

## Making Justice

### *Curses, Justin Martyr, and the Nailing of Documents*<sup>1</sup>

Titus Kaphar's painting *To Be Sold* depicts Princeton University's president Finley (1761–66), partially obscured by shredded, hanging canvas strips affixed with nails (Plate 2).<sup>2</sup>

*To Be Sold* as a research-creation is both art object and historiographical critique. It aesthetically and ethically intervenes in a chain of historical objects: an eighteenth-century oil portrait of president Finley, attributed to John Hesselius (1728–78), hung in the Princeton University Faculty Room. In 1870, Charles Walker Lind used this portrait as the basis of his own oil portrait of Finley. Kaphar's *To Be Sold* triples this painterly genealogy by imitating Lind's painting.

The painting's title, *To Be Sold*, engages documentary historical evidence. It refers to a 1766 newspaper headline announcing the sale of six enslaved persons of African descent at Princeton's Maclean House, as part of the dispersing of president Finley's estate. Kaphar painted the advertisement in eighteenth-century looping, rust-colored script on

<sup>1</sup> Jeremy Williams and Sarah F. Porter have been influential conversation partners in my writing of this chapter. See Jeremy Williams, *Criminalization in Acts of the Apostles: Race, Rhetoric, and the Prosecution of an Early Christian Movement* (Cambridge: Cambridge University Press, 2023), and Sarah F. Porter, *Early Christian Deathscapes* (Ph.D. diss., Harvard University, 2022); Sarah F. Porter, "A Church and Its Charms: Space, Affect, and Affiliation in Late Fourth-Century Antioch," *SLA* 5.4 (2021): 651, 656–57.

<sup>2</sup> This work was commissioned by the Princeton & Slavery Project, a project by Princeton University that takes part in a larger movement of universities considering how their founding and finances are intertwined with the history of enslavement in the Americas. See "Samuel Finley," Princeton University, <https://slavery.princeton.edu/stories/samuel-finley>; Craig Steven Wilder, *Ebony and Ivy: Race, Slavery, and the Troubled History of America's Universities* (New York: Bloomsbury, 2013), esp. 60–61.

canvas, tore it, and nailed strips to his portrait of Finley.<sup>3</sup> Tucked safely into an arched space, Kaphar's Finley reacts with his right eyebrow skeptically tugging upwards at a muscle in his forehead. The word "SOLD" ripples downward from the center of Finley's face. Kaphar often uses the technique of shredding and nailing "documents." He affixes one piece of documentary evidence – a reproduction of a historical text – to another – a canvas that references a historical painting. He explains his use of nailing by referring to *minkisi minkondi*: "the gesture of nailing pieces of canvas into the image is inspired by the Congolese tradition of Nkisi power objects, and it is symbolic of both faith and power in the object itself."<sup>4</sup>

Kaphar's *To Be Sold* draws on the eighteenth- and nineteenth-century aesthetics of Anglo-European portraiture and advertisements of the enslaved.<sup>5</sup> It also draws on the aesthetics and gestures of Kongolese

<sup>3</sup> Curatorial notes displayed with Titus Kaphar, *To Be Sold*, at the Princeton Art Museum, December 2018. Jennifer Glancy pointed out to me the double meaning of the work's title, which can refer not only to the eighteenth-century advertisement but also to Kaphar's artwork. What is the reception of the artwork as an object "to be sold" in the cycle of recognition of the injustice of American slavery that nonetheless does not lead to reparations? Kaphar also uses the technique of shredding and nailing one canvas to another in his 2016 *Shadows of Liberty*, a work that portrays and effaces the first American president, George Washington, with bristling nails that affix "a sculptural cascade of shredded strips of canvas, each featuring a painted name that appears to be written in Washington's own hand." Together, these strips make up "a single page from his personal ledger, titled: 'Negroes, Belonging to George Washington in His Own Right and by Marriage'" (Titus Kaphar, *Language of the Forgotten* [New Haven: Titus Kaphar, 2019], 88). In *Shadows of Liberty*, historical, documentary evidence is twisted and nailed to Kaphar's distant echo of John Trumbull's 1792 painting *General George Washington at Trenton* and the work of John Faed, who popularly reinterpreted Trumbull's image in the nineteenth century.

<sup>4</sup> Kaphar, *Language of the Forgotten*, 88: "The gesture of nailing pieces of canvas is inspired by the ancient tradition of African fetish objects. They are not inserted as a kind of violence and critique, but as symbols of faith in both the object and the object's power." Elsewhere, Kaphar explicitly discusses the idea of amending history ("Can Art Amend History?" TED talk, 12:44, [www.ted.com/talks/titus\\_kaphar\\_can\\_art\\_amend\\_history](http://www.ted.com/talks/titus_kaphar_can_art_amend_history)). Regarding the language of fetish, see Sylvester Johnson, *African American Religions, 1500–2000: Colonialism, Democracy, and Freedom* (Cambridge: Cambridge University Press, 2015), 58; Greg Tate's 2013 essay, "To Bid a Poet Black and Abstract," in *Fly Boy 2: The Greg Tate Reader* (Durham: Duke University Press, 2016), 212; Anthony Pinn, *Interplay of Things* (Durham: Duke University Press, 2021). I am grateful to Dr. Elizabeth Searcy for a conversation in which she alerted me to the resonance of Kaphar's paintings with *minkisi* traditions. For a discussion of *minkisi* in relation to ancient ritual objects, see Andrew T. Wilburn, *Materia Magica: The Archeology of Magic in Roman Egypt, Cyprus, and Spain* (Ann Arbor: University of Michigan Press, 2012), 80–82.

<sup>5</sup> See also Glenn Ligon's 1993 series *Runaways*, which imitates the aesthetics and text of advertisements regarding enslaved persons who had escaped slavery.

power figures and their ritual contexts.<sup>6</sup> In the gesture of nailing, Kaphar participates in the bristling power of ritual gesture associated with *minkisi minkondi*. Kongolese *minkisi minkondi* (sing. *nkisi n'kondi*) are repositories of power (Plate 3).<sup>7</sup> Whatever the form of the *n'kondi*, it is activated by a small amount of “medicine” within, usually tucked behind an orifice in the belly, capped by a mirror. Some *minkondi* are also ritually impaled with blades called *mbau*, each representing “an appeal to the force represented in the figure, arousing it to action.”<sup>8</sup> That action was often one of healing or oath-making.<sup>9</sup> Each object nailed or tied upon the power figure was evidence of a miniature story of a desire to act or make an oath, empowered by *minkisi*, or spirits. As Wyatt MacGaffey puts it: “People depend on *minkisi* to do things for them, even to make life itself possible.”<sup>10</sup>

<sup>6</sup> Robert Farris Thompson and Joseph-Aurélien Cornet (in *The Four Moments of the Sun: Kongo Art in Two Worlds* [Washington, DC: National Gallery of Art, 1981], 27) explain: “Kongo, spelled with a K, refers to the ‘unitary civilization by which BaKongo (the Kongo people) themselves refer to their traditional territory and way of life.’” On ritual and artistic traditions of the Kongo and the African diaspora, see Robert Farris Thompson, *Flash of the Spirit: African and Afro-American Art and Philosophy* (New York: Vintage Books, 1984), 103–58, and Wyatt MacGaffey et al., eds., *Astonishment and Power* (Washington, DC: Smithsonian Institution Press for the National Museum of African Art, 1993).

<sup>7</sup> Alisa LaGamma, ed., “Kongo: Power and Majesty,” *Kongo: Power and Majesty* (New York: The Metropolitan Museum of Art, 2015), 17–46, especially 37–38. LaGamma defines *minkisi* as “spirit personalities that empower fabricated objects or charms” (p. 30) and sees *minkisi* as a sub-phenomenon of *minkondi*. Many use the terms *minkisi* and *minkondi* fluidly.

<sup>8</sup> MacGaffey, “The Eyes of Understanding: Kongo Minkisi,” in *Astonishment and Power*, 43–44.

<sup>9</sup> On healing, see MacGaffey, “The Eyes of Understanding: Kongo Minkisi,” in *Astonishment and Power*, 61; and on oath-making, see LaGamma, “Kongo: Power and Majesty,” 37–38.

<sup>10</sup> Sylvia M. Williams, “Fragments of History,” in *Astonishment and Power*, 13. LaGamma (“Kongo: Majesty and Power,” 34) defines *nkisi*: “the complex of physical matter, rules, songs, and ritual actions associated with his [the *n'ganga* or ritual specialist’s] activation of a specific spiritual force. It is deployed to identify and punish those responsible for afflicting others with any number of problems, among them misfortune, sickness, or death. The animating force is incorporated by the *n'ganga* through the addition of *bilongo*, or medicines, which consist of animal, vegetable, and mineral matter with metaphorical significance that link Mpemba, the client, and the empowering spirit.” On the understanding of *minkisi* in relation to medicines, see also Thompson, *Flash of the Spirit*, 118. LaGamma (“Kongo: Power and Majesty,” 34) notes that, at the end of the fifteenth century, Kongolese *minkondi* began to incorporate Christian elements, and Christian “references to the ‘holy,’ ‘sacred,’ and ‘divine’ were translated as *nkisi*.”

*Minkondi* are also power-figures in a political sense: they are produced because of legal and social concerns, and they are agents in conflicts. *Minkondi* can pursue a culprit. They are “regulatory instruments” that can heal, mend violence, or produce death and “adjudicators with the capacity to attack foes or foster peace.”<sup>11</sup> A seventeenth-century document indicates that a Belgian officer on campaign in the Kongo determined that one *n’kondi* had a “very great reputation” and considered it an important hostage. After its capture, the officer stored it in a metal warehouse, metal’s materiality disrupting the power of *n’kondi*.<sup>12</sup>

Kaphar stands in a tradition of contemporary artists of African descent who engage the nails and gesture of the *minkisi minkondi*, working a diasporic ritual aesthetics into pieces displayed in museums. Decades before *To Be Sold*, Renée Stout created her *Fetish 1* and *Fetish 2* (Plates 4 and 5), which pierce with nails and hang bundles on the form of an infant and on the artist’s own sculpted body, transforming both into power-figures.<sup>13</sup> Valerie Maynard’s *Mourning for Maurice* (Plate 6) used nails to form the hair on a sculpted wooden face, eyes closed, serene and sad.<sup>14</sup>

Kaphar’s work and that of Stout and Maynard form assemblages. Assemblages in archaeology refer to mixed deposits – for example, a broken bowl, an earring, a hair pin, and a gold leaf to cover the mouth of the deceased, found together in a grave. Assemblages in art history usually refer to sculptural mixed-media compositions that juxtapose objects. “Assemblages” in critical theory is a term sometimes used to

<sup>11</sup> LaGamma, “Kongo: Power and Majesty,” 39.

<sup>12</sup> He was “confident that the taking of this famous god would have a considerable effect on the events that were unfolding at that moment.” Alexandre Delcommune, *Vingt années de vie africaine: Récits de voyages, d’aventures et d’exploration au Congo Belge, 1874–1893* (2 vols.; Brussels: Larcier, 1922), 95, as cited and translated by LaGamma, “Kongo: Power and Majesty,” 39; see also pp. 221–65. Thompson (*Flash of the Spirit*, 123) argues that Afro-Cuban *pendas* are a diasporic continuing of *minkondi* traditions. These could be used “to mystically attack slaveholders and other enemies, and for spiritual reconnaissance” (p. 125).

<sup>13</sup> Stout’s work was displayed alongside *minkisi minkondi* in the “Astonishment and Power” exhibit at the Sackler Museum in DC and discussed in Michael D. Harris, “Resonance, Transformation, and Rhyme: The Art of Renée Stout,” in *Astonishment and Power*, 107–56. But see also critiques of contemporary artists who use this form and gesture without fully engaging in or understanding the ritual and religious context in Bárbaro Martínez-Ruiz, “Kongo Ins-(ex)piration in Contemporary Art,” *Art Bulletin* 98.3 (2016): 291–96. See also Laura Salah Nasrallah, “The Work of Nails: Religion, Mediterranean Antiquity, and Contemporary Black Art,” *JAAR* 20 (2022): 1–21.

<sup>14</sup> Asma Naem and Leslie Cozzi, eds., *Valerie Maynard: Lost and Found* (Baltimore: Baltimore Museum of Art, 2020), 67; see also Maynard’s *Barbara with Blanket*.

explain the dynamic and shifting intersectional human.<sup>15</sup> Feminist and queer theorist Jasbir Puar argues that assemblages even have a political effect of relativizing the human in relation to other circuits of power: “assemblages ... de-privilege the human body as a discrete organic thing ... We are enmeshed in forces, affects, energies, we are composites of information.”<sup>16</sup> Puar’s work moves away from the human or human language as the sole sites of meaning-making and as primary sites from which political activity can emerge.<sup>17</sup>

Ancient curses or *defixiones* also are part of assemblages, although this data – what objects they were found near, the original state of deposit – is often lost to the archaeological record. In a famous example now at the Louvre, a small, unbaked mud figurine pierced with thirteen iron pins, a lead *defixio* that seeks to compel Ptolemais to love Sarapammon, and a clay vessel were found together.<sup>18</sup> The assemblage was also thought to include (invisible to us) “forces, affects, energies” (to borrow from Puar) of *daimones* (spirits); sometimes portions of the assemblage were pinned together with the nail.

<sup>15</sup> Porter, *Early Christian Deathscapes*, discusses how the semi-accident of translation of Deleuze and Guattari’s *agencement* as assemblage has formed scholarly conversation, including connections between archaeological assemblages and theories of assemblage.

<sup>16</sup> Jasbir Puar, *Terrorist Assemblages* (Durham: Duke University Press, 2007), 213, here influenced by Donna Haraway, explains the origins of the term “assemblage” (in French, *agencement*) in the work of Deleuze and Guattari (Puar, *Terrorist Assemblages*, 49–66, esp. p. 57). Puar’s theory of assemblage decenters the subject and language, developing the idea of intersectionality from its legal and political framework in Kimberlé Crenshaw’s work. Puar cites feminist physicist Karen Barad: “Language has been granted too much power” (Puar, *Terrorist Assemblages*, 58). Puar draws on Barad’s “theory of performative metaphysics,” in which “matter is not a ‘thing’ but a doing.” See Karen Barad, “Posthumanist Performativity: Toward an Understanding of How Matter Comes to Matter,” *Signs* 28 (2003): 801–31. Puar also draws on affect theorist Brian Massumi’s interest in multiple actors (human and nonhuman) in a space in which emotions emerge (*Parables for the Virtual: Affect, Movement, Sensation* [Durham: Duke University Press, 2002]). On assemblage, see also Alexander Weheliye, *Habeas Viscus: Racializing Assemblages, Biopolitics, and Black Feminist Theories of the Human* (Durham: Duke University Press, 2014), discussed in @@ [[chapter 2 n. 34 currently]].

<sup>17</sup> For important uses of these posthumanist ideas in early Christian studies, see Denise Kimber Buell, “The Microbes and Pneuma That Therefore I Am,” in *Divinanimality: Animal Theory, Creaturely Theology*, ed. Stephen D. Moore (New York: Fordham University Press, 2014), 63–87.

<sup>18</sup> Musée du Louvre E27145a, E27145b, E27145c; for discussion of this assemblage, see Andrew T. Wilburn, “Figurines, Images, and Representations Used in Ritual Practices,” in *GSAM*, 465; John J. Winkler, *The Constraints of Desire: The Anthropology of Sex and Gender in Ancient Greece* (New York: Routledge, 1990), 93–98.

Assemblages such as those of Kaphar, Stout, and Maynard share with archaeological, theoretical, and ancient assemblages (the *defixio* as itself combining elements) the use of nails and the ability to destabilize and lodge critiques of injustice. For that matter, my own book forms an assemblage, seeking to reconfigure the aesthetics of my own field by looking to traditionally marginal aspects of it – curses, and those of low status – and by centering on art as a theoretical frame and conversation partner.

Ancient Mediterranean curses often function within assemblages to insist that an injustice be reversed or a judgment be meted out. We do not know the larger contexts of this sometimes literally underground attempt to gain justice (or what they perceived as justice). Yet, we can think analogously about history and justice in our own times, and how attempts to effect justice or reparations are often foiled by injustice meted out by official judicial systems or by an unwillingness to be responsible to – not guilty for, but responsible to – historical injustices and their ongoing effects. Titus Kaphar’s art, in *To Be Sold* and elsewhere, engages historical materials in order to respond to state-sponsored (in)justice.<sup>19</sup> This conversation about restorative or reparative justice occurs as well in legal circles and political philosophy. Adriaan Lanni writes about the possibility that restorative justice could be instantiated to reduce mass incarceration and as an alternative, sometimes, to a criminal legal system that, at least in the United States, is recognized “as racially discriminatory, overly punitive, and ineffective.”<sup>20</sup> Michelle Alexander’s *The New Jim Crow* argues that the U.S. criminal justice system is a new “racial caste system,” which perpetuates racial exclusion.<sup>21</sup> Alexander contrasts the criminal justice system with ideas of social justice. Legal experiments with alternative systems of justice administering can also be found in the work of restorative justice leader Howard Zehr, who argues that the American

<sup>19</sup> See also Williams, *Criminalization in Acts of the Apostles*, Angela Parker, *If God Still Breathes, Why Can't I? Black Lives Matter and Biblical Authority* (Grand Rapids: Eerdmans, 2021). Titus Kaphar’s art and exhibit with Reginald Dwayne Betts, “Pleading Justice,” addresses similar topics and displays Betts’s redacted legal transcripts, which become found poems; see also Kaphar’s *The Jerome Project*.

<sup>20</sup> Adriaan Lanni, “Taking Restorative Justice Seriously,” *Buffalo Law Review* 69.3 (2021): 637; see also 639.

<sup>21</sup> Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010), 2. Alexander redefines (social) justice: “This book argues that mass incarceration is, metaphorically, the New Jim Crow and that all those who care about social justice should fully commit themselves to dismantling this new racial caste system” (p. 11).

justice system confuses punishment and justice, using a framework of “adversarial justice”<sup>22</sup> in which crime is defined as an offense against the state, not against an individual.<sup>23</sup> Alexander, Lanni, and Zehr adduce multiple and more and less institutionalized forms of justice in the twentieth- and twenty-first-century United States: retributive justice and criminal legal system, social justice, reconciliation, restorative justice.

So too we can think of multiple sites of justice in antiquity. The larger discourse of justice is found not only in elite authors who have time or leisure (*scholē* in Greek, *schola* in Latin, from which we derive our words school and scholar) to talk about justice, but also in modes and places like novels or imperial responses on papyrus nailed to walls, or ancient Christian *apologiai* or defences or other literary texts that depict concerns over justice<sup>24</sup> – or in curse tablets that engage in contemporaneous legal work, broadly understood. This larger discourse of justice could be found, for example, in the classroom where the curriculum included student debate of imaginary laws, as if before a judge.<sup>25</sup> To emphasize: The ancient courtroom should not be the only or primary site for our historical search for evidence of justice-making.

Practices of formal written petitions to the imperial family, of speeches addressed to the imperial family like Justin’s *Apologies*, which we shall address later, and of cursing are usually set in separate scholarly bins. Written petitions are a topic of expertise by one person interested in archaeology and epigraphy and papyrological evidence and Roman legal history; *apologiai* or defences are claimed as the scholarly territory of ancient Christianity; curses are the purview of experts studying ancient

<sup>22</sup> Howard Zehr, *Changing Lenses: Restorative Justice for Our Times* (Harrisonburg: Herald Press, 2015), 75–79, quotation at p. 81. Zehr uses theological resources, including a (misguided) discussion of Romans 7 (pp. 69–75, esp. pp. 74–75). For an overview of recent discussions of restorative justice, see Brenda Morrison and Eliza Ahmed, “Restorative Justice and Civil Society,” *Journal of Social Issues* 62.2 (2006): 209–15; see also Ta-Nehisi Coates, “The Case for Reparations,” *The Atlantic*, June 2014, <https://www.theatlantic.com/magazine/archive/2014/06/the-case-for-reparations/361631/>.

<sup>23</sup> Zehr, *Changing Lenses*, 84–85; Danielle Sered, *Until We Reckon: Violence, Mass Incarceration, and a Road to Repair* (New York: The New Press, 2019), 198. See also Laura Salah Nasrallah, “Judgment, Justice, and Destruction: *Defixiones* and 1 Corinthians,” *JBL* 140.2 (2021): 347–67.

<sup>24</sup> Ari Z. Bryen, “Law in Many Pieces,” *Classical Philology* 109.4 (2014): 346–65, as well as his new book in progress; Williams, *Criminalization in Acts of the Apostles*.

<sup>25</sup> “[S]tudents in their progymnasmata would debate the implications of imaginary laws.” Maud W. Gleason, *Making Men: Sophists and Self-Preservation in Ancient Rome* (Princeton: Princeton University Press, 1995), 12.

magic. Yet these practices engage in similar operations of rhetoric of persuasion, proceeding from common sets of assumptions about the nature of the gods, the operation of power, and the right to justice. Various concurrent mechanisms of justice-making, whether sanctioned by the Roman Empire, the local civic authorities, or grassroots, existed and sometimes conflicted.<sup>26</sup> They deploy different aesthetics – the beauty of a speech, the force of collated documents, the ritual sinking of a curse down a shaft – to do so. Sometimes they envision a divine judge.

The curse is not an atavistic or desperate attempt, compared to a clean and straightforward legal petition or a lofty elite(ish) treatise. All are fuelled by concerns about justice. They produce their attempts to right (what they perceive are) unjust situations within an expanding Roman imperial power, for which, as Brent Shaw puts it, “the experience of witnessing and participating in a trial was arguably the quintessential civic experience of the state.”<sup>27</sup> This fearsome experience was not confined to the courtroom, or limited to legal cases, or constrained to the imperial center of Rome; the law of the Roman Empire came to have a great and complex impact upon the provinces. The courts were a place for Roman provincial elites to advance their careers; for others, they could be sites of fear.<sup>28</sup> Provincial elites generally wanted to avoid legal procedures

<sup>26</sup> See e.g., Ari Z. Bryen, “Martyrdom, Rhetoric, and the Politics of Procedure,” *Classical Antiquity* 33.2 (2014): 243–80; Angelos Chaniotis, “Under the Watchful Eyes of the Gods: Divine Justice in Hellenistic and Roman Asia Minor,” in *The Greco-Roman East: Politics, Culture, Society*, ed. S. Colvin (YCS 31; Cambridge: Cambridge University Press, 2004), 1–43; Chaniotis is interested in part in attempts to pursue justice in regard to those who have broken oaths, using data from the so-called confession inscriptions. This epigraphic evidence from Asia Minor is found in Georg Petzl, *Die Beichtinschriften Westkleinasiens* (Epigraphica Anatolica 22; Bonn: Habelt, 1994) with texts and translations in Hasan Malay and Georg Petzl, *New Religious Texts from Lydia* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2017). Regarding provincial law, see Cédric Brélaz, “Local Understandings of Roman Criminal Law and Procedure in Asia Minor,” in *Law in the Roman Provinces*, eds. K. Czajkowski and B. Eckhardt (Oxford: Oxford University Press, 2020), esp. 171. Brélaz also mentions that epigraphic evidence of penalties for grave violation evinces “a careful attention to legal matters and a deep knowledge of civil and criminal judicial procedures” (p. 168).

<sup>27</sup> Brent Shaw, “Judicial Nightmares and Christian Memory,” *J ECS* 11.4 (Winter 2003): 535. Shaw continues: “It was the most intense and widespread public and ceremonial imperial presence found in a myriad local venues (*sic*) in the provinces of the empire.” See also Maria E. Doerfler, “Christianity and Roman Law,” *The Oxford Handbook on Christianity and Law*, eds. John Witte, Jr. and Rafael Domingo (Oxford: Oxford University Press, forthcoming).

<sup>28</sup> A. Dolganov, “Reichsrecht und Volksrecht in Theory and Practice: Roman Justice in the Province of Egypt (P.Oxy. II 237, P.Oxy. IV 706, SB XII 10929),” *TYCHE* 34 (2019): 30. I do not mean to imply that, all of a sudden, especially after the *constitutio Antoniniana*,



that involved Roman imperial power; reaching out to Rome would give the impression that the longstanding mechanisms of power within the *polis* were inadequate and would possibly open the door to violence: provincial elites preferred negotiation among the injured parties.<sup>29</sup> As Shaw emphasizes, the “rituals and frightening apparatus of the court and public punishment” had their powerful effects, emerging even in dreams and nightmares, into a “social field of rule-driven behavior.” Among other strategies of seeking justice, this context “necessitated . . . curse tablets.”<sup>30</sup>

## A CURSE FROM CYPRUS

[1] *Demonēs*, those who are under the earth, and *demonēs* whoever you may be; fathers of fathers, and mothers who combat men; those who lie here, and those who sit here, who take grievous passion (*thumos*) from the heart:  
[5] Take over the passion of Aristōn which he has toward me, Sotērianos, also called Limbaros, and his anger, and take away from him his power and defensive strength and make him cold and voiceless and breathless, cold toward me, Sotērianos also called Limbaros. . .<sup>31</sup>

everyone solely used Roman legal procedures; see Brélaz, “Local Understandings,” for the ongoing negotiations of local and Roman law and power.

- <sup>29</sup> Ari Bryen, *The Judgment of the Provinces: Law, Culture, and Empire in Rome’s Eastern Provinces* (in progress), offers the example of Polemo in Philostratus *Vit. soph.* 532.
- <sup>30</sup> Shaw, “Judicial Nightmares,” 535, 537. This overwhelming sense of judicial power even seeped its way into Christian references to Christ as *iudex* or judge and Christian epitaphs that mention “that fearful day of court” (p. 560).
- <sup>31</sup> Translation slightly emended from CT no. 45 (p. 132) and Wilburn, *Materia Magica*, 171–72 (see more broadly 169–218). Originally published by L. MacDonald, “Inscriptions Relating to Sorcery in Cyprus,” *Proceedings of the Society of Biblical Archaeology* 13 (1891): 160–90. Greek from *IKourion* 127 (pp. 246–83), accessed at <https://inscriptions.packhum.org>.

(1) [δέμονες] οἱ κατὰ γῆν κὲ δέμονες οἴτ[ινές]  
[ἔσ]τε κὲ πατέρες πατέρων κὲ μητέρε[ς ἀντι]-[  
ἐν]ίριοι οἴτινες ἐνθάδε κίσθε κὲ οἴτινες ἐνθάδε]  
[κ]άθεστε, θυμὸν ἀπὸ κραδῆς πολυκηδέα [π]ρό[σθε λα]-  
(5) βόντες, παραλάβετε τοῦ Ἀρίστωνος τὸν θυμὸν τ[ὸν]  
πρὸς ἐμὲ ἔχι τὸν Σοτηριανὸν τὸν κὲ Λίμβαρρον κὲ τῆ<ν> ὄ[ρ]-  
γῆν, κὲ ἀφέλεσθε αὐτοῦ τὴν δύναμιν κὲ τὴν ἀλκὴν κὲ [ποι]-  
[ή]σετε αὐτὸν ψυχρὸν κὲ ἄφωνον κὲ ἀπνεύμονα, ψυχ-  
ρὸν εἰς ἐμὲ τὸν Σοτηριανὸν τὸν κὲ Λίμβαρρον.

So begins a forceful and emotionally de-escalating (“take... passion from the heart”) sixty-line *defixio* from Amathous, Cyprus. I don’t know what this Aristōn had on Sotērianos a.k.a. Limbaros, but it was bad. The vocabulary of the curse, and the existence of other legal curses in the same archaeological context, reveal that Sotērianos seeks to silence Aristōn, his “opponent” (*antidikon*), in court. He tries to re-route Aristōn’s emotions, so that Aristōn’s anger does not empower the case in court. Sotērianos invokes a panoply of divinities to effect this curse: among others, Pluto, Hekate, Hermes, Kore, the Erinyes, and Iaō (a name frequently associated with the Jewish God).

This lead tablet of ca. 14.7 × 25.9 cm was found rolled from top down, with the writing on the inside. It was nestled among over two hundred lead curse tablets and perhaps thirty selenite curse tablets (a thin, milky shard of gypsum) at the bottom of a shaft in Amathous (Plate 7).<sup>32</sup> The majority, if not all, involved court disputes and were probably written soon before trial.<sup>33</sup> This is a cache of curses and ritual objects. It is also an archive of legal documents. Those who have carefully studied the handwriting (paleography), the formulae, the names (onomastics), the systems of carving letters into the lead (epigraphy) conclude that the tablets were

<sup>32</sup> Wilburn, *Materia Magica*, 174–75. Due to their attribution to Kourion in the *editio princeps* of Louise MacDonald in 1891, it was only later that Amathous as find site of the tablets was clarified in a paragraph-long note by Pierre Aupert and David R. Jordan, “Magical Inscriptions on Talc Tablets from Amathous,” *AJA* 85.2 (1981): 184; idem, “Tablettes magiques d’Amathonte,” in *Art antique de Chypre du Bronze moyen à l’époque byzantine au Cabinet des médailles* (Paris: Bibliothèque Nationale de France, 1994), 67–71. On the complex archaeological history, see Wilburn, *Materia Magica*, 177–87.

<sup>33</sup> Wilburn, *Materia Magica*, 213. Only sixteen lead and six selenite tablets have been published (pp. 186–87). The count of how many have been published varies, with MacDonald (“Inscriptions Relating to Sorcery in Cyprus,” 160–90) publishing seventeen and Gager (*CT*, 132) replicating this number; the confusion is due to the fragmentary status of the tablets. As a comparison to the Amathous tablets, see *P. Yale* 1.61, which reports significant judicial activity at the governor’s assizes; on the topic of Egyptian cities (in rotation) as hosts of Roman imperial assizes (διαλογισμὸς καὶ δικαιοδοσία), see Guiliana F. Talamanca, *Ricerche sul processo nell’Egitto greco-romano*, vol. 1: *L’organizzazione del ‘Conventus’ del ‘Praefectus Aegypti’* (Milan: A. Guiffè, 1974). I am grateful to Ari Bryn for suggesting this comparison. Amathous experienced significant changes during the Roman period, including to its primary cult, the Temple of Aphrodite, Cypria, which came to house cult to the Roman imperial family. See Takashi Fujii, *Imperial Cult and Imperial Representation in Roman Cyprus* (Stuttgart: Franz Steiner, 2013); Ersin Hussein, *Revaluating Roman Cyprus: Local Identity on an Island in Antiquity* (Oxford: Oxford University Press, 2021), 117.

written and deposited in a relatively short time frame, probably in the third-century CE.<sup>34</sup>

These *defixiones* were not the products of individual worry and secret anger. While each curse was written for a precise occasion, these problems of justice resounded among multiple people and multiple cases. It seems the ritual practitioners likely used references material for model curses, which they could customize: among the selenite curses at Amathous, there were “at least three templates” and a single template for the lead tablets, which urges chthonic divinities to bind and punish someone.<sup>35</sup> These legal cases use similar language, inserting different plaintiffs and defendants. They nestle together at the bottom of a shaft, forming an archive that brims with concern, that hopes for the tamping down of wrath (*orgē*), and that begs for the chill and silence of legal opponents.

The clarity of the letter forms, a tendency to orthography and clear spacing, different handwriting, and the use of templates indicates that these *defixiones* were produced by multiple ritual specialists, not individual commissioners.<sup>36</sup> We do not know who these ritual experts were. They were likely temple affiliates, perhaps even priests, and their work was professional, ritual, and scribal.<sup>37</sup> Temple attendants and priests were ritual specialists who sometimes offered one-on-one moments to address the specific needs of worshippers, for example the priests who translated the utterances of the Pythian prophetess at Delphi, the priest-healers of the Sanctuary of Asklepios at Pergamon as recounted in Aelius Aristides’s *Sacred Tales*, or the ritual practitioner who thumbed a tiny

<sup>34</sup> Wilburn, *Materia Magica*, 172. The practice of using *defixiones* in Amathous persisted at least until the seventh century: see Pierre Aupert, “Amathonte hellénistique et romaine: l’apport des travaux récents,” *Cahiers du Centre d’Études Chyprïotes* 39 (2009): 43–44.

<sup>35</sup> Wilburn, *Materia Magica*, 187–88. These verbal overlaps allow for the reconstruction of Sotērianos’s fragmentary curse.

<sup>36</sup> Wilburn, *Materia Magica*, 169, 200–201. Wilburn overturns the earlier idea of Aupert and Jordan (“Magical Inscriptions on Talc Tablets,” 184) that “we now have more texts by this scribe than by any other ancient magician” (cited in Gager, *CT*, 134). The repetition of certain names in the *defixiones* at Amathous seems to indicate “an interlocking web of individuals employing magic against provincial authorities” (Wilburn, *Materia Magica*, 210–11).

<sup>37</sup> Wilburn, *Materia Magica*, 206. Consider, for example, the placement of *defixiones* in the Sanctuary of Magna Mater and Isis at Mainz (Moguntiacum) or that of Sulis Minerva at Bath, which seem to have been part of a larger practice, perhaps sustained by the ritual expertise of priests there. So too, divinatory practices adhere to certain sanctuaries, such as the Temple of Apollo in Hierapolis (Phrygia) or Delphi, or the Shrine of St. Colluthus in Arsinoe (Egypt).

codex called the Gospel of the Lots of Mary to find some oracle for the inquirer.<sup>38</sup> By the time of the so-called Council of Laodikeia (363–64), Christian priests were banned from work as diviners, indicating the close relations between the tasks of ritual specialists and hinting that some ritual experts critiqued other ritual experts as problematically moonlighting for extra cash.<sup>39</sup> In the case of Christian divination or amuletic inscriptions, or in the case of Sotērianos’s curse against Aristōn at Amathous, practitioners were acting theologically, which in this instance involved helping to send Aristōn and his son to the doorkeeper and the gatekeeper of Hades. These ritual specialists were interwoven into a larger network of simultaneously cultic and legal expertise.<sup>40</sup>

Amathous provides an exceptionally rich cache of courtroom-oriented ritual objects/texts. Yet the phenomenon of legal curses is empire-wide and temporally broad. One of the earliest publications of *defixiones*, A. Audollent’s *Defixionum Tabellae*, offers a taxonomy that includes *Iudicariae et in inimicos conscriptae*, “judicial and written against enemies.”<sup>41</sup> In his 1992 book, *Curse Tablets and Binding Spells*, John Gager includes curses from the classical period in Athens in chapters titled “Tongue-Tied in Court: Legal and Political Disputes” and “Pleas for Justice and Revenge.” Similarly, in the 1990s, Henk S. Versnel made the important argument that we should understand some curse tablets to be “prayers for justice,” and this categorization has since been widely adopted.<sup>42</sup> The pity is that the power of Versnel’s insight has led to a rigid

<sup>38</sup> For the Pythia, see e.g., Pausanias *Descr.* 10.5.6–8 and Plutarch *De def. or.* (*Mor.* 412c); for the ancient Christian sortition manual, see AnneMarie Luijendijk, *Forbidden Oracles?: The Gospel of the Lots of Mary* (Tübingen: Mohr Siebeck, 2014).

<sup>39</sup> Theodore De Bruyn, *Making Amulets Christian: Artefacts, Scribes, and Context* (Oxford: Oxford University Press, 2017), 89–138; see also Luijendijk, *Forbidden Oracles*.

<sup>40</sup> For example, one selenite tablet at Amathous “incorporates a spell text that is also known from PGM IV, a papyrus that has been provenanced to Egyptian Thebes” (Wilburn, *Materia Magica*, 172).

<sup>41</sup> A. Audollent, *Defixionum Tabellae* (Paris: A. Fontemoing, 1904), 471–72.

<sup>42</sup> Gager states: “The bulk of this massive find consists of brief spells directed against opponents, the prosecutors, in legal proceedings”; the goal is to “render them incapable of speaking at the trial. The clients were thus prospective defendants” (Gager, *CT*, 133). Henk S. Versnel, “Prayers for Justice, East and West: New Finds and Publications Since 1990,” in *Magical Practice in the Latin West: Papers from the International Conference held at the University of Zaragoza, 30 Sept.–1 Oct. 2005*, eds. Richard L. Gordon and Francisco Marco Simón (Leiden: Brill, 2013), 275–354; see also Esther Eidinow, “Binding Spells on Tablets and Papyri,” in *GSAM*, 351. See also Henk S. Versnel, “The Poetics of the Magical Charm: An Essay in the Power of Words,” in *Magic and Ritual in the Ancient World*, eds. Paul Mirecki and Marvin Meyer (Leiden: Brill, 2014), 105–58; and Fritz Graf, “Prayer in Magical and Religious Ritual,” in *Magika Hiera*:

scholarly categorization: Is this a prayer for justice, or is it a form of vicious and vengeful magic?<sup>43</sup> This problematic dualism subtly reinforces the good religion/bad magic binary of earlier scholarship, and occludes our understanding the fact that a variety of curses function as legal documents.

The Amathous curses, including Sotērianos's, are unusual in offering the names of petitioner and accursed. Curses usually mention only the latter, while the petitioner remains anonymous, perhaps seeking plausible deniability. The mentioning of both may enforce the legal quality of the curse, inscribing the defendant and the accused as one might find in a court document above ground.<sup>44</sup> Sotērianos's justice-seeking is laced with legal terms. For example, dry, bureaucratic terminology is evoked in the word "the aforementioned" or "previously written" (*proگرامμενον*), which evokes epigraphic practices of setting forth of public notices or even someone's registration for judgment or condemnation.<sup>45</sup>

*Demonēs* (a variant spelling of *daimones*) are invoked as the first word of the Amathous curse. The term *daimōn* is usually understood, as with the English demon, to be a negative force. In the texts we encounter in this chapter, *daimones* are involved in enacting torture and Justin sees them as continually deceptive and evil. Yet elsewhere they are understood as positive, animating forces.<sup>46</sup> In this Amathousian curse, *daimones* or

*Ancient Greek Magic and Religion*, eds. Christopher A. Faraone and Dirk Obbink (New York: Oxford University Press, 1991), 188–213. For an interpretation of curse tablets of the Northwestern provinces of the Roman Empire, in relation to the "failing of Roman law" and the challenge of access to state-sponsored adjudication, see Stuart McKie, *The Social Significance of Curse Tablets in the North-Western Provinces of the Roman Empire* (Ph.D. thesis, The Open University, 2017), 131–41. Christopher Faraone, *Hexametrical Genres from Homer to Theocritus* (New York: Oxford University Press, 2021), 120–21 argues that Aeschylus provided an etiology to curses involving court cases and justice. For curses and Christian Testament texts, see Nasrallah, "Judgment, Justice, and Destruction."

<sup>43</sup> Versnel uses the phrase "prayers for justice" with great effect but also creates a problematic binary between malicious curses and true prayers for justice (Versnel, "Prayers for Justice," 275–354); see also Blänsdorf's evident struggle with Versnel's taxonomy as applied to the curses in the Sanctuary of Isis Penthea and Magna Mater at Mainz: Jürgen Blänsdorf, "The *Defixiones* from the Sanctuary of Isis and Mater Magna in Mainz," in *Magical Practice in the Latin West*, 141–89.

<sup>44</sup> Francisco Marco Simón, "Execrating the Roman Power: Three *Defixiones* from Emporiae (Ampurias)," in *Magical Practice in the Latin West*, 413.

<sup>45</sup> LSJ s.v. προγράφω includes a reference to SEG. 4.263 (lines 13, 15) and mentions that this term translates the Latin *proscribere*; see also Jude 4.

<sup>46</sup> I leave the term in the transliterated Greek to help us to recall that a *daimōn* could also be a powerfully good force, an inspiring spirit. See e.g., Plutarch, *On the Genius*

spirits are addressed by location, ontology, and bodily orientation: under the earth; whoever they may be; they are lying and sitting. They are identified in kinship terms: fathers of fathers, and also “mothers who combat men,” an epithet of the Amazons used in the *Iliad*, raising the image of warrior mothers.<sup>47</sup> The phrase “grievous passion” (*thumon*. . . *polukēdea*) evokes Homeric terminology, and my translation cannot capture the richness of the word *thumos*, which in Homeric epic marks not simply emotion but a quasi-physical site of courage and anger within a person. The *defixio* sounded impressive and drew on prestigious, authoritative tradition. Its first four lines comprise an invocation, in (rough) dactylic hexameter with metrical and lexical allusions to Homer,<sup>48</sup> in the midst of the larger cultural turn of the so-called Second Sophistic, which revisited ancient poets for instrumental means and sought to recover the purer outlook on the world held by earlier humans.<sup>49</sup> The curse draws on pre-classical traditions that “curative

(*daimonion*) of Socrates; Maximus of Tyre’s speech about Socrates’ *daimonion* (his spirit or genius) argues that Homer refers to Athena as a *daimonion*. From here Maximus moves to ask: “But Homer’s daemonic power is not a single entity, nor one that associates with just one individual in only one set of circumstances for only trivial purposes. It takes many forms and intervenes on many occasions, under many names, in many shapes, and with many different voices. Do you accept this to some degree, and believe in the existence of Athena, Hera, Apollo, Strife, and all the other Homeric *daimones*?” Maximus of Tyre *Or.* 8.5–6; translation from M. B. Trapp, *The Philosophical Orations* (Oxford: Oxford University Press, 1997), 73.

<sup>47</sup> E.g., *Iliad* 3.189, 6.186. *Antienirioi*, which is misspelled and fragmentary, can be reconstructed from similar *defixiones* on the site (Thomas Drew-Bear, “Imprecations from Kourion,” *BASP* 9.3/4 [1972]: 88 n. 11, 90–92). Faraone, *Hexametrical Genres*, 201, notes similarities between the Amathous curses and other curses in dactylic hexameter, including with this phrase: “In the Cypriot curses the dead are described as ‘fathers of fathers’ (πατέρες πατέρων), a phrase that we can compare to ‘ancestors of our fathers’ (ἡμετέρων πρόγονοι πατέρων) in the Orphic text.”

<sup>48</sup> Drew-Bear, “Imprecations,” 87–88, who notes metrical mistakes; Wilburn, *Materia Magica*, 186.

<sup>49</sup> George Boys-Stone, *L. Annaeus Cornutus: Greek Theology, Fragments, and Testimonia* (Atlanta: SBL Press, 2018), 25. Note that the *defixio* does not strictly cite Homer but is a poetic Hellenization, drawing from Homeric terminology and poetic form. See Drew-Bear, “Imprecations,” 89, which points to *Od.* 10.461, 23.15, 11.39. There are echoes of this dactylic hexameter in a selenite tablet at Amathous, as well as in other lead tablets there (which aid in the reconstruction of this *defixio*). Wilburn discusses a possible “common Hellenic ancestor. Indeed, in both the selenite tablet and the PGM text, the chthonic invocation functions as a poetic unit that has been adapted for use within a larger rite. We can identify a similar process at work in the lead tablets, where the metrical invocation that begins the tablet may have been adopted from another source” (Wilburn, *Materia Magica*, 200); see also Chapter 4 below.

and protective incantations were performed primarily in dactylic hexameters and that they were deemed especially effective in curing anger and other forms of malaise.”<sup>50</sup> This poetics, found also in other *defixiones* at the same site, hints at the intoning aloud of ritual speech.<sup>51</sup>

The curse understands *daimones* to have the ability to regulate the passions or emotions, to take away grievous emotion or *thumos*. This role sets up the curse’s first imperative demand: “Take over the *thumos* of Aristōn which he has toward me, Sotērianos, also called Limbaros, and his anger.”<sup>52</sup> The *daimones* are called upon to *chill* (*psychron*, used twice in rapid succession) the opponents or to make them cold. This language of coldness has aesthetic overtones, both in terms of sense perception and beauty. It signals the sensory experience of coldness and its attendant tamping down of emotion. (Without suggesting that this coldness of rhetoric is universal and transtemporal, I still think of the American colloquial: “Chill, man!”) “Chill” can also denote aesthetic failure in rhetoric or composition, an idea that can extend to failure in courtroom speech.<sup>53</sup>

The curse continues, and despite the possible dangers of intoning ritual texts, I recommend that you read it out loud:

<sup>50</sup> Faraone, *Hexametrical Genres*, 124.

<sup>51</sup> Wilburn, *Materia Magica*, 206. Christopher Faraone points out that “[t]hese Cyprian curses are not entirely metrical: in general, each begins with a version of the four verses quoted here, which become prose at the point where the victim’s name is introduced. The language of these first four lines is, moreover, clearly poetic at certain points, especially toward the ends of the individual verses, where one usually finds traditional epithets.” Faraone suggests that the metrical portion is old, “originally focused on the archaic poetic meaning of *thumos* as a spirit or positive life force,” shifted in the Amathous curse to a negative meaning of “anger,” a meaning more common in the Roman imperial period, and befitting the site of a “mass burial” of those who had met “violent deaths.” Faraone, *Hexametrical Genres*, 198.

<sup>52</sup> I benefitted from Ari Bryen’s discussion of Aristides’s reframing legal problems as affective in *The Judgment of the Provinces*.

<sup>53</sup> Lamont, “Cold and Worthless,” 57, citing Aristotle *Rhet.* 1406a: “those who employ poetic language by their lack of taste make the style ridiculous and chilly (*ψυχρόν*), and such idle chatter produces obscurity.” Chill is also used for *defixiones* not aimed at legal cases or successful speech, such as the Roman-period curse tablets found in a well in the southwest corner of the Athenian agora, which demand chilliness upon athletes and others: David Jordan, “Defixiones from a Well Near the Southwest Corner of the Athenian Agora,” *Hesperia* 54.3 (1985): 205–55. On emotion and rhetoric in the court, see Bryen, *The Judgment of the Provinces*, and his recounting of a story from Philostratus, *Vit. soph.* I.47, which includes the accused, Niketes, defending himself not by legal argument as much as by producing emotion.

[9] ... I invoke you by the great gods MASŌMASIMABLABOI-  
Ō MAMAXŌ EUMAZŌ ENDENEKOPTOURA MELOPHTHEMARAR  
hear RASRŌEEKAMADŌR MACHTHOUDOURAS KITHŌRASA KĒPHOZŌ  
N goddess ACHTHAMODOIRALAR hear RAENT hear RALAR hear,<sup>54</sup> AL-  
AR OUECHEARMALAR KARAMEPHTHĒ SISOCHŌR ADŌNEIA of the  
earth

[15] CHOUCMATHERPHES THERMŌMASMAR ASMACHOUCHIMANOU  
PHILAESŌSI

gods of the underworld, take over from Ariston and his son  
the passion and the anger they hold toward Soteri-  
anos also known as Limbaros and hand him over to the doorkeeper in Hades  
MATHUREUPHRAMENOS and to the one who is appointed over the gate to  
Hades

[20] and the keeper of the door bolts of heaven, STERXERX ĒRĒXA,  
bursting forth from the earth, ARDAMACTHOUR  
PRISSGEU LAMPADEU. And, mournful,  
bury the one who has been registered on this muzzling curse.<sup>55</sup>

After the use of a standard phrase “I invoke,”<sup>56</sup> the *defixio* takes flight  
into phrases in known Greek letters but with unknown meaning, an

<sup>54</sup> I take ακου as a singular present imperative active used thrice and followed by ἀκούετε, a plural aorist subjunctive active used as an imperative. Alternatively, we could think about this as a kind of repetition and abbreviation (ἀκού[εστε] ἀκού[εστε]) crescendoing to the final iteration of the completed verb.

<sup>55</sup>

(10) ὀρκίζω  
[ύ]μᾶς κατὰ τῶν μεγάλων θεῶν Μασωμασιμαβλα[βοι]-  
[ω] μαμαξω Ευμαζω ενδενεκοπτουρα μελοφθημαραρ  
[α]κου ρασρωεεκαμαδωρ μαχθουδουρας κιθωρασα κηφο[ζω]-  
[ν] θεα αχθαμοδοιραλαρ ακου ραεντ ακου ραλαρ ἀκούετε α[λ]-  
[αρ] ουεχεαρμαλαρ καραμεφθη Σισοχωρ ἀδωνεία χθῶ[ν]

(15) [χ]ουχμαθερφες θεριωμασμαρ ασμαχουχιμανου φιλα[εσωσι]  
[χθ]όνιοι θεοί, παραλάβετε τοῦ Ἀρίστωνος κέ τὸν υἱὸν αὐ[τοῦ]  
[Ἀρ]ίστωναν τὸν θυμὸν κέ τὴν ὄργην τὴν εἰς ἐμὲ ἔχι τὸν Σο[τηρι]-  
[αν]ὸν τὸν κέ Λίμβαρρον, κέ παράδοτε τῶ κατ’ Ἄδη θυρουρῶ  
[Μ]αθυρευφραμενος κέ τὸν ἐπὶ τοῦ πυλῶνος τοῦ Ἄ[δους]

(20) [κ]ἔ τῶν κλήθρων τοῦ οὐρανοῦ τεταγμένον Στερξερξ ηρη[ξα]  
[ρη]σίχθων αρδαμαχθουρ πρισσγευ λαμπαδευ στενα[κτά]  
[θά]ψατε τὸν προγεγραμμένον ἐπὶ τοῦδε τοῦ φιωτι[κοῦ]  
[κ]αταθέματος.

Gager and Wilburn take στενα[κτά] as “[in a] mournful grave”; I am not confident that we can understand much more beyond the fact that something mournful is going on. For καταθέμα, see also Rev. 22:3.

<sup>56</sup> Here and elsewhere in the tablet ὀρκίζω; see e.g., the *defixio* from Roman Corinth discussed elsewhere in this book on pp. 1–2, pp. 193–97 and published in Ronald S. Stroud, *The Sanctuary of Demeter and Kore: The Inscriptions* (Corinth XVIII.6; Princeton: American School of Classical Studies at Corinth, 2013), 105 (no. 126): ὀρκίζω σε.



effervescence of tongues. Within the to-us-meaningless phrasings we can hear poetic echoes: the repeated rolling-around-in-the-mouth sound of *alar... ralar... a[lar]... alar* (lines 13–14), the owl-in-the-night sound of *akou... akou... akou... akouesthe* (“hear, hear, hear, hear,” lines 12 and 13). The ritual object also uses unusual and technical words. *Rhēsichthōn*, “bursting forth from the earth,” is not everyday parlance, for example, but a term known from other curses and scripts for ritual objects.<sup>57</sup> The word *philaesōsi*, left untranslated or as a *vox magica* by editors, must have been experienced in the ear as a mix of the terms for love or friendship (*philos, philia*) and salvation or healing (*sōsō*).<sup>58</sup> The names of deities also buzz or elongate with vowels: Sisoehōr and Adōneia (line 14).<sup>59</sup> The theological universe not only *sounds* broad but *is* geographically broad: among the *vores magicae* are the names of gods of the Egyptians and the god of the Hebrews.

The legal procedure of consigning someone to a justice system, including for testimony under torture, is evoked with the term *paradote*.<sup>60</sup> Aristōn and his son are handed over to the doorkeeper in Hades, the gatekeeper of Hades, and the keeper of the doorbolts or bars of heaven, who is then named (it seems) and given a chthonic epithet. The language of doors and bars may evoke imprisonment. Even the well-placed and well-educated – we shall soon see an example from Epictetus – directly and with emotion-filled vocabulary discuss law cases and hint at the threat of jailing.<sup>61</sup> We can wonder whether Sotērianos is concerned

<sup>57</sup> LSJ s.v. ῥηξιχθων. Of the seventeen times this root appears in the *TLG*, only once does it appear in a context that is not associated with “magic” (a fragment of a comedy by Straton, from the fifth or fourth century BCE).

<sup>58</sup> Note that here φιλ[ε]σωσι is reconstructed, but see line 9 of Mitford, *Inscriptions of Kourion*, 262, no. 134: “Eutyches curses Sozomenos” (BM inv. no. 91.4–18, 8).

<sup>59</sup> Regarding vowels, their relative value, and sound, see pp. 130–42, esp. 138–39 on Dionysius of Halicarnassus.

<sup>60</sup> LSJ s.v. παραδιδωμι. The term can also mean to hand down a tradition e.g., 1 Cor. 15:3 (sometimes translated incorrectly as “betray”). See Ari Z. Bryen, *Violence in Roman Egypt: A Study in Legal Interpretation* (Philadelphia: University of Pennsylvania Press, 2013), 132, which demonstrates with precision two-part requests and petitions for legal redress in light of physical and verbal assault, including that “the offender be brought before an official for punishment (*ekdikia*).” Other formats were possible (p. 132): “petitioners could simply ask for ‘punishment’ (ἐπέξοδος) – this punishment could be ‘fitting’ or ‘necessary’ (δέουσα) or ‘forthcoming’ (ἐσομένη) . . . . Petitioners similarly request *ekdikia* (punishment, revenge, or judgment). They similarly ask to be ‘free and free from violence’ (ἐλευθερον και ἀνύβριστον) or ‘free from abuse and threats’ (ἀνύβριστον και ἀνεπηρέαστον).”

<sup>61</sup> Note that κλειθρον is not included in Jaime Curbera, “Lexical Notes on Greek Prisons and Imprisonment,” *Revue de philologie* XCII (2018): 7–37, but the overtones of barring a

precisely because he is not elite and cannot buy or benefact or shoulder-rub his way out of the lawsuit.<sup>62</sup>

After this crescendo of language and tumble of letters, the defendant once more seeks justice by means of daimonic regulation of emotion. The terms *thumos* and *orgē* are paired again: “chthonic gods, take over from Aristōn and his son the *thumos* and the anger they hold toward Sotērianos also known as Limbaros.” Ultimately, the curse names what it is: a muzzling spell, a *phimōtikon*.<sup>63</sup>

This muzzle is to be placed not only on Aristōn, but also on the *daimones* who are commanded to act but are unable to speak. The *defixio* continues:

I invoke you, the king of the mute *demonēs*.

[25] Hear the great name, for over you rules  
the great SISOCHŌR, the one who leads out the gates of Hades. And bind  
my opponent Aristōn, and put to sleep

the tongue, the *thumos*, the anger

that Aristōn holds toward me, Sotērianos, also called Limbaros, so that he is not able

[30] to oppose me in any matter. I invoke you, *demonēs* – in a mass grave<sup>64</sup>

and violently dead and untimely dead and not properly buried, by her

who bursts forth from the earth and forces back to the grave the limbs of

MELIOUCHOS and MELIOUCHOS himself.

I invoke you by ACHALEMORPHŌPH, who is the one earthly god

OSOUS OISŌRNOPHRIS OUSRAPIO; do what is written herein.

[35] O much lamented tomb and chthonic gods and chthonic Hekate, chthonic  
Hermes,

door may evoke imprisonment (LSJ s.v. κλείθρον). On imprisonment, see Bryen, *The Judgment of the Provinces* and his citation of Aelius Aristides *Or.* 50.107–8; see also the fifth-century CE petition of a jailed man in *Chr. Mitt.* 71 (translation in Bryen, *Violence in Roman Egypt*, 276–77); and Libanius *Or.* 45; Mark Letteney and Matthew Larsen, *Ancient Mediterranean Incarceration* (Berkeley: University of California Press, forthcoming).

<sup>62</sup> Bryen, *The Judgment of the Provinces*, on depictions of elite men in situations of trial who use affective language, trade on their abilities at rhetoric and their longstanding social connections, and thus manage to dodge lawsuits or legal consequences – sometimes to the fury of those of lower status.

<sup>63</sup> Discussing this spell, Gager (*CT*, 135) notes that *PGM* VII.396–404 and *PGM* XLVI.4 use the term *phimōtikon* to refer to the spell they prescribe. A silencing spell from the fourth or fifth century CE uses different terminology to similar ends: Christopher A. Faraone, “Stopping Evil, Pain, Anger, and Blood: The Ancient Greek Tradition of Protective Iambic Incantations,” *GRBS* 49.2 (2009): 241.

<sup>64</sup> Riccardo Vecchiato, “Crucified and Beheaded: The Archaeological Context of the Amathous Curses (*DTAud* 22–37),” *RRE* 7 (2021): 34, discussed below.

and Plouton, the lower-than-chthonic Erinyes and you who lie here below, untimely dead and the unnamed of EUMAZŌN, take away the voice of Aristōn who opposes me, Sotērianos, also called Limbaros, MASOMA-

CHŌ. I lay before you this deposited muzzling charge toward Aristōn. [40] and (you) give over his name to the chthonic gods, but his strength [and AL] KŌLALA to death, by the three-named Kore.<sup>65</sup>

In this portion of the ritual text, the *aistheseis* or sense perceptions of the *daimones* are front and center: they cannot speak but can hear. Not only the tongue but also the voice(s) (*phōnas*) or speech of Aristōn is to be muzzled by the theological forces of underworldly and lower than underworldly beings. The curse is additive: where before Aristōn's *thumos* and anger were named (line 17; see also lines 4, 7), here too his *glōssa* or tongue is "put to sleep" in any "matter" or *pragma*, a term that refers to business or legal transactions.

The last lines of the tablet crescendo with invocations (thrice "I invoke you") and commands (five times):

These shall always carry out (my wishes) for me  
and muzzle Aristōn the opponent of me, Sotērianos  
also called Limbaros. Awaken for me, you who hold  
for yourself the underground kingdom of all the Erinyes. I invoke you by the  
[45] gods in Hades OUCHITOU, the dispenser of tombs, AŌTHIŌMOS TIŌIE  
IŌEGOŌEIOPHRI who in the heavens has rule of the upper kingdom,  
MIŌTHILAMPS, in heaven, IAŌ and under the earth SABLĒNIA IAŌ,  
SABLĒPHDAUBĒN THANATOPOUTŌĒR. I invoke you BATHUMIA CHTH-

<sup>65</sup>

- [ἐνο]ρκίζω ὑμῖν τὸν βασιλέα τῶν κωφῶν δεμόνων·
- (25) [ἀκο]ύσατε τοῦ μεγάλου ὀνόματος, ἐπιτάσσει γὰρ ὑμῖν ὁ μ-  
[έγ]ας Σισσοχωρ ὁ ἐξάγων τοῦ Ἄδου τὰς πύλας, κέ κατα-  
[δ]ήσατε τοῦ ἀντιδίκου μου τοῦ Ἀρίστωνος κέ κατακο[μι]-  
[σ]ατε τὴν γλῶσσαν τὸν θυμὸν τὴν ὀργὴν τὴν εἰς ἐμὲ ἔχει τὸν  
Σοτηριανὸν τὸν κέ Λίμβαρον ὁ Ἀρίστων, εἶνα μὴ δύνητέ μοι μη[δ]-
- (30) [εν]ὶ πράγματι ἐναντιωθῆνε. ὀρκίζω ὑμᾶς<ς> δέμονες πολυάν-  
δριοι κέ βιοθάνατοι κέ ἄωροι κέ ἄποροι ταφῆς κατὰ τῆς ῥη[σι]-  
χθόνης κατενεκάσης Μελιούχου τὰ μέλη κέ αὐτὸν Μελιούχων.  
ὀρκίζω ὑμᾶς κατὰ τοῦ Αχαλεμορφωφ ὅστις ἐστὶν ὁ μόνος ἐπιγ[ι]ος θε]-  
ὸς οσοῦς οισωρνοφρις ουσραπτιω ποιήσατε τὰ ἐνγεγραμμέ[να].
- (35) [τῦ]νβε πανδάκρυτε κέ χθόνιοι θεοὶ κέ Ἐκάτη χθονία κέ Ἑρμῆ χ[θόν]-  
[ιε] {κὲ} κέ Πλούτων κέ Ἑρινύες ὑποχθόνιοι κέ ὑμῖς οἱ ὄδ<ε> κάτω κίμ[ενοι]  
ἄωροι κέ ἀνώνυμοι Ευμαζων, παραλάβετε τὰς φωνὰς το<ῦ> Ἀρίσ[τω]-  
χῶ τοῦ πρὸς ἐμὲ τὸν Σοτηριανὸν τὸν κέ Λίμβαρον Μασω[μα]-  
χῶ τὴν παραθήκην ὑμῖν πατίθωμε {παρατίθωμεν} φιμωτικὴν τοῦ Ἀρίστω[νος]
- (40) κέ ἀνάδοτε αὐτοῦ τὸ ὄνομα τοῖς χθονίοις θεοῖς Ἀλλα ἀλκῆ [κὲ ἀλ]-  
[κ]ιω λαλαθανάτω τῷ τριωνύμῳ Κούρφα·

AORŌOKORBRA ADIANAKŌ KAKIANBALE THENNAKRA. I invoke you,  
[50] gods who were exposed by Kronos ABLANAIANALBA  
SISOPETRON. Take over Aristōn the opponent of me, Sotērianos  
also called Limbaros, ŌĒANTICHERECHER BEBALLOSAL-  
AKAMĒTHĒ, and you, bursting forth from the earth, who holds the keys of  
Hades.

Carry out for me, you . . . Provide for me also, . . . ASMIATĒNE. . . .  
[55] GATHĒ MASŌMASŌSISO. . . .

LIN. Provide . . .

EISPITHTHUTHCHO. UĒ . . .

. . . ŌTHOUERR (*charaktēres*)E . . .

. . . AOTHOŌZUD (*charaktēres*) . . .

. . . UDĒSE. TOIO (*charaktēres*) . . .<sup>66</sup>

The text ends with four lines which seem to be a hybrid between *voce magicae* and *charaktēres*. Presumably the literate gods and *daimones* can make sense of these forms of writing. I do not say this lightly; the literacy of divinities and *daimones* is significant to their accessing and effecting these legal documents. Human communication and even conviviality with other sorts of beings is assumed.<sup>67</sup>

- <sup>66</sup> οὔτοι μοι πάντοτε [τελιῶ]-  
[σ]ουσιν κὲ φιμῶσουσιν τὸν ἀντίδικον ἐμοῦ τοῦ Σοτηριανοῦ [τῷ τοῦ]  
κὲ Λιμβάρου τὸν Ἀρίστωναν ἔγιρον δὲ μοι κὲ σὺ ὁ ἔχων τὸ ὑπό-  
γιον βασιλίον σε πασῶν τῶν Ἑρινύων. ὀρκίζω ὑμᾶς κατὰ [τῶν]  
(45) ἐν Ἄδι θεῶν Ουχιτου τὴν τάβων δότιραν Αωθιωμος [τιωι]-  
[ι]ωεγωωειοφρι ὁ ἐν τῷ οὐρανῷ ἔχων τὸ ἑθέριον βασιλ[ιον Μ]-  
[ιω]θλαμψ ἐν οὐρανῷ ἰσω κὲ τὸν ὑπὸ γῆν Σαβληνια ἰα[ω]  
Σαβληφδαυβην θανατοπουτωρη. ὀρκίζω σε Βαθ[υμια χθ]-  
αορωκορβρα αδιανακω κακιαβαλη θεινανκρα. ὀρκ[ίζω]  
(50) [ύ]μᾶς τοὺς ἀ[πὸ] Κρόνου ἐκτεθέντα[ς θε]οὺς Αβλαναιαναλβα  
[σ]ισοπε[τρον] παραλάβετε τὸ[ν ἀντίδικ]ον [ἐμοῦ τοῦ Σοτηριανοῦ]  
[το]ῦ κὲ Λιμβάρου τὸν Ἀ[ρίσ]τωναν Ω[η]ναντιχερεχερ βεβαλλοσαλ]-  
[ακα]μηθη κὲ σὺ ἡ τὰς [κ]λιῖδας τοῦ Ἄδου κατέχουσα ῥησιχθων. συν]-  
[επι]τέλι δὲ ἐμοὶ κὲ σὺ Ασμιατην[ε - - - - -]  
(55) [ . . . ]γαθη Μασωμασωισο[ - - - - - ]  
[ . . . ]λιν παρατέθεμε (vacat)  
ΕΙΣΠΙΘΘΥΘΧΟ.ΥΗ[ - - - - - ]  
[ - ]ΩΘΟΥΕΡΡ(magical symbols)E [ - - - - - ]  
[ - - ]ΑΟΘΟΩΖΥΔ (magical symbols)[ - - - - - ]  
(60) [ - - - ]ΥΔΗΣΕ.ΤΟΙΟ (magical symbols)[ - - - - - ]

<sup>67</sup> Christopher A. Faraone, *The Transformation of Greek Amulets in Roman Imperial Times* (Philadelphia: University of Pennsylvania Press, 2018), 186. See, e.g., discussion of P.Oxy. LXXVI 5073 in De Bruyn, *Making Amulets Christian*, 147, which “consists of an instruction and the opening words of the Gospel of Mark” (Mark 1:1-2). As De Bruyn cites it: “Read the beginning of the gospel and see: | ‘The beginning of the gospel of Jesus the Christ.’ | As it is written in Isaiah the prophet, | ‘Behold, I shall send my angel | before

Not only the content of the curse, but also its archaeological context, gives data about documentary practices and searching for justice in antiquity. Our knowledge of the archaeological context is admittedly limited, derived from late nineteenth-century letters that describe what local villagers say about how they found the tablets. A letter from 1892 speaks of

the discovery, made by some villagers in clearing what seemed to be a large disused well. They first found a quantity of squared stones, and then rubble, under which was a great quantity of human bones, among which were some gold earrings. In the lower stratum of the bones, they first found pieces of the lead, and subsequently pieces of the inscribed talc, some pieces of which were attached to the side of the well imbedded in gypsum. Later on, they came to water, at about 40 ft. from the surface.<sup>68</sup>

Perhaps the shaft at Amathous was a well.<sup>69</sup> As we shall find in the next chapter, four curses were sunk into a well in the House of the Calendar in Antioch, with that watery drop-site a key to the purpose of one of the curses.

Perhaps the shaft was a grave. The area where the curses were found is a necropolis.<sup>70</sup> Many curses are known to have been deposited at graves or associated with the dead, either from archaeological evidence of their find sites or from mention of a *nekudaimōn* or corpse *daimōn*.<sup>71</sup> These

your face, who will prepare.” The amulet seems to direct the *daimōn* to *read* even as it expects the *daimōn* to then be confronted by an angel. See also Ashon Crawley, *Blackpentecostal Breath: The Aesthetics of Possibility* (New York: Fordham University Press, 2016), 203, discussing an early nineteenth-century text by Bilali Muhammad, a West African enslaved in Georgia: “Bilali’s’ text, inclusive of the unreadable five pages, also importantly presupposes a deity that can understand incoherence. Perhaps not simply a deity but – because the text is a set of itineraries and protocols for worship – a community gathered by such incoherence as a mode of worship itself.”

<sup>68</sup> For the whole account of the letter, see Wilburn, *Materia Magica*, 170; for stratigraphy, see pp. 180–81.

<sup>69</sup> The fact that the villagers who originally found and removed the tablets understood the shaft as a well indicates that it was likely a vertical shaft, not the kind of *dromos* or sloping runway known from some grave sites. Wilburn, *Materia Magica*, 182–83. Regarding deposits in wells, see pp. 111–12 n. 66 below.

<sup>70</sup> Wilburn, *Materia Magica*, 182–84. On the use of grave dirt in rituals emerging from Ki-Kong tradition within the African diaspora, see Thompson, *Flash of the Spirit*, 105; see also pp. 132–45 on grave decorations and apotropaic strategies.

<sup>71</sup> An example of an archaeologically secure *defixio* that mentions a *nekudaimōn* that was not deposited at a grave but in a well is of Roman date. It was found in the well in the southwest corner of the Athenian Agora: Jordan, “Defixiones from a Well,” 205–55.

deposits in a well or grave may be fueled by an underlying logic of depositing one's curse at an entrance to the underworld.<sup>72</sup>

And what about all those bones? Andrew Wilburn argues that they are a later deposit, perhaps associated with a plague or catastrophe after the deposition of the curses. Riccardo Vecchiato states, however, that the bones along with the content of the curses indicate a mass grave: the *poluandrion* mentioned in the curse. This mass grave would include those who have been beheaded and crucified, the latter the ultimate punishment for those of lower status deemed criminals or troublemakers to Roman imperial power.<sup>73</sup> Vecchiato bases his argument on a fragmentary curse tablet (Audollent 27, *IKourion* 132) from Amathous, which is directed against at least ten legal opponents (*antidikoi*), including Metrodoros a.k.a. Asbolios, a banker. This curse too seems to be a silencing spell (*phimōtikon*) as it asks that the “voice” of certain opponents be taken away.<sup>74</sup> Vecchiato reconstructs the curse as “demons of the mass grave (*poluandrioi*), beheaded and crucified” (line 17).<sup>75</sup> He convincingly argues that *poluandrioi* does not denote the state of being simply buried but should be translated “those in a mass grave.” In Josephus's *Jewish War* (*Bell. Iud.* 5.1.19), for example, the term arises in a discussion of mass killings during civil conflict in Jerusalem at the time of Titus; the temple had become “a grave for the bodies of household members,

<sup>72</sup> Wilburn, *Materia Magica*, 179–80.

<sup>73</sup> Vecchiato, “Crucified and Beheaded,” 31–42; Williams, *Criminalization in Acts of the Apostles*; John Granger Cook, *Crucifixion in the Mediterranean World* (Tübingen: Mohr Siebeck, 2014). Wilburn responds to Vecchiato's strong critique of Wilburn's own dismissal of the bones' significance, stating, “The new reconstruction is compelling, as it provides a plausible reading of the text for one of the tablets, which demonstrates some variation from the formulary text. However, as discussed above, mounting a large number of tablets after the bodies or bones had been deposited seems unlikely. Furthermore, the presence of gold earrings remains difficult to explain, as it seems likely that executed corpses would have been stripped of valuables.” Andrew T. Wilburn, “The Selenite and Lead Curse Tablets from Amathous, Cyprus and the Transmission of Magical Technology,” *RRE* 7.1 (2021): 48 n. 20.

<sup>74</sup> Vecchiato, “Crucified and Beheaded,” 34–35.

<sup>75</sup> (17) [δαίμονες πολυάνδριοι, πεπελεκισμένοι καὶ ἔστα[υρωμένοι,  
(18) [ἄωροι καὶ ἄπο]ροι τῆς ἱερᾶς ταφῆς, ὀρκι[ζω] ὑμᾶς κ[ατὰ τῆς ῥηξίχθο-]  
(19) [νος τῆς συναν]ανκακαμένης τὰ Μελιούχου μέλη [καὶ αὐτὸν Μελιού-]  
(20) [χον κτλ.

Vecchiato, “Crucified and Beheaded,” 35–36. Note that crucified and beheaded imply different statuses of the dead; the former is a humiliating method of execution for those of low status; decollation is reserved for those of higher status.

making the sanctuary into a mass grave (*poluandrion*) of civil war.”<sup>76</sup> Vecchiato’s reconstruction and translation of “crucified,” while possible, is admittedly a guess: only the first four letters of the word are visible.<sup>77</sup> The term *pepelekismenoi*, “those who have been cut by an axe,” appears in full; it is an expression usually denoting decapitation. It is used, for example, in the late first-century Apocalypse of John, which refers both to decapitation and to a witness in a court (*martyr*): the prophet John sees “the souls of those beheaded on account of the testimony regarding Jesus and on account of the word of God” (Rev. 20:4).<sup>78</sup>

Of the legible and published curse tablets from Amathous, thirteen share formulae, among these the Sotērianos inscription of our focus. All thirteen mention their own location of deposit as a much-lamented tomb (*pandakrutos*). These curses refer to violent and untimely deaths (*biaiothanatoi* and *aōroi*), an element so frequent in curse tablets that scholars have often ignored how shocking it is. Thinking that “magic” would of course involve the weird, we have failed to explore the ancillary social and political conditions to these deaths.<sup>79</sup> Why violent and untimely? Are these violent and untimely deaths effected by private, random means or state-sponsored conditions? We are perhaps desensitized to untimely and violent deaths, and their gendered, economic, status, and racial drivers. With these curses, we can wonder: How are memories of those unjustly dead mobilized? Do their unjust deaths become the material from which justice can be activated? How are, or are, their energies thought to be still present? In the case of Amathous, it maybe that the unjustly and violently dead are again treated unjustly, manipulated by the cursers and the ritual practitioners there. Vecchiato argues that the shaft at Amathous was the site of the dumping of criminals’ bodies: a mass grave that included the decapitated and the crucified, their rattling bones and spirits activated as components of the justice-technology of the curse tablets deposited there.

<sup>76</sup> My translation. The passage begins: “Foreigners and priests, lying profaned, their scattered corpses chaotically disfigured, and blood of every kind of corpse formed pools in the divine precincts.” νεκροῖς δ’ ἐπιχωριοῖς ἀλλόφυλοι καὶ ἱερεῦσι βέβηλοι συνεφύροντο, καὶ παντοδαπῶν αἶμα πτωμάτων ἐν τοῖς θείοις περιβάλοις ἐλιμνάζετο. . . . τάφος οἰκείων γενομένη σωμάτων καὶ πολέμου τὸν ναὸν ἐμφυλίου ποιήσασα πολυάνδριον: Josephus, *The Jewish War*, Volume III: Books 5–7 (trans. H. St. J. Thackeray; LCL 210; Cambridge, MA: Harvard University Press, 1928), 6–9.

<sup>77</sup> See apparatus at Vecchiato, “Crucified and Beheaded,” 35.

<sup>78</sup> καὶ τὰς ψυχὰς τῶν πεπελεκισμένων διὰ τὴν μαρτυρίαν Ἰησοῦ καὶ διὰ τὸν λόγον τοῦ θεοῦ.

<sup>79</sup> Vecchiato, “Crucified and Beheaded,” 34.

Whether the bones laid within the shaft preserved traces that indicate crucifixion or beheading is uncertain. Whether the shaft was a well or a grave evades us. What does seem clear is that it was a place of some terror. Yet, this well or shaft was more than a symbolic gateway to the underworld or a materially effective location, its powers of drowning and chilling the curse tablet transferable to the accursed through the logic of similarity. It was also a site of display. Significantly, one remaining piece of selenite tablet has two small holes approximately 1 cm apart on its left upper corner, indicating display (British Museum 1891,0418.59). Handcock's comments from the late nineteenth century also indicate that some of the selenite tablets were pressed into the gypsum of the shaft wall, and images from the original publication seem to indicate suspension holes for display.<sup>80</sup> The lead tablets were likely rolled up, some possibly pierced by nails, and perhaps laid into the shaft or affixed to its walls by nails.<sup>81</sup> This assemblage – the hammering and the nail-piercing – become a more evident act of exposing injustice, when interpreted in light of the practice of nailing and display in Kaphar's *To Be Sold* and the exposing of injustice that comes with a nailed proclamations.

We should think of the find site of the *defixiones* at Amathous as a legal archive. This archive was perhaps deliberately placed in a mass grave that included those violently killed by decollation and crucifixion.<sup>82</sup> The repetitive aspect of the curses points not only to cultic ritual but also to legal ritual, overseen by a literate expert. The sheer number of *defixiones* found together recalls a bureaucratic archive.<sup>83</sup> The very act of

<sup>80</sup> Wilburn, *Materia Magica*, 182, 207. Wilburn writes: "The act of display has important repercussions for the interpretation of the selenite tablets from Amathous, as it both implies a desire that the tablets be seen and also requires a significant outlay of effort on the part of the ritual specialist" (p. 186).

<sup>81</sup> Wilburn, *Materia Magica*, 186–87.

<sup>82</sup> Andrew Wilburn uses the term "archive," although he does not develop this idea in relation to scribal/writing/archival practices associated with judicial proceedings, but rather mentions cult sites that are the location of redaction and collating of documents (*Materia Magica*, 200.) On definitions of archives (vs. dossiers), see Katelijn Vandorpe, "Archives and Dossiers," in *The Oxford Handbook of Papyrology*, ed. Roger S. Bagnall (Oxford: Oxford University Press, 2011), 216–55; on practices of organizing archives, see Willy Clarysse, "Tomoi Synkollēsimoī," in *Ancient Archives and Archival Traditions: Concepts of Record-Keeping in the Ancient World*, ed. Maria Brosius (Oxford: Oxford University Press, 2003), 344–59.

<sup>83</sup> Epigraphic curses on graves often state that there will be a curse or fine for those who try to use the grave, mentioning also that a copy of the inscription qua document is also to be found in the archive; see Johannes Strubbe, *Arai Epitymbioi: Imprecations Against Desecrators of the Grave in the Greek Epitaphs of Asia Minor: A Catalogue* (Bonn: R. Habelt, 1997); note too the use of curses from Deuteronomy to protect third-century



depositing one more *defixio* among so many others – and in the case of some, the act of suspending within or affixing them to the shaft – recalls the public work of legal display, the hanging of documents in antiquity.<sup>84</sup> Even if the only viewers of a curse placed in a shaft were to be the chthonic divinities and spirits, the social force of the curse resonated above ground as information was passed along informally, through gossip and conversation, and through general knowledge of the practice of making *defixiones*.<sup>85</sup> There is a publicness to the display of the Amathous curses.

The curses at Amathous are part of a larger empire-wide seeking of justice by many means. One Amathous curse explicitly indicates resistance to larger political power – or at least someone in political power. A *defixio* at Amathous takes aim against “Theodoros the governor.”<sup>86</sup>

CE graves (Acmonia MAMA VI.335a, MAMA VI.335; CIJ 770) and in Laodikeia on the Lycus (Thomas Corsten, *Die Inschriften von Laodikeia am Lykos*, vol. 1 [Bonn: R. Habelt, 1997], no. 111), also cited and discussed in Luigi Walt, “As If Not. Dissimulation Strategies from Paul to the Sixth Book of Ezra,” in *Figures of Ezra*, eds. Jan N. Bremmer, Veronika Hirschberger, and Tobias Nicklas (Leuven: Peeters, 2018), 151 n. 47. See Brélaz, “Local Understandings,” 170.

<sup>84</sup> Wilburn (*Materia Magica*, 214) argues that this “display would not have served as social function” but was similar to the act of hanging votives, or the public posting of prayers for justice at Knidos, which indicate language of confession and accusation (see e.g., Audollent no. 4, = CT no. 89.3; cited at Wilburn, *Materia Magica*, 206); at Kula (Asia Minor, cited in Wilburn, *Materia Magica*, 208), we find evidence of oaths, their annulment, and necessary payment for the annulling of a curse (translation and discussion at Chaniotis, “Under the watchful eyes of the gods,” 34–35). On public display of law as adduced in an early Christian martyrdom, see Shaw, “Judicial Nightmares,” 540.

<sup>85</sup> While the audience for those posted objects was broad and often human, the audience for the posted curses of Amathous “was not residents of Amathous or supplicants to a divinity, but rather divine forces and the dead” (Wilburn, *Materia Magica*, 214); see also David Frankfurter, “Fetus Magic and Sorcery Fears in Roman Egypt,” *GRBS* 46 (2006): 37–62. Lydia Matthews and Irene Salvo (“Cursing-Prayers and Female Vengeance in the Ancient Greek World,” in *Revenge and Gender in Classical, Medieval and Renaissance Literature*, eds. Lesel Dawson and Fiona McHardy [Edinburgh: Edinburgh University Press, 2018], 150), write, “The ritual performance of these cursing-prayers was a rational tool of justice, approved by the male order of society. This power was not the same as that which was available to citizen men through the courts or through more direct violent forms of vengeance, but was dependent on their manipulation of social relationships through gossip.”

<sup>86</sup> This *defixio* by Alexandros a.k.a. Makedonios is aimed against Timon and Θεοδώρω τῷ ἡγε[μῶνι] [l. 13]. Audollent no. 25 = CT no. 46 = *IKourion* no. 130; “Theodoros the governor”; the fragmentary last word can be reasonably reconstructed from two other uses in the *defixio*, in lines 8 and 19, although these are also fragmentary. Gager, *CT*, 136 n. 66, states: “The term translated here as governor (*hegemon*) is restored in the text. Under Roman rule until the reforms of Diocletian, Cyprus was governed by a proconsul

That curses and resistance to government could be intertwined is well known from elsewhere in the empire. Three curses from Empúries (Ampuria, Hispania) condemn at least three Roman administrators in ca. 75–78 CE.<sup>87</sup> They also re-orient the world in their very form of writing, as they are inscribed retrograde (from right to left) and from bottom to top. The unusual writing, topsy turvy, does its own work of materializing reversals.<sup>88</sup> At Mainz, a *defixio* uses the word *adiutor*, likely a technical term denoting the *adiutor tabulatriorum* or assistant of a Roman magistrate.<sup>89</sup> Tacitus famously tells the story of Germanicus's death in the early first century CE in Antioch, in the midst of mysterious circumstances (a feud with the province's governor Gnaeus Calpurnius Piso and his wife, Plancina) and ritual foul play: "the remains of human bodies, spells, curses, leaden tablets engraved with the name Germanicus" (Tacitus, *Ann.*, 2.69).<sup>90</sup> As Wilburn explains,

(Greek *anthupatos*, the title of Sergius Paulus in Acts 13:7)." See also Wilburn, *Materia Magica*, 210.

<sup>87</sup> Simón, "Execrating the Roman Power," 402–4. T. Aurelius Fulvus, the governor of Tarraconensis (also titled *legatus Augusti pro praetore*), Rufus (titled *legatus Augusti*), and Maturus (*procurator Augusti*). Both prosopographically and archaeologically, these can be dated to ca. 75–78 CE. Curses against Roman authorities at Amathous, Empúries, and Mainz, along with other locations, could be seen "from the perspective of the (new) Roman order, as 'disloyal' or 'anti-consensual,'" as Francisco Marco Simón puts it. But "from the perspective of the *defigens*" or curser, "the ritual deposition of such tablets, containing the names of Roman magistrates and representatives of communities who had allegedly benefited unfairly from their decision, would have been an appeal to that 'area of almost total liberty' which magic represented for those who used it" (p. 422).

<sup>88</sup> Simón, "Execrating the Roman Power," 402. For the larger theorizing of unusual forms of writing (retrograde and backwards writing), see *inter alia* Collins, *Ancient Magic*, 66–67; Christopher Faraone and Amina Kropp, "Inversion, Adversion and Perversion as Strategies in Latin Curse-Tablets," in *Magical Practice in the Latin West*, esp. p. 382 and their discussion of the phrase *adverse scribo*. The reason for the cursing here may have been land reorganization, which was conducted via census (and thus documentary) procedures; Simón, "Execrating the Roman Power," 409, esp. his use of Stephen Dyson's study of "native revolts in the Roman Empire" and pressure on towns to meet Roman administrative demands, such as census taking.

<sup>89</sup> Simón, "Execrating the Roman Power," 412; for *defixiones* from Mainz that use formulae associated with official petitions, see Blänsdorf, "The *Defixiones* from the Sanctuary of Isis and Mater Magna in Mainz," 174 [no. 8], 186; Richard Gordon, "Imaginative Force and Verbal Energy in Latin Curse-tablets," in *Litterae Magicae: Studies in Honor of Roger S. O. Tomlin*, ed. Celia Sánchez Nataliás, vol. 2 (Zaragoza: Libros Pórtico, 2019), 117.

<sup>90</sup> See fuller use of this passage above, pp. 29–30. Andrew T. Wilburn, "Building Ritual Agency: Foundations, Floors, Doors, and Walls," in *GSAM*, 555; see also Florent Heintz, "Magic Tablets and the Games at Antioch," in *Antioch: The Lost Ancient City*, ed. Christine Kondoleon (Princeton: Princeton University Press, 2000), 163; Magali Bailliot, "Rome and Roman Empire," in *GSAM*, 189–90, on the *Lex Cornelia*.

Magic directed at the state, particularly aggressive magic aimed at harming members of the provincial administration, clearly would have been viewed as an illegal activity, endangering both parties, the practitioners and those who employed them. These proscriptions may suggest that the use of magical acts constituted resistance against Rome in the minds of the authorities.<sup>91</sup>

In addition, the vocabulary of curses and of official petitions overlaps: like combats like. The procedure of hanging and display of historical, documentary evidence includes both imperial petitions, as we shall see below, and curses: a curse is like an imperially posted document addressing situations of injustice.<sup>92</sup>

Curses are mechanisms for producing otherwise possibilities against imperial bureaucracy and injustice, effected by calling upon various beings, whether *daimones* or god(s).<sup>93</sup> They are tools against exercises of power that could provoke fear. Roman legal procedure could transform defendants, draping their bodies with the emotional manifestations of shame and penitence.<sup>94</sup> The emotions (*pathē*, things you suffered or experienced), were politically useful tools. Francisco Marco Simón argues

<sup>91</sup> Wilburn, *Materia Magica*, 211.

<sup>92</sup> This similarity between legal documents and curses predates the Roman Empire. Elizabeth A. Meyer states: “Study of how tablets were used in the Republic reveals that the ordering of state, religion, magic, legal procedure, and some legal acts all shared an ancient and ceremonial protocol in which writing on *tabulae* played an important part.” This act, correctly performed, “irrevocably changed some aspect of the visible or invisible world: it did not need human enforcers, but drew its power and authority from the formal ritual of its own making” (*Legitimacy and Law in the Roman World* [Cambridge: Cambridge University Press, 2004], 4–5). See also p. 174, which speaks about the physical work of the first- or second-century CE Roman prefect in Egypt who posted *tabulae* or wood tablets.

<sup>93</sup> Regarding otherwise possibilities, see discussion of Ashon Crawley and others on p. 9 above. Roman law sought to thwart so-called *magici*, but less than has been previously assumed. James B. Rives (“Magic in Roman Law: The Reconstruction of a Crime,” *Classical Antiquity* 22. 2 [2003]: 77) argues that the *Lex Cornelia de sicariis et veneficiis* of 81 BCE, while often cited as evidence of Roman anti-magic laws, likely merely augmented preexisting laws and was aimed particularly at homicides perpetrated by those who “prepared, sold, bought, possessed, or administered a dangerous drug (*venenum malum*).”

<sup>94</sup> Shaw, “Judicial Nightmares”; see his example from Tertullian *Apol.* 1.1.10–13 cited at p. 544 n. 34. On the literary construction of juridical power in Tertullian, see Carly Daniel Hughes and Maia Kotrosits, “Tertullian of Carthage and the Fantasy Life of Power: On Martyrs, Christians, and Other Attachments to Juridical Scenes,” *J ECS* 28.1 (2020): 1–31. On Roman imperial terror evoked through sculpture and through spectacle, see *inter alia* Davina C. Lopez, *Apostle to the Conquered: Reimagining Paul’s Mission* (Minneapolis: Fortress Press, 2008); Laura Salah Nasrallah, *Christian Responses to Roman Art and Architecture: The Second-Century Church Amid the Spaces of Empire* (Cambridge: Cambridge University Press, 2010), 51–84.

regarding some judicial *defixiones* that “[t]he practice clearly shows the emotional – or not strictly legal – dimension of lawsuits, which were of course heard in public, in some cases at least before a large audience.”<sup>95</sup> To resist the emotions’ or passions’ ability to render one passive, suffering from external stimuli, one needed management strategies, tools that are simultaneously philosophical and theological.

Stoics created a taxonomy of the emotions – a kind of psychic and community map that allows for people, mostly elite males concerned with self-mastery,<sup>96</sup> to find their way out of the confusion of having wrong opinions (*doxai*) about the circumstances that surround them. Cicero, while not himself a Stoic, sympathetically (!) outlines in his *Tusculan disputations* a classic Stoic response to the *pathē* or the emotions and summarizes: “Philosophy, in removing distress as a whole, also removes whatever errors may trouble us on any particular point: the bite of poverty; the sting of public disgrace, the darkness of exile; or the other things I have named” (*Tusc. disp.* 3.82). He offers a list of what falls under the genus of *aegritudino*: envy, rivalry, jealousy, pity, anxiety, grief, sorrow, weariness, mourning, worry, anguish, sadness, affliction, despair (*Tusc. disp.* 3.83).<sup>97</sup>

Curses emerge among other techniques to master emotions in antiquity. *Defixiones* are one among many technologies and therapies (*therapeiai*) to regulate the self and to regulate the self *in community* – that is, not only to master the desire (*epithumia*) or fear (*phobia*) *within*, but also to control the circulation of emotions *without*. An extensive set of therapies could be found in philosophical practices of regulating delight, desire, distress, and fear.<sup>98</sup> This circulation of the *pathē* or emotions is fundamentally political, as a theoretical framework derived from

<sup>95</sup> Simón, “Execrating the Roman Power,” 410.

<sup>96</sup> See e.g., Stanley K. Stowers, *A Rereading of Romans: Justice, Jews, and Gentiles* (New Haven: Yale University Press, 1997).

<sup>97</sup> Translations are from Margaret Graver, *Cicero on the Emotions: Tusculan Disputations 3 and 4* (Chicago: University of Chicago Press, 2009). *Tusc. disp.*, 3.82–83, p. 36: “Distress of any kind is far removed from the wise person, because it is an empty thing; because it serves no purpose; because it has its origin not in nature, but in judgment and opinion and in a kind of invitation that is issued when we decide that grief is appropriate. Once this entirely voluntary belief is removed, distress will be eliminated.” On reading Cicero and ending up in a situation of judicial torture, see Jerome, *Ep.* 22.30. See also Winkler, *Constraints of Desire*, 82–93.

<sup>98</sup> See Graver, *Cicero and the Emotions*, xi–xxxvi, and eadem, *Stoicism and Emotion* (Chicago: University of Chicago Press, 2007); A. A. Long, *Epictetus: A Stoic and Socratic Guide to Life* (Oxford: Clarendon Press, 2002).

contemporary queer theory helps us to see. In *The Cultural Politics of Emotion*, Sara Ahmed writes, “Feminist and queer scholars have shown us that emotions ‘matter’ for politics; emotions show us how power shapes the very surface of bodies as well as worlds. So in a way, we do ‘feel our way’. This analysis of how we ‘feel our way’ approaches emotion as a form of cultural politics or world making.”<sup>99</sup> Ahmed continues her diagnosis: “[F]ear works to restrict some bodies through the movement or expansion of others. Within feminist approaches the question of fear is shown to be structural and mediated, rather than an immediate bodily response to an objective danger.”<sup>100</sup> That is, fear is the product of threats that are themselves produced through narratives of who is to be feared. Fears are conjured by the fearful work of *daimones* in curse tablets; narratives of Christian apologists like Justin, as we shall see, both reflect and produce fear. Ahmed gives the example of political discourse in the United Kingdom about “bogus asylum seekers” and the importance of the nation resisting a “soft touch.” We could easily adduce examples of emotional-political strategies in the United States to stoke fear against immigrants “taking our jobs” or bringing disease or overrunning national boundaries – these racialized and political narratives stoke fear and disgust, and produce concrete effects like placing the children of border-crossers in cages.<sup>101</sup>

Curses are one strategy amid the search for justice and the circulation of emotion in antiquity. Roman law and Roman systems of pleading an injustice to the emperors are visible in the official legal documents. But as

<sup>99</sup> Sara Ahmed, *The Cultural Politics of Emotion* (New York: Routledge, 2015), 10. “In my model of sociality of emotions, I suggest that emotions create the very effect of the surfaces and boundaries that allow us to distinguish an inside and an outside in the first place. So emotions are not simply something ‘I’ or ‘we’ have. Rather, it is through emotions, or how we respond to objects and others, that surfaces or boundaries are made: the ‘I’ and the ‘we’ are shaped by, and even take the shape of, contact with others” (p. 10). I am grateful to Sarah Porter (*Early Christian Deathscapes*) for discussions about Sara Ahmed and for her use of Ahmed to analyze the rhetoric of Julian and John Chrysostom, on which I depend.

<sup>100</sup> Ahmed, *The Cultural Politics of Emotion*, 82–100.

<sup>101</sup> Ahmed, *The Cultural Politics of Emotion*, 72: “the language of fear involves the intensification of ‘threats’, which works to create a distinction between those who are ‘under threat’ and those who threaten. Fear is an effect of this process, rather than its origin. . . . Through the generation of ‘the threat’, fear works to align bodies with and against others.” Especially with regarding to immigrants and disease, see Yii-Jan Lin, “‘And the Lord Sent Sickness among Them’: Apocalyptic Epidemiology,” in her *Immigration and Apocalypse: The Revelation of John in the History of American Immigration* (New Haven: Yale University Press, in process).

Ari Bryen, Jill Harries, and Jeremy Williams have shown, legal discourse also appears in other sorts of texts, including novels or romances.<sup>102</sup> The writings of a Christian apologist like Justin, alongside early Christian martyrdoms, are part of this literature. These philosophical-theological discourses in antiquity reveal concerns about managing the *pathē* or emotions in the face of injustice and sometimes, more specifically, in the face of legal cases. From the conflict-laden Roman republican period of Cicero to the dangerous Roman imperial period of Epictetus and far beyond, people debated how to cope with fear of unjust power and how to enact justice. Some, particularly elite males, used strategies of philosophical dialogues to cope with political fear and the circulation of emotion. They asked: Were the emotions (*pathē*) epistemologically misleading or useful? Did they distract a person from strength or excellence (the Latin *virtus*, which contains the word for man, *vir*) and courage (the Greek *andreia*, which does the same, *anēr*), terms coded as elite and masculine? Others used curses to cope with these fears regarding legal power. Some likely used both.

The popular philosophical writings of Epictetus reveal that emotions could be dangerously stimulated by political fear:

But what says Zeus? “Epictetus, ... since I could not give you this [complete freedom], we have given you some part of ourself, this faculty of choice and refusal, of desire and aversion. . . ; if you care for this and place all that you have within it, you’ll never be thwarted, never hampered, won’t groan, won’t blame, won’t flatter anyone.” . . .

Now, Epictetus pictures a threatening dialogue:

[CHARACTER 1]	But I will bind you.
[CHARACTER 2]	Dude, what are you saying? Bind me? My leg you will fetter, but my moral choice not even Zeus himself has power to overcome.
[CHARACTER 1]	I will throw you into prison.
[CHARACTER 2]	Only my paltry body.
[CHARACTER 1]	I will behead you.

<sup>102</sup> On Roman legal procedures as reconstructed from explicitly legal texts as well as the social discourse, see discussion in Williams, *Criminalization in Acts of the Apostles*; Jill Harries, “Triple Vision: Ulpian of Tyre on the Duties of the Proconsul,” in *Roman Rule in Greek and Latin Writing*, eds. Jepsen Majbom Madsen and Roger David Rees (Leiden: Brill, 2014), 193–209; Bryen, “Law in Many Pieces,” 346–65; Dolganov, “Reichsrecht and Volksrecht in Theory and Practice,” 27–60; Bryen, “Martyrdom, Rhetoric, and the Politics of Procedure,” 244–45.

- [CHARACTER 2] Well, when did I ever tell you that mine was the only neck that could not be severed?
- [EPICETUS'S SUMMARY] These are the lessons that philosophers ought to rehearse, these they ought to write down daily, in these they ought to exercise themselves. (*Diss.* 1)<sup>103</sup>

Note here the language of binding. In some ways it is not surprising that the semantic field for *katadesmoi*, binding spells, overlaps with terminology of punishment and imprisonment in the Roman Empire.<sup>104</sup> Yet its resonance is also striking, reminding us that the language of binding marks power and force. Justin, too, uses the imagery of binding and chains in his sly critique of the Roman imperial family and his complaint that they persecute Christians based on the name alone. He does so in his comment that some “condemn themselves so as to need no other judges, when they sentence us to death or chains [bindings, *desma*] or some other such penalty for having done these things” (*1Apol.* 69.2).<sup>105</sup>

Fear was not the only dangerous emotion in circulation. Rivalry, according to Cicero, is a form of distress; envy, according to the physician Galen, is the worst form of grief. These are the sorts of emotions that could produce the conditions of conflict that blossom into a lawsuit. Galen, in a treatise on *The Diagnosis and Cure of the Soul's Passions*, pinpoints envy and grief as disease or emotion: “And what must I say of envy? It is the worst of evils. . . All grief is a disease (*pathos*), and envy is the worst grief” (*Aff. dig.* 35).<sup>106</sup> Envy, according to the second-century

<sup>103</sup> Ἄλλα τί λέγει ὁ Ζεὺς; “Ἐπρίκτιτε, . . . ἐπεὶ δὲ τοῦτο οὐκ ἠδυναίμην ἐδώκαμέν σοι μέρος τι ἡμέτερον, τὴν δύναμιν ταύτην τὴν ὀρηκτικὴν τε καὶ ἀφορητικὴν καὶ ὀρεκτικὴν τε καὶ ἐκκλιτικὴν. . . καὶ ἐν ἧ τὰ σαυτοῦ τιθέμενος οὐδέποτε κωλυθήσῃ, οὐδέποτ’ ἐμποδισθήσῃ, οὐ στενάξεις, οὐ μέμψῃ, οὐ κολακεύσεις οὐδένα. . . . “ἀλλὰ δῆσω σε.” ἄνθρωπε, τί λέγεις; ἐμέ; τὸ σκέλος μου δῆσεις, τὴν προαίρεσιν δὲ οὐδ’ ὁ Ζεὺς νικήσῃ δύναται. “εἰς φυλακὴν σε βαλῶ.” τὸ σωματίον. “ἀποκεφαλίσω σε.” πότε οὖν σοι εἶπον, ὅτι μόνου ἐμοῦ ὁ τράχηλος ἀνασπόμενος ἔστιν; ταῦτα ἔδει μελετᾶν τοὺς φιλοσοφοῦντας, ταῦτα καθ’ ἡμέραν γράφειν, ἐν τούτοις γυμνάζεσθαι. My translation. Epictetus, *Discourses, Books 1–2* (trans. W. A. Oldfather; LCL 131; Cambridge, MA: Harvard University Press, 1925), 10–13. Seneca’s Latin *Medea* is its own philosophical working out of questions of emotions and their dangers, and he died because of his politics. See also Seneca, *Ep.* 14.2 and discussion of this passage in Shaw, “Judicial Nightmares,” 539.

<sup>104</sup> Curbera, “Lexical Notes on Greek Prisons and Imprisonment,” 7–37; Bryen, *Violence in Roman Egypt*, 134.

<sup>105</sup> ἐκ τοῦ καὶ ἡμῖν ὡς τοιαῦτα πράττουσι θάνατον ἢ δεσμὰ ἢ ἄλλο τι τοιοῦτον προσπιμᾶν ἑαυτοὺς κατακρίνοντας. Translation and edition from Minns and Parvis, 268–69.

<sup>106</sup> περὶ δὲ τοῦ φθόνου τί δεῖ καὶ λέγειν; ἔσχατον τῶν κακῶν ἔστιν. . . . πάθος μὲν ἔστι καὶ λύπη πᾶσα, χειρίστη δὲ ὁ φθόνος ἔστιν. Galen, *On the Passions and Errors of the Soul* (ed. Walther Riese and trans. Paul W. Harkins; Columbus: Ohio State University Press, 1963), 53;

CE rhetor Apuleius, can even produce legal trouble. In his *Apologia* or defence against the accusation of magic, Apuleius says: “For no reason other than baseless envy can be found for concocting this lawsuit against me and the many dangers to my life that preceded it.”<sup>107</sup>

The philosopher must work hard, cultivating an *askēsis* or a discipline, to inure himself (masculine used deliberately) against political power, even political power manifest in bodily control and harm, as the short passage from Epictetus shows.<sup>108</sup> Epictetus’s speeches are not personal, individualized musings on how to be a better person. Elite men spent hours discussing the management, moderation, and extirpation of the passions or emotions, with particular focus on how those of lesser status – children, the enslaved – could often provoke anger. Moreover, while being a philosopher could be a posh business, as one received salaries from elite students and even imperial attention and imperially sponsored positions or “chairs,” it could also be a dangerous, stomach-turning business. Seneca’s political philosophy led to his death. Philosophers and theologians who felt that danger addressed it in their dialogues and writings. These writings iteratively, in the back and forth of the dialogic form, worked out the conceptual bases for addressing and offering a *therapeia* for the real political and social fear around them. These are works of practical philosophy, even of practical theology. Their very form as dialogues shows their literary conceit as a community project: their dialogic nature maps intrapersonal development of skills of resistance – a verbal martial arts sparring ring. Epictetus’s *Dissertations* even represent a larger community in that they are the notes, it seems, of his student Arrian.

The philosophical texts we read can be seen as practice for future encounters with or stimulations of emotions, practice scripts aimed against external impressions that can mislead, and desire and aversion

Greek edition Galen, *De Propriorum animi cuiuslibet affectuum dignotione et curatione* (trans. Wilko De Boer; Leipzig: B. G. Teubner, 1937), 3–37. On iambic incantations within *defixiones* as a mechanism for stopping anger or colic – i.e., a viewpoint that helps us to understand the emotions as one form of disease or medical distress – see Faraone, “Stopping Evil, Pain, Anger, and Blood,” 227–55.

<sup>107</sup> Apuleius, *Apol.*, 66. The passage continues: “Yet what incited Aemilianus, even if he had truly found me to be a magician, to suppose he had a just motive for revenge? I had not harmed him by the least word, let alone by any deed.” Apuleius, *Apologia. Florida. De Deo Socratis* (ed. and trans. Christopher P. Jones; LCL 534; Cambridge, MA: Harvard University Press, 2017), 159.

<sup>108</sup> Nicole Kelley, “Philosophy as Training for Death: Reading the Ancient Christian Martyr Acts as Spiritual Exercises,” *CH* 75 (2006): 723–47.



that can hinder.<sup>109</sup> *Defixiones* do different work and likely often emerge from those of lower status. They nonetheless are technologies to cope with similar problems: how to manage in the face of judicial danger, how gods and other non-human beings might be present and engaged, and how to navigate toward what one perceives to be a just outcome, or safe harbor. These emotions should be seen not only or primarily as a private issue but also as a larger, public phenomenon. A curse that indicates annoyance on the part of Aristōn against Sotērianos or, as we'll see in the next chapter, a tiff between the greengrocer Babylas and the commissioner of the spell against him, discloses not just private anger ("Let me win my lawsuit!"), but also the kind of public emotion that produces multiple curses against Roman officials in the region of Spain in the first century CE. Sotērianos sought to ensure the outcome of his case by silencing his opponent and by whirling up *daimones* and divinities onto his side of the legal battle. This muzzling also functions to quell *thumos* and *orgē*; it is a bar against emotions.

#### CREATING LEGAL ARCHIVES: JUSTIN'S APOLOGIES AND IMPERIAL RESCRIPTS

Enter, in philosophical robes (*Dial. Tryph.* 1.1), Justin Martyr, a cosmopolitan man born in Flavia Neapolis (modern-day Nablus in Syria Palestine) and dweller in Rome, where he fought with the philosopher Crescens. These are facts that he announces at the beginning of his *Apologies*, as he introduces himself as a colonial subject to the emperors.<sup>110</sup> As a provincial communicating with the imperial family at the level of petitions and at the level of contributing to Roman legal thought, Justin is not unique. The famed Roman legal thinker of the early third century CE, Ulpian, also writes "as a Roman lawyer, as a communicator with Greeks and as the native of a city with a 'provincial' identity containing both Greek and residual Phoenician elements," as Jill Harries puts it.<sup>111</sup> Indeed, Ulpian can even be seen as a generation-later rival to

<sup>109</sup> Pierre Hadot, *Philosophy as a Way of Life: Spiritual Exercises from Socrates to Foucault* (ed. Arnold I. Davidson and trans. Michael Chase; Oxford: Blackwell, 1995).

<sup>110</sup> Syria Palestina is the name given to the regions formerly called Judea after Hadrian's subjection of Jerusalem (Erwin R. Goodenough, *The Theology of Justin Martyr* [Jena: Verlag Frommannsche Buchhandlung, 1923], 57). On Justin's introduction of himself, see Nasrallah, *Christian Responses*, 130–32.

<sup>111</sup> Harries, "Triple Vision," 194; on the significance of the foregrounding of Ulpian's provincial identity and concerns about enfranchisement and order in the provinces (vs.

the likes of Justin, since he was rumored to have guided provincial governors by listing rescripts directed against Christians.<sup>112</sup>

Justin writes in the shadow cast by brutal Roman quelling of Jewish resistance in 66–73 in Palestine, in 115–17 in Cyrenaica, Egypt, and Rome, and in 132–35 in the Bar Kochba revolt in Jerusalem.<sup>113</sup> He writes at a time when Christ-followers were sometimes perceived as an aberration from or a heresy of Judaism, and Justin himself seems to be an early “inventor of heresy,”<sup>114</sup> seeking to construct his form of Christianness by excluding other contemporaneous Christian and Jewish communities. In part because of the philosophical and culturally sophisticated tone Justin assumes, scholars have moved from interpreting him as (solely) an early Christian theologian to seeing him as one voice among many in the so-called Second Sophistic.<sup>115</sup> He engages in broad

elite Roman men like Cicero or Pliny, concerned about more top-down governance of the provinces), see pp. 195–97. On Ulpian’s method of including Greek within his Latin and thus making his work more open and understandable to provincial readers (rather than centering on Rome and Latin only), see Tony Honoré, *Ulpian: Pioneer of Human Rights* (Oxford: Oxford University Press, 2002), 89–92.

<sup>112</sup> Tony Honoré, *Justinian’s Digest: Character and Compilation* (Oxford: Oxford University Press, 2010), 6, citing Lactantius, *Div. Inst.* 5.11.19 (trans. CCEL): “For both sacrilegious ordinances and unjust disputations of jurists are read. Domitius, in his seventh book, concerning the office of the proconsul, has collected wicked rescripts of princes, that he might show by what punishments they ought to be visited who confessed themselves to be worshippers of God.”

<sup>113</sup> In the *Dialogue with Trypho*, Justin constructs a Jewish interlocutor. This text mentions the Bar Kochba revolt of 132–35, and in *1Apol.* 31 Justin asserts that Bar Kochba persecuted Christians. Justin also presents himself as an orator in competition with others – with Crescens, a philosopher in Rome, and with Trypho, his invented debate partner. See Andrew S. Jacobs, *Remains of the Jews: The Holy Land and Christian Empire in Late Antiquity* (Stanford: Stanford University Press, 2004), 27–32; and eadem, “Dialogical Differences: (De)Judaizing Jesus’ Circumcision,” *J ECS* 15.3 (Fall 2007): 291–335; Laura Nasrallah, “The Rhetoric of Conversion and the Construction of Experience,” in *Studia Patristica: Papers presented at the Fourteenth International Conference on Patristic Studies Held at Oxford 2003*, eds. F. Young et al. (Leuven: Peeters, 2006), 467–74.

<sup>114</sup> See esp. *Dial. Tryph.* 16, 130–32. The term “inventory of heresy” is Alain LeBoulluec’s: *La notion d’hérésie dans la littérature grecque, IIe–IIIe siècles* (Paris: Études augustiniennes, 1985); on Justin’s supposed authorship of a now-lost heresiological treatise, see Matthijs den Dulk, “Justin Martyr and the Authorship of the Earliest Anti-Heretical Treatise,” *VC* 72 (2018): 471–83.

<sup>115</sup> Bryn, “Martyrdom”; Nasrallah, *Christian Responses*, esp. chaps. 1 and 4; Kendra Eshleman, *The Social World of Intellectuals in the Roman Empire: Sophists, Philosophers, and Christians* (Cambridge: Cambridge University Press, 2012), esp. 28, 56, 67–68; Tim Whitmarsh, *Greek Literature and the Roman Empire: The Politics of Imitation* (Oxford: Oxford University Press, 2001); Tom Geue, “Keeping/Losing Records, Keeping/Losing Faith: Suetonius and Justin Do the Document” and James

cultural practices of discussing justice, engaging philosophical ideals, and performing as a rhetor – even if he does so by using the Jewish scriptures and the story of a crucified anointed one.

Justin's *Apologies*, written ca. 150–55 CE, inscribe as addressees the imperial family members Antoninus Pius, Marcus Aurelius, Lucius Verus, and the Sacred Senate and Roman people. Justin uses the epithets of Roman emperors to question who they are: epithets of “piety” (*eusebeia* in Greek, *pious* in Latin, applied to Antoninus Pius) and “philosophy” or “philosophical” (applied to Marcus Aurelius). He also refers to Lucius as both philosopher and “lover of *paideia*.”<sup>116</sup> Just the role of emperor and that of philosopher blur in Justin's writing and in imperial self-presentation, so too Justin constructs himself variously as rhetor, philosopher-theologian, and legal advocate.<sup>117</sup>

Justin's appeal to the emperors not only mentions documentary exchanges, but also participates in the documentary conventions of the time, appealing to Roman bureaucratic systems of adjudicating petitions. The conclusion to what is conventionally called the *First Apology* states:

And although, on the basis of a letter of the very great and very renowned Caesar Hadrian, your father, we are able to insist that you command that judgments be given in accordance with our petition, instead we have petitioned not on the basis that this decision was made by Hadrian – but we have made this address and

Uden, “The Noise-Lovers: Cultures of Speech and Sound in Second-Century Rome,” in *Literature and Culture in the Roman Empire, 96–235: Cross-Cultural Interactions*, eds. Alice König, Rebecca Langlands, and James Uden (Cross-Cultural Interactions. Cambridge: Cambridge University Press, 2020), 203–22 and 58–74, respectively.

<sup>116</sup> See Nasrallah, *Christian Responses*, 119–70, for further discussion of this passage and Justin's writings in relation to claims regarding justice and *paideia* visually manifest in Rome's Forum of Trajan.

<sup>117</sup> Some in antiquity worried about the dangerous slide between the rhetor and the (seductive) courtroom speaker; if slippery words could persuade, where did truth lie? See e.g., Philostratus *Vit. soph.* I.1, from his late second/early third century CE vantage recalling to his readers classical Athens: “The Athenians when they observed the too great cleverness of the sophists, shut them out of the law-courts on the ground that they could defeat a just argument by an unjust, and that they used their power to warp men's judgement. That is the reason why Aeschines and Demosthenes branded each other with the title of sophist, not because it was a disgrace, but because the very word was suspect in the eyes of the jury; for in their career outside the courts they claimed consideration and applause.” Philostratus, Eunapius, *Lives of the Sophists. Eunapius: Lives of the Philosophers and Sophists* (trans. Wilmer C. Wright; LCL 134; Cambridge, MA: Harvard University Press, 1921), 11. See also Philostratus *Vit. soph.* I.15 regarding Antiphon: “Antiphon is attacked in Comedy for being too clever in legal matters, and for selling for large sums of money speeches composed in defiance of justice for the use of clients whose case was especially precarious” (LCL 134, p. 41).

exposition on the basis of our knowing that our petition is just. And we have attached a copy of the letter of Hadrian, in order that you might know that we are telling the truth in this manner also. And this is the copy (*to antigraphon*). (1Apol. 68.3–5)<sup>118</sup>

The word *antigraphon* can refer to a copy of an official document, and Justin's text goes on to cite a letter of the emperor Hadrian. This is not particularly exciting stuff: it is a bureaucratic gesture toward a bureaucratic document. But that gesture in itself is interesting. Justin adduces an assemblage and shows himself conversant with legal archival practices; he asserts the worth of his own document, with its appended evidence, within these protocols.

Justin offers an imperial letter as a rescript that responded to Christian complaints. Scholars of ancient Christianity have understood that there was an established procedure for petition of the emperors (*libelli*) and receipt of response (*subscriptions*), but generally have engaged in a fruitless debate of asking whether Justin's document is real: if this rescript is genuine, it indicates that the Roman imperial family was aware of Christians and responded to concerns about them. Absent further documentary evidence, we cannot know more about this situation. What we can know is that Justin's adducing of an *antigraphon* indicates his performance of participation in a larger system. It is evidence of his competencies to navigate documentary exchange. He leans into contemporary practices of legal assemblage in order to argue his case. These practices are well known from petitions to the emperors and responses, a phenomenon revealed in epigraphic evidence and other texts that offer official complaints about governmental abuses.<sup>119</sup>

<sup>118</sup> και ἐξ ἐπιστολῆς δὲ τοῦ μεγίστου καὶ ἐπιφανεστάτου Καίσαρος Ἀδριανοῦ, τοῦ πατρὸς ὑμῶν, ἔχοντες ἀπαιτεῖν ὑμᾶς καθὰ ἠξιώσαμεν κελεῦσαι τὰς κρίσεις γενέσθαι, οὐκ ἐκ τοῦ κεκρίσθαι τοῦτο ὑπὸ Ἀδριανοῦ μᾶλλον ἠξιώσαμεν, ἀλλ' ἐκ τοῦ ἐπίστασθαι δίκαια ἀξιοῦν τὴν προσφώνησιν καὶ ἐξηγησὶν πεποιήμεθα. ὑπετάξαμεν δὲ καὶ τῆς ἐπιστολῆς Ἀδριανοῦ τὸ ἀντίγραφον, ἵνα καὶ κατὰ τοῦτο ἀληθεύειν ἡμᾶς γνωρίζητε. καὶ ἔστι τὸ ἀντίγραφον τοῦτο. Translation and edition from Minns and Parvis, 265; see also their notes regarding the manuscript and the question of *epiphanestaton* (265 n. 1).

<sup>119</sup> Brélaz, "Local Understandings"; see also a bilingual Greek and Latin edict of 14–19 CE regarding requisitions of local goods by imperial travelers in SEG 26:1392; Stephen Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," *JRS* 66 (1976): 106–31; G. H. R. Horsley, *The Greek and Latin Inscriptions in the Burdur Archaeological Museum* (London: British Institute at Ankara, 2007), 232–33; and discussion in Laura Salah Nasrallah, *Archaeology and the Letters of Paul* (Oxford: Oxford University Press, 2019), 76–104. See also Augustus's letter concerning abuses in Cyrenaica (FIRA I 68). Ulpian, author of *On the Duties of a Proconsul* (*De officio proconsulis*, preserved in part in *Digest* 1.16.9.2–4 and dating to ca. 209), was

We cannot know how or if Justin's documentary assemblage and display originally worked. We have no autograph with appended documents. The primary manuscript of Justin's mid-second-century *Apologies* is found in the fourteenth-century *Parisinus graecus* 450.<sup>120</sup> Yet even this late manuscript, along with evidence within Eusebius's *Ecclesiastical History*, points to a constellation of texts around Justin's *Apologies*, including a rescript of the emperor Hadrian and one (or two) imperial letter(s).<sup>121</sup> These rescripts and letters reveal social discourses regarding law. That is, as Roman legal historian Ari Bryen has argued, the history of power, force, justice, and debate can be found not only in documents we adjudge to be *bona fide* legal transcripts, or petitions and responses, but also in how these are discursively represented in non-legal texts.<sup>122</sup>

A close look into the *Apologies* reveals even more assertions of documentary evidence and exchange. Justin refers the emperors twice to *acta*

likely secretary of petitions in the early third century CE under Severus; see Harries, "Triple Vision," esp. 194; Bryen, *Violence in Roman Egypt*, 95–96. Lukas Lemcke, *Imperial Transportation and Communication from the Third to the Late Fourth Century* (Collection Latomus 353; Brussels: Éditions Latomus, 2016), 24, discusses a Hadrianic edict about abuse of the Roman imperial transport system (which follows the logic of the well-known Tiberian inscription from Sagalassos regarding abuse of locals); for the Hadrianic edict, see Tor Hauken and Hasan Malay, "A New Edict of Hadrian from the Province of Asia Setting Regulations for Requisitioned Transport," in *Selbstdarstellung und Kommunikation: Die Veröffentlichung staatlicher Urkunden auf Stein und Bronze in der Römischen Welt*, ed. R. Haensch (Munich: C. H. Beck, 2009), 327–48.

<sup>120</sup> *Parisinus gr.* 450 ("A") dates to 1364 CE; riddled with errors, it is best understood as the work of a scribe who was coping with a lacunate manuscript (Minns and Parvis, 19–21). It contains a large lacuna (2.2–16) that can be reconstructed in full from Eusebius's *Ecclesiastical History*. Miroslav Marcovich, *Patristic Textual Criticism* (Atlanta: Scholars Press, 1994), 6 cites von Harnack's dismay at the quality of the manuscript. On the value of the manuscript and why it is the apograph for two other manuscripts, see Minns and Parvis, 1–7. To look at *Parisinus gr.* 450, see <https://gallica.bnf.fr/ark:/12148/btv1b10722125b/f7.item.r=Grec%20450>. I am grateful to Gloria Korsman of Andover-Harvard Library, Harvard Divinity School, for helping me to find this resource. On variations between *Parisinus gr.* 450 and Eusebius *Hist. eccl.* 4.12, see Minns and Parvis, 34–41.

<sup>121</sup> The very organization of *Parisinus gr.* 450 indicates a thoughtfulness about collation and editing of documentary evidence. See discussion in Laura Salah Nasrallah, "A Formation of a Christian Archive? The Case of Justin Martyr and an Imperial Rescript," in *Literature and Culture in the Roman Empire*, 96–235, 179–202. For both letters, see Marcovich, *Patristic Textual Criticism*, Appendix I and II.

<sup>122</sup> See helpful overview of changes in outlooks on Roman law in Bryen, "Law in Many Pieces," 346–65.

or legal documents by Pontius Pilate (*1Apol.* 35.9, 48.3).<sup>123</sup> He mentions “these things we have submitted to your inspection” (*1Apol.* 67.8), referring, it seems, to teachings of Jesus as documentary evidence. And Justin himself demands the physical display of documents: “And therefore we ask you to add the subscription which seems good to you to this petition and to post it up” (Justin *2Apol.* 14.1 or *1Apol.* 69.1).<sup>124</sup>

Justin asks to participate in a culture of documentary bureaucracy and assemblage. He does so amid a larger socio-political context of “interminable embassies from cities, mainly Greek,” as well as retinues of bureaucrats that travelled with the emperors, even on military campaigns, and rich evidence from Egypt reveals the drone of quotidian petitions.<sup>125</sup> There was an aesthetics of display involved in these procedures. Tor Hauken and others have reconstructed the likely process: “petitions were handed in by petitioners or the representatives in person at the emperor’s residence; with or without the instructions of the emperor, the secretary *a libellis* prepared and signed an answer which was written underneath the petition on the same sheet, and in turn approved by the signature of the

<sup>123</sup> Both times he uses the phrase ἐκ τῶν ἐπὶ Ποντίου Πιλάτου γενομένων ἄκτων. I leave out here the possible overlaps with the *Acta Pilati*, a later “documentary” tradition which reveals early Christian imaginations around Pilate and legal procedures. On how early Christian martyrdoms sometimes use the form of *acta* in order to do their own ideological work around persecution, see Candida Moss, *The Myth of Persecution: How Early Christians Invented a Story of Martyrdom* (New York: HarperOne, 2014), and after her, Éric Rebillard, *The Early Martyr Narratives: Neither Authentic nor Forgeries* (Philadelphia: University of Pennsylvania Press, 2021) – or we could think of this also as the rhetoric of criminalization (Williams, *Criminalization in Acts of the Apostles*) and the assertion of legal documentary evidence. See also the fourth-century CE bilingual account of court proceedings: *P.Lips.* I 40.iii.20–21 (= Ch.L.A. XII 518, A.D. 381), translated in *Law and Legal Practices in Egypt from Alexander to the Arab Conquest, 332 BC–AD 640*, eds. J. G. Manning et al. (Cambridge: Cambridge University Press, 2014), 508–16; discussed in Bryen, *Violence in Roman Egypt*, 136–37. On the context for early Christian pseudepigraphy, see Irene Peirano Garrison, *The Rhetoric of the Roman Fake: Latin Pseudepigrapha in Context* (Cambridge: Cambridge University Press, 2012); Nasrallah, *Archaeology and the Letters of Paul*, 224–55 and bibliography therein.

<sup>124</sup> καὶ ὑμᾶς οὖν ἀξιοῦμεν ὑπογράψαντας τὸ ὑμῖν δοκοῦν προθεῖναι τοῦτὶ τὸ βιβλίδιον ὅπως καὶ τοῖς ἄλλοις τὰ ἡμέτερα γνωσθῆ. Translation and edition Minns and Parvis, 266–67.

<sup>125</sup> Fergus Millar, *The Emperor in the Roman World* (Ithaca: Cornell University Press, 1977), 6. While Millar and Honoré debate the ways in which petitions were brought to the imperial family, it is incontrovertible that many petitions were sent to provincial governors and the emperors, and that both engaged in responding, sometimes in epistolary form: Tor Hauken, *Petition and Response: An Epigraphic Study of Petitions to Roman Emperors, 181–249* (Bergen: Norwegian Institute at Athens, 1998), 286; regarding Egypt, see Benjamin Kelly, *Petitions, Litigation, and Social Control in Roman Egypt* (Oxford: Oxford University Press, 2011), 1–2.

emperor.”<sup>126</sup> From the time period of Hadrian to Diocletian, the use of petitions was strictly formalized, involving a *libellus* and a *subscriptio*. Sometimes, instead of a rescript, one found an *epistula* (Latin) or *gramma* (Greek).<sup>127</sup> The answered petition was joined in a volume with other petitions and displayed at an established location. The Temple of Apollo and the portico of the Baths of Trajan in Rome were two such locations. A (putative) letter of Marcus Aurelius to the Senate about the Christians, which follows Justin’s *Apologies in Parisinus gr.* 450, states that the information within the letter should be posted in the Forum of Trajan. The documents would then be sent to the imperial archive.<sup>128</sup>

We should picture documents displayed in stone in the cities of the Roman Empire, and also nailed up in key locations of deposit – hung, affixed. The *defixiones* of Amathous, some suspended in a shaft, echo this procedure. The assemblage of historical documents and nails in Kaphar’s *To Be Sold* allow us to see more clearly how a recent assemblage addresses larger questions of (in)justice; used as a theoretical framework, it allows us to ask whether and how such nails and affixing of documents served purposes of justice in antiquity, as well.

<sup>126</sup> Tor Hauken, Cumhur Tanriver, and Kazim Akbiyikoğlu, “A New Inscription from Phrygia: A Rescript of Septimius Severus and Caracalla to the *coloni* of the Imperial Estate at Tymion,” *Epigraphica Anatolica* 36 (2003): 33–44; Hauken, *Petition and Response*, 258–89.

<sup>127</sup> As we find with rules regarding jurisdiction at the Areopagus at Athens in the period of Marcus Aurelius: James H. Oliver, *Greek Constitutions of Early Roman Emperors from Inscriptions and Papyri* (Philadelphia: American Philosophical Society, 1989), 235–36.

<sup>128</sup> “The two-stage preparation of the rescript can be identified by the signatures *recognovi* (a *libellis*) and *sub-/re-/scripsi* (the emperor) as the end of e.g. Skaptopara (l.168),” (Hauken et al., “A New Inscription from Phrygia,” 36). The most complete example of an epigraphic account of a *libellus* and rescript occurs in a now-lost inscription from Skaptopara (*CIL* III, 12336; *SIG*<sup>3</sup> II, 888; *IGRR* I, 674; Hauken, *Petition and Response*, 74–139). Its authentication indicates a duplication format well known from the present administrative bureaucracies of the university or the government. The now-fragmentary, bilingual inscription on a marble stele in Phrygia indicates a communication from the emperor Septimius Severus to *coloni* and provides an authentication tag that informs us about the process of ‘publication’ and use of such rescripts (pp. 33–44). Lines 1–5 are Greek and indicate that the rescript that follows was copied from imperial collections of petitions (ἐκ τεύχους [βιβλιδίων] of the emperors. The following text, in Latin, indicates that this copy had to be verified by the signatures and seals of seven witnesses to complete the authentication tag; the seals would then be broken when the document was presented, in this case, “to the procurator Asiae or the proconsul Asiae” (p. 37). On papyrological evidence for petition (βιβλιδία) and subscription (ὑπογραφή), see Clarysse, “*Tomoi Synkollēsimoī*,” 345–47.



## JUSTIN, DEMONS, JUSTICE

The echoes between Justin's writing and the rolled lead tablets and the selenite curses with their light, mineral moon glow are not limited to formal documentary procedures of demanding justice and of hanging or announcing the responses to requests for justice. Justin's appeal to the emperors also indicates concerns about *daimones* and magic; *daimones*, as we recall from Sotērianos's curse, can help to effect (what is perceived as) justice.

*Daimones*, for Justin, are engines of deceit. They learn about the future coming of the Christ, the anointed one, and proleptically lard into human history myths and practices to make it seem that the message of Christ is secondary. *Daimones* engage in the work of deceitful imitation or *mimesis* (e.g., *1Apol.* 62.2; 64.1). Dionysus, the godly son of Zeus who is ripped and torn and is "taken up into the heavens" (*1Apol.* 23.3, 54.6) makes Christ look like a copyright infringer. *Daimones* heard about Moses taking off his shoes before the divine and instituted similar rites in their most sacred places (*1Apol.* 62.2). *Daimones* knew of the stories of creation from Moses and invented the births of Kore and Athena as imitations (*1Apol.* 64.1-5). Sneaky, powerful *daimones*.

Justin's very active *daimones* not only imitatively and maliciously fold time, making Christ's deeds and followers' rituals look derivative of non-Christian worship, but they also produce magic. Justin famously refers to "Simon, a certain Samaritan... who... through the art of the demons who moved him, performed magical deeds in your royal city of Rome, who was thought to be a god and was honoured as a god by you with a statue" (*1Apol.* 26.2; cf. *1Apol.* 56.1-2, *2Apol.* 15.1).<sup>129</sup> Justin also refers to one of Simon's students, Menander, who performs magical art (*technē*) in Antioch (*1Apol.* 26.4). And Justin associates his own community not with *invoking* (the *horkizō* used several times by Sotērianos in his curse) but with *revoking* or *exorcising* (*eporkizontes*, translated in terminology of exorcism):

For throughout the whole world and in your own city many of us ... exorcised many who were possessed by demons in the name of Jesus Christ who was crucified under Pontius Pilate. And they healed them, though they had not been healed by all the others – exorcists and those who incant and potion-workers. And

<sup>129</sup> Σίμωνα μὲν τινα Σαμαρεά, τὸν ... διὰ τῆς τῶν ἐνεργούντων δαιμόνων τέχνης δυνάμεις ποιήσας μαγικὰς ἐν τῇ πόλει ὑμῶν βασιλίδι Ἰρώμῃ θεὸς ἐνομίσθη καὶ ἀνδριάντι παρ' ὑμῶν ὡς θεὸς τετίμηται. Translation and text from Minns and Parvis, 147.



still they heal, breaking the power of the demons and chasing them away from human beings who were possessed by them. (2*Apol.* 5.6)<sup>130</sup>

Here Justin not only puns on the term “revoke” (*horkizō*) used in many *defixiones*, but also displays a vocabulary of ritual practitioners: exorcists and healers and potion-workers (those who trade in *pharmaka*, poisons or medicines).<sup>131</sup>

Justin’s *Apology* is deeply concerned about the activity of *daimones* in a world thick with spirits, air and earth clogged with various kinds of beings. The theology of such a complex ontology – of beings that do not neatly align themselves into humans or gods or heroes – should be understood not only in light of Jewish apocalyptic thought, but also in relation to concerns about rerouting justice through practices of *defixio*-making. *Daimones*, among other beings, motor these ritual objects and rituals; on this, the curses and Justin Martyr agree.<sup>132</sup> The term *daimōn* in the unpublished index to Karl Preisendanz’s *Papyri Graecae Magicae* takes up approximately two columns of entries. These *daimones* are not solely detrimental. We find recipes that both invoke and push away *daimones*, including a rite for acquiring an assistant *daimōn* (PGM I.42) and a phylactery *against* a *daimōn* (PGM IV.86–87).

<sup>130</sup> ἐν τῇ ἡμέτερα πόλει πολλοὶ τῶν ἡμετέρων ἀνθρώπων, τῶν Χριστιανῶν, ἐπορκίζοντες κατὰ τοῦ ὀνόματος Ἰησοῦ Χριστοῦ, τοῦ σταυρωθέντος ἐπὶ Ποντίου Πιλάτου, ὑπὸ τῶν ἄλλων πάντων ἐπορκιστῶν καὶ ἐπραστῶν καὶ φαρμακευτῶν μὴ ἰαθέντας, ἰάσαντο· καὶ ἔτι νῦν ἰῶνται, καταργοῦντες καὶ ἐκδιώκοντες τοὺς κατέχοντας τοὺς ἀνθρώπους δαίμονας. Modified from translation by Minns and Parvis, 289. In the translation I excise “human beings who are Christians” (ἀνθρώπων τῶν Χριστιανῶν) following the logic of Schmidt noted in Minns and Parvis, 289 n. 6, that this may have been marginalia which entered into the text.

<sup>131</sup> Heidi Wendt finds evidence that Roman authorities probably considered Justin to be among other “freelance rivals” with expertise in magic: “‘*Ea Superstitione*’: Christian Martyrdom and the Religion of Freelance Experts,” *JRS* 105 (2015): 183–202. On exorcism “in the name” of Jesus (although neither book mentions Justin), see Giovanni Bazzana, *Having the Spirit of Christ: Spirit Possession and Exorcism in the Early Christ Groups* (New Haven: Yale University Press, 2020); see also Jennifer Eyl, *Signs, Wonders, and Gifts: Divination in the Letters of Paul* (Oxford: Oxford University Press, 2019).

<sup>132</sup> Justin may also be influenced by the Book of the Watchers and the idea of fallen angels and their demonic progeny: Annette Yoshiko Reed, “The Trickery of the Fallen Angels and the Demonic Mimesis of the Divine: Aetiology, Demonology, and Polemics in the Writings of Justin Martyr,” *JES* 12.2 (2004): 141–71, esp. 143–45; see also her *Fallen Angels and the History of Judaism and Christianity: The Reception of Enochic Literature* (New York: Cambridge University Press, 2005), 160–89. She sees Justin’s understanding of the *phauloi daimones* as a “radical indictment of Greco-Roman culture” (Reed, “The Trickery of the Fallen Angels,” 159).

*Daimones* operate in Justin's realm and in the realm of curses; so too legal terminology. Justin's *Apology* heats up considerably from the fairly polite, if snide, introduction in which he addresses members of the imperial family and calls upon them to be what they claim to be: just, pious, influenced by *paideia* (education, culture) and philosophy. The text mimics larger judicial processes of petition and response, and does so in a style – as Ari Bryen has put it, an “aesthetics of justice”<sup>133</sup> – rooted not only in Justin's self-presentation as a philosophical man, but also in the varied quotations and dramatic prose that constitute his rhetoric. The heating up of his prose is quite literal. Justin moves from calling upon the imperial family to “have prudent discernment along with kingly power” to the statement that “we believe and have been convinced that each of you will pay penalties in eternal fire according to the worth of his actions” (*IApol.* 17.4).<sup>134</sup> The “you” is not directly or immediately the emperors, but given that they are the addressees at the start, they would be understood as the targets of eternal fire. (Justin himself accuses the emperors of listening to *magoi* [*IApol.* 18.3-6].)<sup>135</sup> This language of punishment and penalty should be understood within the wider judicial procedures – sometimes felt as violence, sometimes the cause of nightmares, as Shaw reminds us, sometimes the condition which produced philosophical practices, often the cause of fear.<sup>136</sup>

The themes of judgment of the emperors and others continues: “Consider what happened to each of the kings that have been,” it reads. “They died just like everybody else” (*IApol.* 18.1). But, the text implies, such death does not come with *anaisthēsia*, with a lack of sense perception. If the emperors think they will be just fine after death – punished, but then left to the quiet of oblivion – they are wrong.

<sup>133</sup> Bryen, “Martyrdom,” 246; see esp. 249–51; Bryen's emphasis is more on the appearance of the judged character, but as Bryen of course recognizes, this appearance is tied to elite male values including that of speaking well. See also Gleason, *Making Men*; see further Bryen, *The Judgment of the Provinces*.

<sup>134</sup> πιστεύοντες μᾶλλον δὲ καὶ πεπεισμένοι κατ' ἀξίαν τῶν πράξεων ἕκαστον τίσειν διὰ πυρὸς αἰωνίου δίκας. Translation and text Minns and Parvis, 121.

<sup>135</sup> Heidi Wendt argues that such an accusation is launched in a larger, competitive sphere of “free-lance experts” in which Justin himself may have been understood as a *magus* and the name itself, *Christianoi*, analogous to other ritual experts considered beyond the pale (“*Ea Superstitione*,” 183–202).

<sup>136</sup> Bryen, *Violence in Roman Egypt*, esp. chap. 4: “Narrating Injury,” but note that this violent rhetoric is usually found between those of low status; Kathleen M. Coleman, “Fatal Charades: Roman Executions Staged as Mythological Enactments,” *JRS* 80 (1990): 44–73; and Shaw, “Judicial Nightmares.”

For conjurings of the dead – both visions obtained from uncorrupted children, and the summoning of human souls – and those whom magicians call ‘dream-senders’ or ‘attendants’ – and the things done by those who know these things – let these persuade you that even after death souls remain in consciousness – human beings seized and convulsed by the souls of the dead – whom all call demon-possessed and frenzied – and the oracles, as you call them, of Amphilochous and of Dodona and of Pytho, and the other things of that sort. (1Apol. 18.3–4)<sup>137</sup>

Justin evokes a larger discourse on the presence and procedures of oracles, both famous (the Pythian) and unremarkable (using children for divination) in antiquity. He points to the continued work of the dead who return to divine for the living. The term *daimoniolēptous*, “demon-possessed,” occurs in Greek literature only here and in Justin’s 2Apol. 5.6.<sup>138</sup> But if we extend our range of investigation outside of the normal lexica to so-called magical literature, we discover the creative buzz, clack, and hiss of many daimonic compounds: *daimoniazomenos* and *daimonizomenos*, *daimoniakon*, *daimonioplēktos*, *daimonissai* or *daimōnissai*, *daimonotaktas*.<sup>139</sup>

Justin participates fully (cultically, semantically) in the daimonic, ritual-filled world of antiquity. He even recognizes the significance of nailing in ritual:

For the *daimones* we are talking about strive for nothing else than to lead humans away from the God who made them and from his first-begotten Christ. And those who are not able to lift themselves up from the earth, they nailed and continue to nail to earthly and manufactured things, and those who hastened toward the contemplation of divine things they beat back. . . (1Apol. 58.3)<sup>140</sup>

It is likely that the living and the dead are both battered by *daimones* here. The phrase “those who can’t lift themselves from the earth” recalls the earthiness of the Sotērianos inscription, with its concerns for those things under the earth. The passage duplicates the verb for nailing, once

<sup>137</sup> νεκρομαντεῖαι μὲν γὰρ καὶ αἱ δι’ ἀφθόρων παιδῶν ἐποπτεῦσεις καὶ αἱ ψυχῶν ἀνθρωπίνων κλήσεις καὶ οἱ λεγόμενοι παρὰ τοῖς μάγοις ὄνειροπομποὶ καὶ πάρεδροι καὶ τὰ γινόμενα ὑπὸ τῶν ταῦτα εἰδόντων πεισάτωσαν ὑμᾶς ὅτι καὶ μετὰ θάνατον ἐν αἰσθήσει εἰσὶν αἱ ψυχὰι καὶ οἱ ψυχᾶς ἀποθανόντων λαμβανόμενοι καὶ ῥιπτούμενοι ἄνθρωποι, οὓς δαιμονιολήπτους καὶ μαινομένους καλοῦσι πάντες, καὶ τὰ παρ’ ὑμῖν λεγόμενα μαντεῖα Ἀμφιλόχου καὶ Δωδώνης καὶ Πυθοῦς καὶ ὄσα. Translation and text Minns and Parvis, 122–25.

<sup>138</sup> Minns and Parvis, 125 n. 1, searching Greek literature currently included in the TLG.

<sup>139</sup> Karl Preisendanz, *Papyri Graecae Magicae: Die griechischen Zauberpapyri, III Index* (Leipzig: Teubner, 1941 [unpublished galley proofs]), 75.

<sup>140</sup> οὐ γὰρ ἄλλο τι ἀγωνίζονται οἱ λεγόμενοι δαίμονες ἢ ἀπάγειν τοὺς ἀνθρώπους ἀπὸ τοῦ αὐτοῦ ποιήσαντος θεοῦ καὶ τοῦ πρωτογόνου αὐτοῦ Χριστοῦ, καὶ τοὺς μὲν τῆς γῆς μὴ ἐπαίρεσθαι δυναμένους τοῖς γῆϊοις καὶ χειροποιήτοις προσήλωσαν καὶ προσηλοῦσι, τοὺς δὲ ἐπὶ θεωρίας θεῶν ὁρμώντας ὑπεκκρούοντες. . . . Trans. modified from Minns and Parvis, 230–31.

representing completed action, and once using the present to intensify the ongoing action: Those who can't lift themselves from the earth are nailed and continuously nailed to earthly and handmade things. This passage makes little sense unless it is grounded in the rituals of nailing *defixiones* that we know from Amathous and elsewhere. It recalls also the nailing gesture of *minkisi*-making as the power figure is activated by the nail or blade penetrating into it. The art of Kaphar, Maynard, and Stout uses nails to produce a critical intervention: to evoke unjust conditions of power and legal action. What Justin sees as an oppressive nailing down, someone like Sotērianos might have seen as a mechanism of the display of injustice, an activism of resistance against a dominant, literally above-ground court system. Justin, in turn, fully above board, imagines his document or *biblion* nailed alongside imperial documents.

Justin refers to so-called magic, using in-house terminology like *nekuo-manteia* and referring to *magoi*. But what does this have to do with justice? Justin frames his own argument in terms of punishment for those who live unjustly (*hoi adikōs biōsantes*): Gehenna: “Do not fear those who kill you and after this are not able to do anything. Fear rather the one who is able after death to send both soul and body to Gehenna (Luke 12:5, cf. Matt. 10:28)” (1*Apol.* 19.8). This passage in which magic and *daimones* and punishment arise is part of a larger philosophical discourse about justice and about how God will effect it. Justin addresses the *pathos* of fear, which arises in the midst of the thrum of possible imperial violence, as Epictetus also evidenced.<sup>141</sup>

Sotērianos's curse from Amathous was one example from among the many legally focused *defixiones* from the same shaft. So too we find in Justin's writings a particular legal case that reminds us of the fearful and complex mechanisms of (in)justice. The case involves a governor named Urbicus and a legal petition brought to the emperor. A woman who has “learned the teachings of Christ” tries to persuade her husband of eternal fire for those who do not live according to right reason. The husband continues in her ways, and the woman refuses sexual relations with him. She seeks a *repoudion* – that is, a divorce, with the text here providing the technical Latin term in Greek transliteration: “She then submitted a petition (*biblidion*) to you, the emperor, praying that she be given leave

<sup>141</sup> Justin had also earlier framed questions of justice and punishment in terms of Plato, who “said that Rhadamanthus and Minos would punish the unrighteous who came into their presence” (1*Apol.* 8.4, Minns and Parvis, 95).

to set her financial affairs in order first and to answer the charge later, after she had arranged her affairs, and this you granted” (2*Apol.* 2.8).<sup>142</sup> This case is similar to early Christian stories found in what we call the apocryphal acts, in which a high-born woman who becomes a follower of Christ rejects sexual contact and problems emerge between her and her husband or fiancé, stimulating novelistic violence and even governmental crackdowns. Yet such a case – that of Justin’s high-status woman, sadly unnamed – demonstrates the perils of law suits and the ways in which even legal documents cannot prevent injustice.<sup>143</sup>

Justin’s *Apologies* take the hybrid oratorical-philosophical-political form of something that claims to be like a *libellus* or petition. The *Apologies* evince an aesthetics that is in conversation with the legal assemblages of civic-imperial petition and response or the shaft of curses-as-legal-interventions at Amathous. The *Apologies* do not mimic the form or genre of the 60-line *defixio* from Amathous. Yet both Justin and the Amathous curses participate in the juridical archival practices of antiquity: assembling and appending documents. And both Justin and the Amathous documents use *daimones* to mobilize (what they think is) justice. Justin’s use of *daimones* and his claims for justice and eternal fire occur in an ontologically abundant world in which spirits, divinities, humans, and objects like curses or rescripts or imperial letters co-participate in effecting justice. Justin’s writings emerge in and refer to a context in which appeals to the emperor were a regular mechanism for curbing abuses. And the cache in Amathous offers its own archive against perceived injustices.

## CONCLUSIONS

Titus Kaphar nails documentary evidence to a repetition of portraiture. His *To Be Sold* offers an ethical intervention into history by means of history and by means of nails. He self-consciously participates in a historical and aesthetic tradition. By foregrounding my analysis of the Amathous curses and Justin’s *Apology* in Kaphar’s work, I do not argue that he – or Stout or Maynard or other contemporary artists – do the

<sup>142</sup> και ἡ μὲν βιβλίδιον σοι τῷ αὐτοκράτορι ἀνέδωκεν, πρότερον συγχωρηθῆναι αὐτῇ διοικήσασθαι τὰ ἑαυτῆς ἀξιοῦσα, ἔπειτα ἀπολογήσασθαι περὶ τοῦ κατηγορήματος μετὰ τὴν τῶν πραγμάτων αὐτῆς διοίκησιν· καὶ συνεχώρησας τοῦτο. Text and translation from Minns and Parvis, 275 esp. n. 1.

<sup>143</sup> For a different interpretation, see Wendt, “*Ea Superstitione*,” 196.

same thing as the Kongolese ritual practitioners who produced or used power figures, or the ritual practitioners of antiquity who produced or used *defixiones*. Moreover, the art works of Kaphar, Stout, and Maynard which make reference to *minkisi minkondi* share similarities and also inevitably differ from each other, and their use of nails also at times references the nails of the cross or hoodoo practices. Yet, their art is a form of “rhyming” with Kongolese objects, to borrow a word from artist Edward Sorrells-Adewale;<sup>144</sup> it deliberately and politically draws on the “legacy of the ancestral arts” of Africa.<sup>145</sup>

These contemporary art works provide a space for investigating the aesthetics of the nailed curse tablet and create the grounds for us to ask whether some *defixiones*, too, engage history, emotions, and justice. Justin’s own *libellus* or *biblidion* is legal material and appends legal materials; it works to control capricious and sometimes violent systems of justice. Justin’s own rescript plays with nails, demanding the physical display of documents.<sup>146</sup>

At the beginning of Justin’s *Apology*, an account of injustice, Justin calls upon the emperors as *phylakes dikaiosynēs* (*1Apol.* 2.2), “guardians of justice.” He pleads for legal solutions and for justice, on behalf of a reader – likely not the imperial family, in the end, but fellow Christ-followers. Justin’s text is best understood in relation to and even through other strategies and materializations of seeking justice: appeals and imperial rescripts; *defixiones* as “prayers for justice”; *daimones* and divinities as guaranteeing or interrupting justice.

Few scholars of early Christianity or, for that matter, of Roman law have understood curses as justice-seeking mechanisms relevant for understanding ancient Christians’ engagement with Roman imperial judgment. Yet, when we triangulate work like Kaphar’s with the writings of Justice and a curse like that of Sotērianos, we can see that the latter takes part in larger experimental and improvisational attempts at justice: a legal system that runs alongside existing formal procedures of justice-seeking, in the midst of grinding state-sponsored procedures that were often perceived to be unjust. Curses were not only a matter of private anger or revenge, the steam valve of sick or frustrated individuals. They make sense in the context of legal exercises of power and the exchange of documents, and

<sup>144</sup> Harris, “Resonance, Transformation, and Rhyme: The Art of Renée Stout,” 107.

<sup>145</sup> Alain Locke, *The New Negro* (New York: Albert and Charles Boni, Inc., 1925), 258–75.

<sup>146</sup> Justin *2Apol.* 14.1 (or *1Apol.* 69.1).

in the midst of philosophical texts of the Roman imperial period which turned to issues of ethics and emotions.

These objects, whether the exemplary *defixio* from Cyprus or Justin's *Apology*, seek justice and gain authority in relation to other documents and the formal procedures of deposit: that is, they are archival practices. Archival practices create assemblages not only to retain information, but also to promulgate an aesthetics of justice. Justin cites imperial documents and forms his own miniature dossier within the *Apology*; the *defixio* from Amathous echoes others, indicating the existence of a paradigm, perhaps in book form, and it is laid along with at least 219 other lead *defixiones* and thirty selenite tablets in a shaft: an odd archive. These objects are theological and concerned with theodicy. They assume that divinities and *daimones* are interested in and involved in the procedures for seeking justice. This judiciary system, concurrent with and mingling its very vocabulary with state-sponsored legal proceedings, may have been conducted by those of low status or those who perhaps had little or no access to effective representation in court procedures.

I do not want to romanticize early Christians as heroic de-colonialists or resisters of Roman imperial power. No such simple story can be told. But we have seen that Justin suggests that the imperial family will stand for judgment, just as he acknowledges that some currently are unjustly judged according to the name "Christian."<sup>147</sup> Some of the tablets from Amathous "bear witness to covert resistance to Roman authority."<sup>148</sup> And Justin's *Apologies* weave in historical documentation – imperial letters, whether real or invented – to offer a critique of present imperial injustice. Sotērianos's *defixio*, or imperial rescripts, or Justin's *libellus* are mechanisms to reroute the emotions of litigants and the violence of legal systems. They are interventions into the challenges and means of finding justice in a world buzzing with humans, objects, and *daimones*.

<sup>147</sup> "The name" is a phrase with ritual power. See Heidi Wendt, *At the Temple Gates: The Religion of Freelance Experts in the Roman Empire* (Oxford: Oxford University Press, 2016); Joseph Kimmel, *Power in the Name: Toward a Theological Posthumanism* (Ph.D. diss., Harvard University, 2023); Nasrallah, "Judgment, Justice, and Destruction."

<sup>148</sup> Wilburn, *Materia Magica*, 173. He later argues more broadly: "Practitioners provided a means by which the unempowered within the community could improve their own social situation, case by case, and thwart the imperial system. The presence of a large number of tablets implies a community of individuals who were familiar with magic and used it in order to be victorious in court through the defeat of their enemies, to change their social position through self-empowerment, and perhaps, if the spell was effective, to better their lives" (p. 212).