες σφισιν ὑπηρετεῖν, 'and begging priests and soothsayers go to rich men's doors and make them believe that they by means of sacrifices and incantations have accumulated a treasure of power from the gods that can expiate and cure with pleasurable festivals any misdeed of a man or his ancestors, and that if a man wishes to harm an enemy, at slight cost he will be enabled to injure just and unjust alike, since they are masters of spells and enchantments that {per-

tropes and images. The notion of malign magic, created to hide one's own violent aggressions, worked effectively on the aggressors' behalf. By this cultural construction paradoxically, the violence performed was brought into line with the stringent rules of post-amnesty discourse. Forensic speeches and curse tablets are more akin to each other than hitherto thought. They are, in fact, two sides of the same coin.

The analogy between court and curse does not stop here, however. In many trials between the Athenian elite, the prosecutor pled for the death sentence or exile in order to get rid of his opponent. If many political trials could lead to the death penalty, and the same people who went to court also made use of curse tablets, we can assume that the cursers at least tolerated the potential death of the victims as a result of the spells, even if they did not explicitly call for the rivals' death. If the opposing litigant died before the trial, all the better. Much more likely, however, was his conviction in court. If the ultimate penalty was inflicted on the opponent, this "success" could be easily attributed to the curse. If the adversary was not killed via court sentence, the curser probably hoped that the spell would unleash its fatal power later on.

suade} the gods to serve their end' (the verb 'constrain' in Shorey's translation is too strong). The *goêtes* have the power to persuade the gods to help them. We must not forget that the verb used here (ὑπερετεῖν) is related to ὑπερέτης, which denotes the executioner in Attic legal language. Similarly clear is Pl. *Lg.* 909a–c: ὅσοι δ' ἂν θηριώδεις γένωνται πρὸς τῷ θεοῦς [μὴ] νομίζειν ἢ ἀμελείς ἢ παραιτητοὺς εἶναι, καταφρονοῦντες δὲ τῶν ἀνθρώπων ψυχαγωγῶσι μὲν πολλοὺς τῶν ζώντων, τοὺς δὲ τεθνεῶτας φάσκοντες ψυχαγωγεῖν καὶ θεοὺς ὑπὸ σחנוμένοι πείθειν, ὥς θυσίαις τε καὶ εὐχαῖς καὶ ἐπωδαῖς γοητεύοντες, ἰδιώτας τε καὶ ὅλας οἰκίας καὶ πόλεις χρημάτων χάριν ἐπιχειρῶσι κατ' ἄκρας ἐξαιρεῖν, τούτων δὲ ὅς ἂν ὀφλῶν εἶναι δόξῃ, τιμάτω τὸ δικαστήριον αὐτῷ κατὰ νόμον δεδέσθαι μὲν ἐν τῷ τῶν μεσογείων δεσμοτηρίῳ, προσίεναι δὲ αὐτοῖς μηδένα ἐλεύθερον μηδέποτε, τακτὴν δὲ ὑπὸ τῶν νομοφυλάκων αὐτοὺς τροφὴν παρὰ τῶν οἰκετῶν λαμβάνειν. ἀποθανόντα δὲ ἕξω τῶν ὀρίων ἐκβάλλειν ἄταφον, 'But as to all those who have become like ravening beasts, and who, besides holding that the gods are negligent or open to bribes, despise men, charming the souls of many of the living, and claiming that they charm the souls of the dead, and promising to persuade the gods by bewitching them, as it were, with sacrifices, prayers, and incantations, and who try thus to wreck utterly not only individuals, but whole families and States for the sake of money,—if any of these men be pronounced guilty, the court shall order him to be imprisoned according to law in the mid-country gaol, and shall order that no free man shall approach such criminals at any time, and that they shall receive from the servants a ration of food as fixed by the Law-wardens. And he that dies shall be cast outside the borders without burial.' Pl. *P.* 4.219 explicitly mentions *peithô* in close connection to magic, too.

It must be admitted that the analogy does not always work. The main divergence lies in the differing capabilities of a courtroom defendant and a cursed person to defend themselves. The accused could defend himself in court; the victim of a curse could not (in most cases, unless he resorted to a counter curse). Perhaps a person under a curse was thought to be able to defend himself in the presence of the judges of the underworld, but then it was already too late; he was already in Hades. In spite of this and other limitations of this model, the similarities seem to outweigh the discrepancies. In both forms of “accusation,” violence was not exerted directly, a great advance in civilization to be sure, but rather was applied through intermediary stages. Dragging one’s opponent to court and having him metaphorically dragged down to the underworld are both indirect forms of violence.

The notion of pollution corroborates the thesis presented so far. Far-aone presupposes that people shrank away from killing opponents via curses because they wanted to avoid pollution (*miasma*), and therefore contented themselves with inhibiting their opponents by “binding.” This assumption stands in stark contrast to Versnel’s categorization of judicial prayers. Why was it permissible to curse someone to death through a prayer for justice, if *miasma* was so feared? By holding onto the traditional distinction between magic and religion, Versnel puts the curse tablets into the category of “magic” and the prayers for justice into the category of “religion.”²⁵² At least with regard to violence, this strict dichotomy does not work. It does not seem logical that violence was permitted in religion, but was avoided in the realm of magic. If violence exerted via judicial prayers did not pollute, why should pollution have been a concern in binding spells? If pollution did not even constitute a problem in the religious sphere of prayers for justice, *miasma* for the commissioner of a curse was apparently a negligible concern in fourth-century binding magic.

Moreover, the agent of the curse did not kill in person but indirectly, by asking the psychopompic deities to order the dead to carry the victim away into the underworld. If the dead person took the victim down into his realm, there was no pollution for the curser. The different stages of casting a spell shielded him from the pollution that the accursed victim was supposed to incur through contact with the dead. Again, the analogy to the court system is striking. The curser was polluted as little as the

252 Versnel 1991b, 192 and now decidedly Versnel 2010, 337 (implicitly); 2009, 46 (explicitly).

prosecutor who, pleading for the death penalty for his opponent, asked the judges to order the Eleven to execute the defendant. These two parallel social practices suggest that curse tablets mediated violence in ways that mirrored execution in the legal sphere. Mediated violence was still violence, and one wonders how it was integrated into the ideologically pacified *polis*. According to the archaic discourse on honor and shame, the offended party had to take revenge (*timôria*). Such discourses had a long life, as we have seen in chapter II, and Athenians were slow to give up their deep-rooted notions, some of them dating back to the pre-*polis* era. But at least officially they were willing to transfer the right of taking revenge to the state, which was the community of Athenian citizens assembled in the courts.²⁵³ It was not pollution that was at stake, but the avoidance of *stasis* to ensure the successful perpetuation of democracy after the amnesty of 404/03 BCE. Violence still existed under these restrained circumstances, and the aggrieved parties were eager to exert it, but it was only tolerable in its mediated form through courts or the deities of the underworld and the dead. Ideally, the perpetration of violence became inextricably tied to the consent of the majority of judges, the *dikastai*, or the gods of the underworld. The suppression of violence on the level of interaction was not without consequences for the level of representation, the level of discourses. Athenians were careful not to portray violence in its most open and brutal forms. Exceptions confirm the rule and bear special significance.

Other ancient evidence suggests that magic was often held responsible for failure in the business world or in court, unexpected illnesses, and, most of all, inexplicable deaths.²⁵⁴ In the Roman world, the famous passing away of Germanicus was readily ascribed to the fatal impact of binding magic.²⁵⁵ A Roman soldier mourning for his wife in third-century CE Africa explained her fatal illness beginning with muteness and her sudden death by considering malign magic only.²⁵⁶ There is a huge chronological and cultural gap between fourth-century BCE Athens and the late Roman Empire, but it is at least possible that death could also be ex-

253 Fisher 1998a, 92.

254 Graf 2007b; Graf 1996, 129, 147–152. Cf., e.g., Cic. *Brut.* 60.217; *Orat.* 37.129; Hieronymus, *Vita S. Hilarionis eremita* 12.9; 21.

255 Tac. *Ann.* 2.69.3; D.C. 57.18.9. Cf. Graf 1996, 148, 247, n. 153 (with more sources).

256 CIL VIII 2756 = Gager no. 136. CIL VI 19747 = ILS 8522 reports the death of a girl through magic.

plained by spells in ancient Greece at the dawn of Western magic. If true, curse tablets were always thought to be potentially destructive and lethal in their effects.

Athenian literary texts confirm the thesis as laid out so far. In a famous passage in his *Laws*, Plato talks explicitly about the nefarious effects of magic, and uses a highly differentiated vocabulary²⁵⁷ to put magic into the context of violence and murder.²⁵⁸ In ancient Greek, *pharmakon* can mean medicine, poison, enchanted potion, philter, or magical spell.²⁵⁹ Plato carefully separates and parallels these different meanings. He postulates a law about *pharmaka*:²⁶⁰ if a doctor kills someone with a *pharmakon*, he will be executed. If the same accident happens to a layman, he will pay a fine or be punished otherwise. The same holds true for malign magic: professional sorcerers are supposed to suffer the death penalty; unprofessional people dabbling with magic get away with a fine.²⁶¹ This is not a law against magic, and indeed, we do not know of any such law from classical Greece forbidding binding spells,²⁶² but Plato at least condemned the social practice²⁶³ and wished for the lawgiver to crack down on those who made a living by instilling fear in other people.²⁶⁴ The explicit parallel between a lethal *pharmakon* in the form of medicine and a curse suggests that at least Plato thought about magic as potentially fatal. Just as in Rome, murder via magic was probably categorized as murder by poisoning in Athenian law.²⁶⁵ Plato could not prove the inefficacy of magic. There is even evidence that he (and also the authors of the Hippocratic corpus) did not question the premises on which magic was based,²⁶⁶ thus he partook of a magical worldview, but felt at least compelled to encourage the lawgiver to prohibit the practice in the law code.

257 Pl. *Lg.* 933a–e. = Gager no. 141. Plato uses three derivatives of *peithō* in this paragraph. Although he does not use them in reference to the gods (as in 216, n. 251 above) but concerning the victims of spells, their commissioners, and the general public, we see again the importance of the concept of *peithō* in magic.

258 Cf. Ogden 1999, 72.

259 S.v. “*pharmakon*,” *Liddell – Scott* 1968, 1917.

260 Pl. *Lg.* 933d–e.

261 Cf. Baroja 1982, 74.

262 Ogden 1999, 83.

263 Faraone 1989, 159.

264 Pl. *Lg.* 909a–c.

265 Cf. Parker 2005, 132–133.

266 Collins 2008, 33, 42–43.

Plato was not against magic only because it disturbed the souls of superstitious people. Underneath his criticism, the notion of body and society as parallel entities was at work. This notion permeates all of classical Athenian literature. The body of the Athenian citizen symbolized society as a whole. In his microcosm he embodied the macrocosm of the *polis*. Since the citizen represented not only his *oikos*, but also the *polis* at large and its democratic principles, concern for his body reflected concern about society. If the body of a male citizen was attacked, the whole city was affected. Whoever violated the body of a citizen, and as such democracy itself, committed the *hubris* of a tyrant. It is no wonder that the relation of bodily symbolism to the social and political structure is typical of the magical worldview. From this perspective, even the mediated violence of magic was dangerous for the *polis* and therefore unacceptable to Plato. Thus, he makes the violent and destructive force of magic abundantly clear.²⁶⁷

The commissioner of a binding spell, in contrast, might have regarded malign magic as the last or only resort in his struggle against an opponent. What if one could not come to terms, even in procedures of arbitration, with a neighbor whom he felt to be evil and ruthless and perhaps so powerful that he would assuredly win the case in court? In the eyes of the allegedly disadvantaged, damaged, and suffering person, this oppressive neighbor may have become a tyrant-like figure who, in a hybriatic, barbarian, and anti-democratic way, had done him wrong and who therefore deserved to be cast out by a magical spell. In the opinion of the curser, the accursed target was to be “ostracized” by magic and driven out of the community, similar to a scapegoat, because of his wrongdoings.²⁶⁸ Once more the connection between binding magic and the law courts is clear. From the speaker’s perspective, the images of the target in binding magic and that of the opponent in court were similar, and in the case of judicial spells the persons under attack in the two procedures were indeed one and the same.

267 It is interesting to note that the perception of binding magic as destructive and even lethal has a long tradition in older and continental research. Kagarow discerns three functions of transfixing the tablets and dolls with nails, one of them being “die Zufügung von Schmerz und Tod” (Kagarow 1929, 15). Bernand dedicates a whole chapter of his book to death inflicted by curse tablets (Bernand 1991, 315–317). Bernand 1991, 315: “les souhaits de mort abondent dans ces maledictions haineuses.” Similar Baroja 1982, 73.

268 On the idea of the scapegoat in court, cf. above 127, n. 471. Parker 1983, 194 speaks of “social ostracism” as a consequence of a curse.

In this chapter, I have argued that more curses than hitherto thought were meant to be brutal and destructive. In some cases, the cursers wished for the death of their victims. Nonetheless, there were many relatively harmless tablets that merely sought to reduce a rival to poverty by hampering his or her business.²⁶⁹ The curse tablets thus do not have one consistent meaning. According to circumstances and the individual temperaments of the cursers, the broad semantics of binding resulted in a wide spectrum of possible intentions, ranging from impeding one's opponent to wishing his ultimate demise. The destructive character of the spells is already discernable in the early spells.

Diachronic Development

The practice of depositing curse tablets fits so well into the Athenian cosmos that one wonders where binding magic originated. The Greeks themselves were convinced that the techniques of *goêteia* came from the East.²⁷⁰ And there is no doubt indeed that there were precursors in Eastern cultures. Numerous scholars have tried to track down the lines of cultural borrowings from East to West, but chronological details and lines of transmission have proven elusive.²⁷¹ Scholars agree that many Eastern cultures (Hittites,²⁷² Sumero-Accadians,²⁷³ Egyptians, Jews²⁷⁴) had an impact on Greek notions and practices of magic, but there are no precise models for curse tablets like those in Athens among these cultures.²⁷⁵

269 Trumpf 1958, 102.

270 Johnston 1999a, 118.

271 Faraone 1992, 85.

272 Cf. Ogden 1999, 81.

273 King 1975 has published prayers from Assurbanipal's archive (669–625 BCE) which go back to Babylonian models. Johnston 1999a, 89 mentions that cursing in Mesopotamia depended on the dead, who had the task of leading the victims down into the underworld, a belief very similar to Greek notions. On Babylonian and Assyrian influence, cf. Ogden 1999, 80; Graf 1996, 249, n. 178 (with bibliography on magic in Mesopotamia).

274 Cf. Ogden 1999, 81; Gager 1992, 26–27.

275 Johnston 1999a, 119. Luck 2000, 211–213 and Graf 1996, 154–157 succinctly describe the *praeludium* in the East. Faraone 1988, 155–222 bases a considerable part of his dissertation on Eastern (Mesopotamian and Egyptian) practices, without which Greek magic cannot be understood. The contributions to Meyer – Mirecki 1995 firmly integrate oriental magic into the general picture of “ancient magic.”

With regard to Egypt, it is important to note that Egyptian magicians had a “working relationship” with the dead.²⁷⁶ The Greeks changed their attitude toward the dead during the late archaic period, when notions about the dead began to privilege the idea that they were capable of significant interaction with the living. The dead were therefore distanced from the living and secluded to cemeteries outside towns. The new belief that some ritual experts, the *goêtes*, could conjure them up and make them work on their clients’ behalf paved the way for the binding spells.²⁷⁷ Nevertheless, the comparison especially between Greek and Egyptian letters to the dead is far-fetched, despite some common features.²⁷⁸ One can speak of a cultural “cross-fertilisation” and a “magical *koinê*,” but the emergence of a kind of malign magic in other earlier cultures does not necessarily mean that the Greeks just adopted it.²⁷⁹ Before the fifth century, the political, social, economic, and mental conditions in mainland Greece were not yet conducive to this cultural practice. It is also possible that the *defixiones* were, first of all, a Greek invention.²⁸⁰ Some ritual practices must have been in use before *magoi* arrived from the East, to whom necromantic, magical, and purificatory activities could be ascribed in a complex process of acculturation.²⁸¹

Around 400 BCE we suddenly obtain ample archaeological evidence for curse tablets in Athens, although the practice must have been known at least fifty years earlier.²⁸² It is no mere accident that the curse tablets

276 Luck 2000, 212–213: “Egyptian spells are very similar to the ones found in the papyri of the Roman imperial period, and they reflect the same way of thinking, although perhaps on an earlier level.”

277 Johnston 1999a, 31, 71, 80–83, 85, 95 and *passim*.

278 Johnston 1999a, 91–93. Gager 1992, 27 lays open differences between Eastern and Graeco-Roman magical practices.

279 Ogden 1999, 79.

280 According to Gordon 1987, 78, magic emerged in sixth-century BCE Ionia and had originally nothing to do with the Persians. To Versnel 2009, 27, 41, binding magic may have originated in Greece, but could have been influenced by oriental concepts in proto-historical times.

281 Carastro 2006, 188. Because many itinerant practitioners came from the East and, as foreigners, encountered mistrust, Gordon 1999b, 191–194 aptly characterizes magic as the “transgressive Other.” Cf. also Gordon 1987, 72–73.

282 Cf. Aeschylus’ binding song (*hymnos desmios*) in *Eu.* 305–396 (458 BCE) and Faraone 1985. Cf. Johnston 1999a, 71. The burgeoning mass production of curse tablets from around 400 BCE on was a new phenomenon. Stratton 2007, 39–69 connects the emergence of binding magic to Pericles’ citizenship law issued 451 BCE. This law increased male anxieties about the legitimacy of children and put additional pressure on women who often may not have had re-

became more widespread at the end of the fifth century. Apart from growing literacy,²⁸³ the revision and new codification of the laws and measures refining democratic procedures, like the introduction of the *nomothesia*, as well as the amnesty of 404/03 BCE, crucially altered the Athenian discourse on democracy. In this chapter, it has been my intention to show that the violence discourse was firmly embedded in the general discourse on democracy. Any change in the latter had a profound impact on the former. The modifications that the now more civil democratic discourse underwent at the end of the fifth century necessitated the existence of binding magic and curse tablets in the particular form we find them preserved—that is, with relatively tame language on the surface but great underlying aggressions.²⁸⁴ The curse tablets arose in close con-

course to any means of action other than magic. Similarly, Bernard 1991, 32. Nilsson ⁴1976, 801 thinks that curse tablets existed prior to the fifth century. In Sicily they do, but for Athens we do not have any evidence. Eidinow 2007a, 231–232; 2007b *passim* neatly contextualizes the uncertainty the Athenians faced at the beginning of the fourth century, with the defeat in the Peloponnesian War, the plague, two failed oligarchic coups, etc. While these circumstances help explain the soaring number of tablets deposited around 400 BCE, they do not account for the use of malign magic during the fifth century and later in the fourth century.

283 E.g., Nilsson ⁴1976, 803. That growing literacy cannot be the only reason for the increasing length of the tablets is clear once we look at other epigraphic genres. Whereas lengthy laws were codified in the archaic period (i.e., prior to the emergence of the curse tablets), we find short funeral inscriptions much later. Further evidence demonstrates that longer texts were firmly established by the fifth century and that, therefore, the curse tablets cannot be short merely because of a lack of literary culture. Solon's *kurbeis* stood in the Agora. The Ekklēsia's agenda was posted near the monument of the tribal heroes. Peisistratus had the Homeric epics recited at the Panathenaea. Alcibiades allegedly slapped his teacher because he did not have an edition of Homer available (Plu. *Alc.* 7.1). Antiphon wrote treatises in the style of the sophists and made rhetorical experiments in his tetralogies. Herodotus and Thucydides wrote historical master narratives. So, if the Athenians had wanted, they could have written long curse tablets in the fifth and fourth centuries. What is new in the fourth century, however, is the growing awareness of and reflection on literalization and its inherent problems, as evinced, e.g., by Plato's critique of rhetoric. On all these issues, cf. Pébarthe 2006.

284 This thesis helps explain the alleged clash between the civic democratic discourse and the malevolent wishes in binding magic. Bernard 1991, 77 is right in postulating a high level of violence in the *defixiones*, but cannot bring it together with the Athenian ideology of rationality, moderation, and self-restraint: "Pour lier, il faut déployer une force en quelque sorte surhumaine et montrer un acharnement qui n'a rien à voir avec la pondération, la modération qui sied au

nection to the law courts.²⁸⁵ And we could add that the spells were not only used in parallel with court proceedings, but could also function as the introduction to and continuation of lawsuits by different means before and after the formal start and ending of a trial.

The early tablets from the fourth century exhibit laconic language, a verb of binding (mostly *katadeô*), and an accusative object. A lengthy enumeration of malicious harms was incompatible with the new civil violence discourse. Early tablets were so terse not merely because they stood at the beginning of a long evolution; their succinctness was partly owed to the new democratic discourse. Moderation and self-restraint (*enkrateia*) were the chief principles and demanded that the same pose be taken in daily life and in all media that expressed emotions.²⁸⁶ We see similar tendencies in vase painting, where German scholars speak of *Dämpfung*,²⁸⁷ and in tomb reliefs.²⁸⁸ As in the forensic speeches, where we have seen how tricky a business the verbalization of violence was, aggression is to be found beneath the surface. Some researchers have been deceived by the mild and moderate language in forensic speeches and curse tablets. Under the surface of these allegedly harmless texts, however, there are hidden structures of underlying aggression.

Later generations did not have to observe such restrictions, for they could give free rein to their aggressions. Under Macedonian rule, with competition among citizens subsiding, agonistic binding magic lost some of its cultural relevance. *Enkrateia* and *sôphrosunê*, the democratic virtues *par excellence* that had artificially restrained the language of the earlier tablets, lost their normative power. These virtues, at least on the surface, had permeated the language of the older tablets. Now these restraining principles gave way and allowed room for more explicitly brutal curse tablets. Thus the verbosity of later tablets may have less to do with a

citoyen policé. Cette sagesse, cette honnêteté, cette convivialité, cette mesure, cette modestie que les auteurs grecs reconnaissent à leur clients disparaissent au profit d'une brutalité quasi bestial."

285 Faraone 1985, 153–154 clearly sees a close connection between judicial spells, the court practice, and politics.

286 Cf. Parker 1983, 189 on the virtue of *aidôs*. On *enkrateia*, cf. above 132, n. 496.

287 Muth 2005 with a critique of the concept. Cf. above 162, n. 591.

288 Cf. above 112, n. 382. From 317–307 BCE Demetrius of Phaleron regulated Athenian private life more than ever before by introducing *gunaikonomoi* and *nomophulakes*. Cf. O'Sullivan 2009, 66–86 and above 162, n. 592.

“chatty” Hellenism²⁸⁹ than with flexible practices of discourse that changed under different political circumstances. An evolutionary model (from the early laconic tablets to the detailed Hellenistic tablets) does not work.²⁹⁰ It simplifies a complex development and may be inaccurate in its generalizations.²⁹¹

If the restrained language on Attic tablets has to do with specific political circumstances in Athens and its discursive practices, a counter-proof would be desirable. Are curse tablets from other *poleis* more explicitly violent? This question is difficult to answer, because many more tablets seem to have been written at Athens than anywhere else, or so at least the available evidence suggests. Research will have to continue, and the verbal usage of all tablets currently published will have to be scrutinized. What a first glance at the material can tell us is already promising, however. The majority of tablets from outside Athens follow Athens’ lead in restraining violent language, which does not contradict the hypothesis proposed here, because Athens always served as a model for other *poleis* and was imitated in many ways. Moreover, some tablets from Athens are also quite brutal, as we have seen. Apart from these, we do have some explicitly violent tablets from outside Athens. DT 92 from the third-century BCE Chersonese, for example, and SGD 104 from fifth-century BCE Selinous use traditional curse formulas, which demonstrate once more how closely related *arai* and *defixiones* are. The famous fourth-century marriage spell from Macedonia employs such unabashedly open and detailed language that one may doubt that an Athenian of the fifth or fourth century BCE would have used a similarly individualized manner of expression.²⁹² Despite its explicitness, the Macedonian spell does *not* use the binding formula, but a derivate of ‘writing’

289 Faraone 1991a, 5 seeks the reason for the increasing verbosity in the “gradual spread of literacy in the classical period.” This is correct, but does not wholly explain the complex phenomenon. On the alleged trend toward growing literacy, cf. above 224, n. 283.

290 Ankarloo – Clark 1999, xv do not take into account the changed practices of discourse. They trace the development in almost teleological terms.

291 Parker 2005, 131–132 remains agnostic about the chronological development.

292 SEG XLIII 434 = NGCT 31; Voutiras 1998, 8, line 7: καὶ κακὰ κακῶς Θετίμα ἀπόληται, ‘and wretched Thetima perishes miserably.’ It does not come as a surprise that in Hor. *Epod.* 5 the boy who is supposed to be killed by witches curses Canidia and her colleagues in a most brutal way. Lucan’s witch Erichtho may be the most horrible figure of ancient literature (Luc. 6.413–830). These texts could not be further removed from Attic restraint. Cf. also Sen. *Med.* 6–23, 670–843.

(*katagraphô*), which corroborates my thesis that the idea of binding in cursing is originally Athenian and evoked Athenian legal procedures.

Although ritual actions and the spoken word never lost their crucial function for the successful performance of the spell, a remarkable shift is recognizable over time, the literalization of magical language.²⁹³ At the beginning of the development, the performative aspect of the spell probably had priority over the written word. Since the performance itself lent power and thrust to the curse, written language could be restrained, regardless of any accompanying words or thoughts. So, agents of curses deliberately avoided language specifying violence in agreement with trends in prevalent civic discourse, at least as preserved in forensic oratory and at least as far as the written word in magic is concerned, which means that we cannot gauge the intensity of the curses just by examining the length of the texts. By Hellenistic and Roman times, longer texts promised to be more effective than the early laconic spells.

Conclusion

Depositing a curse tablet was the most ritualized form of perpetrating violence indirectly in ancient Athens. A correct assessment of how violent binding spells were could only be made by the ancient agents of curses themselves. Notwithstanding this caveat, the vocabulary of at least ten percent of the extant tablets suggests that, at the very least, these tablets are more violent and malicious than hitherto thought. It is also true, however, that most tablets did not aim at the death of the victim, but merely at incapacitating him or her. But even in these seemingly harmless cases, the destructive potential underneath the surface of the texts, with their broad semantics, should not be underestimated. The whole spectrum of malign intentions—from lethal curses to spells that are meant merely to impede a victim's activities—tells us a lot about Athenian society. Like in the forensic speeches, we also find in the curse tablets the tension expressed between the old, Homeric violence discourse and the new, dem-

293 According to J. Assmann 2000, 166, the process of literalization leads to the de-ritualization (*Entritualisierung*) and de-theatricalization (*Enttheatralisierung*) of religion. Cf. above 28, n. 35 and 146, n. 551 with Assmann's findings in a different context. If we follow Carastro 2006, 180, who understands writing itself as a performative act, the line between spoken and written language should not be drawn that sharply.

ocratic one. The fact that a range of violent feelings was enacted in and through the tablets makes it clear that these two contradictory discourses overlapped. The tablets that wish to call down death and destruction on their victims embody the aristocratic pre-*polis* discourse. Most cursers, however, had already internalized the new ideology of self-restraint and moderation. They only spoke of 'binding,' whatever that may have entailed. Under the changed circumstances of post-amnesty Athens, living up to the Homeric warrior ideal was no longer possible. The good citizen was now the temperate citizen who embraced *sôphrosunê* and *enkrateia*, like Pericles and Demosthenes, two outstanding men who certainly shaped public opinion. Respecting the amnesty and its underlying notions of bloodless conflict resolution through the courts became the prime political agenda of the day. Old values and discourses, however, had a long life and continued to permeate the emotional world of most Athenians, upper and lower classes alike. In order to restore and maintain democracy, the elite—who, as the social centers of society, were always at the forefront in developing and disseminating new ideas and fashions—shaped the new civic and civil *polis*-discourse without being able to live in full accordance with it. Too powerful still were the traditional ideologemes of vengeance and brutal competition that were played out in court and curses.

Like the law courts, the curse tablets were one way of coming to terms with aggressions potentially dangerous to society. What the language of slander and character vilification was in the courtroom, metaphorically violent language was on the tablets. To us, both linguistic modes seem irrational and highly subjective, but to the Athenians, they were better than the uncontrolled, private, and direct use of violence.²⁹⁴ The new discourse on moderation and self-control had a profound impact on the language inscribed on the early tablets by making them sound tem-

294 In fact, the irrationality of the lawcourt system (cf. above 138, n. 529) explains the rationale that the Athenians obviously saw behind binding magic. Gordon 1999a, 262–263: “the judicial curse as a genre fits particularly well into the Athenian legal system prior to Demetrius of Phaleron. The object of this legal system was not to attain ‘justice’ in any abstract sense but to measure against one other before a mass public two theses or claims about a given situation or allegation, in order to judge which seemed more convincing or preferable (cf. Todd 1993: 88). In a system of this kind, in which there were no legal ‘experts’ let alone professional judges, and in which the law was whatever the judges decided it was, the outcome of a case was quite unpredictable ... In a word, it was the irrationality of the Athenian judicial system that underwrote the rationality of the curse.”

perate and restrained. In this way, they fit in well with the new civil discourse of the democratic *polis* that instilled in all the sources we have preserved a posture of self-restraint. But underneath the surface of an allegedly mild and moderate language lurked a high degree of aggression and inclination toward violence in the curses as well as forensic speeches. Deceived by the relatively calm language of fourth-century sources, many nineteenth-century scholars, and even some of today's classicists, have postulated a peaceful Athens, thus idealizing a historical period that was, in reality, much harsher.

As in the law courts, so in the realm of magic the final decision to exert violence was left to a higher authority. Even in their clandestine, treacherous character, from the contemporaries' point of view, the curse tablets were dedicated to the basic premise of democracy, that is, to surrender the ultimate decision about exerting violence to a sanctioning collective. Only a community—in court, the lay judges, in the realm of magic, the psychopompic gods of the underworld—could justify, authorize, and legitimize the use of violence in the democracy. We see again processes of performative negotiations. Like the Athenian jurors, who, on the basis of cultural presuppositions, decided what kind of behavior figured as *hubris* in a particular case, the psychopompic gods determined if and how *katadeô* was supposed to harm the victim in each individual situation. The semantics of violence was always open at first. It was only after performative, juridical entreaties and magical invocations that real and imaginary authorized agents negotiated and ultimately defined the exact significance, meaning, and applicability of violence in rituals, for which the Athenians provided public and semi-secret venues. Against this backdrop of leaving the power of definition to higher authorities, semantic openness no longer appears as vagueness, but as a strategy to persuade the judging powers of one's own legitimate cause for taking action against the opponent. By granting the human and divine judges considerable leeway, the speakers in court and the agents of curses respected the ultimate authority of superior collectives.

Curses and court procedures, to come full circle, were indeed the continuation of conflicts with different means. Both could be lethal in rare cases. Both mediated violence but remained based on the desire for revenge and pursuing one's enemies. Both involved pacifying rituals that could also exacerbate conflicts. Both could reduce violence or contribute to the escalation of a conflict, but, in the majority of the cases, they did the first, because we know that Athens was a stable society. And since both were more or less successful, we can say that both were highly am-

biguous, even paradoxical, forms of exerting violence and resolving conflict. The potential of violence inscribed in binding magic was higher than that of forensic speeches. Since *defixiones* were semi-secret supplements to the law courts, one could at least wish in malign magic what one could not openly say in court. And since rich and poor resorted to binding spells, magic was socially more all-encompassing than the court culture. Semi-secret and institutionalized restraint of violence, in both cases ritualized, was necessary. Athens' uniqueness partly lies in the fact that its citizens put great trust and faith in the ritual practice of conflict resolution, and so Athens proceeded with great consequence on the path that it had entered with the introduction of ostracism in the fifth century.²⁹⁵

We see once again that the curse tablets were closely connected to the court system, and as such to democracy, since, to the Athenians, the courts embodied the democracy. In the superficially domesticated atmosphere of a refined democracy, especially after 404/03, the curse tablets pushed problematic emotions, mostly the desire for revenge, away from the public limelight into the realm of magic, thereby becoming a political, social, and psychological necessity. Psychological interpretations like that of Malinowski, however, have been criticized in research, because they hypothesize about ancient individuals' minds, to which we do not have access.²⁹⁶ If we understand the deposition of a curse tablet as a full-fledged ritual, however, our knowledge of what rituals can do might shed some light on an ancient curser's mindset.

The healing function of binding rituals for the agent of the curse lay in the expression of anger, wrath, and envy in formulaic form. Binding spells probably functioned as outlets for aggression and were thus an efficacious means of anger control. Since the individual and the *polis* were so closely connected, with the one defining itself through the other, the tablets may have played their role in hedging in troublesome emotions, an action that

295 Further research will have to show if there is a connection between ostracism falling out of use by 418 BCE and the emergence of the curse tablets at around the same time. The similarities between inscribing a lead plate for deposition in a grave and inscribing a shard for deposition in an urn deserve more detailed treatment.

296 Malinowski 1974 has emphasized the emotional stress that an individual is keen to overcome by magic. This psychological interpretation has been fiercely criticized, mainly by sociologists. Winkler 1990 worked out the psychological dimensions of attraction spells that were, according to him, a projection of the tormented lover's desires. Cf. above 198, n. 164.

contributed to maintaining the stability of the Athenian social and political fabric.

In addition, rituals draw invisible boundaries. In the case of binding magic, the agents of a curse drew a sharp line between themselves and their victims, who were to be devoted to the gods of the underworld and cast out of human society. Inclusion and exclusion were clearly expressed. The curser invoked and enacted his own alliance with the gods and the dead, whereas the victim was assigned to the wrath of the *aôroi* and the chthonic deities. Thus, the victim was removed or at least distanced from the world of the living. It was precisely through excluding one's opponent that the cursers could feel safer and more integrated into their own community. We have seen that the ritualistic performance of forensic speeches fulfilled similar functions. But how exactly might these strategies of exclusion have worked in the case of magic?

In the realm of magic, everything depended on one's point of view. As we have seen, Athenians differentiated between their own use of violence, deemed legitimate, and that of their opponent, regarded as illegitimate. Curse tablets, if detected or known to have been deposited, would have been removed immediately from the tomb of a family member. The fact that someone had abused the tomb of a relative for magical purposes must have caused deep resentment and anger. Moreover, anthropological evidence suggests that if the victim got to know that he or she was cursed, serious disturbance might have followed, which was part of the spell's envisioned effect. The agent of the curse, in contrast, might have felt relief after depositing a tablet, and, even more so, if his or her curse became known and was showing some effect. Thus, the curser successfully exerted power over his opponent and felt himself to be the stronger party in the never-ending contest for social prestige. If the spell worked, regardless of how long it might take, one knew that the *aôroi* and at least some of the psychopompic gods had supported one's cause and punished the opponent. One not only felt safely embedded in one's community, but also in harmony with supra-human forces. The ritual had worked; the cosmos was in order. For the successful agent of a curse, personal pride and a feeling of strength must have resulted from this ritual, and may explain, in part, why the magical rites of binding spells were performed for many centuries.

Behind the individual's personal wish to bring about an opponent's demise or harm lay the collective's intention to maintain or restore social equilibrium: no one, it was thought, should be able to rise above the rest of the community. In the highly egalitarian society of democratic Athens,

anti-social malign magic,²⁹⁷ a form of cheating,²⁹⁸ was still social and accepted in the sense that a curser who thought of himself as disadvantaged and bullied by an opponent could seek to redress justice in his sense parallel to and outside of the existing court system by resorting to magic. Although magic is by default non-normative, no law forbade a person to resort to magic in classical Athens, mainly because, ultimately, a sanctioning of the aggressive act by higher powers was built into the process. Moreover, spell and counter-spell, like prosecution and defense, ensured the reciprocity of resentment and ill-feelings.²⁹⁹ In the end, magical spells did not endanger the maintenance of society, a feature that is in line with the stabilizing function of other rituals of conflict resolution.

Especially if one does not subscribe to this admittedly speculative reconstruction of the curser's feelings, one should take the ritual approach one step further: binding spells may not only have been safety valves for disconcerted individual temperaments, but, in the case of democratic Athens, for a whole society under the pressure of avoiding open, especially retaliatory, violence after the amnesty of 404/03BCE.³⁰⁰ Although the deposition of a curse tablet was a form of violence, it was deemed better than attacking one's opponent physically, because it was a mediated, indirect form of violence (like going to court). Hiring a *goês* to do the actual work was an additional level of mediation. The consequence is paradoxical. According to the official ideology, citizens should cope with their aggressions in a non-violent manner. The curse tablets strove for mediated violence, and although even mediated violence is violence in both our and the ancient Athenians' understanding, the mediation of violence achieved through magic was permissible and obviously in the interest of the *polis* community. Notwithstanding Plato's recommendation to punish profes-

297 Maggidis 2000, 99 lists literary sources that all sharply criticize the use of magic: Heraclitus of Ephesus (Clem. Al. *Protr.* 2.22); Gorgias (Diels ⁹1959, 82 B 11, 10); Pl. *R.* 364b–c; *Lg.* 932e–933e; *Men.* 80b2–7; Hp. *Morb.Sacr.* 2. To Versnel 2009, 12–13, 42 and Gordon 1987, 73 binding magic was predominantly anti-social.

298 Cf. Gordon 1999b, 211 with many literary sources that firmly establish the link between *goêteia* and deceit.

299 A good example from fourth-century Attica is to be found in Jordan 1999, 117, side A. Amulets and charms can of course also be protective and healing (cf., e.g., Plu. *Per.* 38; Pl. *Chrm.* 155e–156c). NGCT 24 = SEG XLIX 320 curses back (ἀντικαταδεσμεύω).

300 Carawan 1998, 135, 284.

sional sorcerers, Athenian democracy, unlike Rome,³⁰¹ never passed laws to prohibit magical practices.³⁰² The mere façade of not exerting violence oneself was enough to be in line with the stipulations of the amnesty.

In sum, what we get out of the curse tablets deepens and crucially alters our understanding of classical Athens by offering new avenues of interpretation that challenge traditional views—for example, the opinion held by some legal historians that Athens was a relatively familiar, rational society, in which the rule of law held uncontested sway. Yes, Athenians were rational and mostly law-abiding, and tried to deal with violence primarily through a sophisticated system of laws and arbitration in which they relied on evidence and persuasive argumentation, but at the same time they looked not only upward to the Olympian gods, but also downward to the gods of the underworld. They believed not only in freedom within the citizen class, but also in transferring fellow citizens to the gods of Hades, alongside, but also beyond, the judicial sphere. Binding magic can thus be regarded as a supplement, but also as an antithesis to the emerging lawcourt system. The transition from a blood-feud society to one that refers vengeance to the courts of law is enshrined in one of the greatest tragedies of world literature, the *Oresteia*. Furies haunt the kin-killer Orestes in curse language, but through Athena's creation of the Areopagos the Furies are transformed into benign spirits. The acquittal of the kin-killer through the gods paves the way for the institutional

301 As early as the XII tables, the Roman state persecuted the use of magic. During the Roman Republic, masses of *veneficii* were executed (Gordon 1999b, 254–255). Nothing like this practice is known from the Greek world.

302 Possibly unlike other Greek city states, Athens did not crack down on magical practices. Cf. the humorous anecdote in Pl. *Men.* 80b5–7, according to which Socrates would have been expelled as a magician (*goês*) in any other city but Athens, if he had been a metic. Athens' leniency toward magic might explain the high number of curse tablets from Athens (Maggidis 2000, 100). Thus, Plato's harsh stance might be more in line with the attitude in other *poleis* than with that of Athens. At the same time however, the city of Teos did not put cursing the city by means of *pharmaka* under a legal prohibition, but under the protection of an *ara* (Gordon 1999b, 245). There was no Athenian law specifically directed against magic (Voutiras 1998, 58), but if an Athenian wanted to file charges on grounds of having been impaired by magic, he could probably opt for either a *dikê blabês*, a *graphê asebeias*, or, in the case of a dead relative or attempted murder, a *dikê phonou* (Gordon 1999b, 248–250; Voutiras 1998, 49–58 with sources). Theoris of Lemnos, allegedly a witch, was found guilty in a *graphê asebeias* and was executed (D. 25.79–80; Plu. *Dem.* 14; Philochorus FGrHist 328 F 60; cf. Collins 2001). The priestess of Sabazius, Nino, probably faced trial under the same charge and was also executed (D. 19.281).

renunciation of retaliatory violence. Is it mere coincidence that the curse tablets spring up at precisely the time when the new aetiological myth of the Areopagos explains the much older reform of this very law court and the replacement of deadly vengeance with a vengeance that consisted of state-issued punishment?³⁰³ Does this convergence suggest that the awareness of a crucial judicial reform drove private revenge underground, literally? Read this way, the tablets shed light, however indirectly, on a core text of Greek literature, but most of all, they also open up new perspectives on the process of civilization at Athens, a process that remained highly complex and ambiguous.

303 This is not the place to discuss the chronology of when the Areopagos was entrusted with homicide jurisdiction and when the state-issued death penalty came into being, but it seems fair to assume that some of the Areopagos' competences, especially hearing homicide cases, predate the archonship of Solon (594/93 BCE; Plu. *Sol.* 19.3–4) and that Solon may have introduced the idea of capital punishment meted out by the state. Cf. the discussions in Schmitz 2001; Carawan 1998, 133–135; Wallace 1985, 3–69; Gagarin 1981, 5–29, 70, 125–132, 135–137; Ruschenbusch 1960.