



Aeschylus' umnos desmios (Eum. 306) and Attic Judicial Curse Tablets

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ascribing *all* the *kosmos* to Athena, and assigning gifts of necklaces and flowers to other deities).

I submit, therefore, that *μελίησι* (in this sense) is to be regarded as wrong. Then try *μελίησι* (or *μελίοισι*) taken in the sense 'men'. I agree with West that such a meaning is unattested and implausible. A suggested explanation is given by a scholiast: *μελίοισι δὲ ἦτοι τοῖς ἀνθρώποις ἢ ὅτι ἐκ Μελιῶν ἐγένοντο νυμφῶν ἢ ὅτι γεννωμένοι ἐρρίπτοντο ὑπὸ ταῖς μελίαις κτλ.* I find this singularly unconvincing, though it cannot be absolutely ruled out. The scholion suggests that in antiquity the meaning was thought to be 'men', and not ash trees or nymphs.

There remains *μελέοισι*. West's rejection of this is ill-founded. He says: '*μελέοισι* is obviously a mere conjecture. *μέλεος* is Homeric only in the sense "idle, useless".' Obviously? It is true that *εοισι* is a suprascript in just one late MS (Z), but it is still possible that some of the variants in the second hand of Z represent a genuine alternative tradition. Even if *μελέοισι* is a conjecture, conjectures are not always wrong, and the fact that they are made suggests an ancient dissatisfaction with the text. Further, when West complains that *μέλεος* ought to mean 'idle, useless', he is evidently thinking of LSJ's interpretation of the word as 'unhappy, miserable' in 563.¹ But LSJ are wrong; if *μελέοισι* is correct in 563, it will certainly mean 'idle, useless'. Men without fire were indeed idle and useless. Our minds turn immediately to Aesch. *PV* 441 ff., where Prometheus stresses how useless and idle men were before he gave them fire:

ὥς σφας νηπίους ὄντας τὸ πρὶν
ἐννοῦς ἔθθηκα καὶ φρενῶν ἐπηβόλους.

If *μελέοισι* were correct, it would fit well with this passage of the *PV*.

μελέοισι makes good sense. After the 'might of tireless fire', the helplessness of mortal men living on earth is a likely contrast, and thus every word in 563–4 has force. It eliminates 'ash-trees' and confines the meaning to a plain statement, 'Zeus was not giving fire to men', which is exactly what is wanted here. Add in its relevance to *PV* 441 ff., and we see that there exists at least one highly viable alternative to *μελίησι*. Perhaps *μελέοισι* (previously read by Paley) might be right.

There is one serious objection. It is not common for an adjective to be so far separated from the noun which it qualifies, as is *μελέοισι* from *ἀνθρώποις* here. There are of course cases where adjectives are separated from their nouns for emphasis, e.g. Hom. *Il.* i 1–2, *Od.* i 1, and Aesch. *PV* 399–400, 404–5.² But these are not exact parallels for the present case. The usage involved is just

¹ It should be noted that in Homer, while *μέλεος* certainly means 'idle, useless', there is only one passage in which (possibly) it is used in this sense of a person: *Il.* x 480. Even there it is probably a neuter adjective used adverbially. However, quotations in LSJ from early literature (including an oracular hexameter from Herodotus) attest the application to persons from an early date. LSJ interpret the word as 'miserable' in these cases, but in view of the earlier meaning in Homer I would infer a basic meaning of 'vain, missing the mark', with implications of futility, uselessness and unhappiness (or lucklessness) according to context. Hesiod's poetry had a very different purpose from Homer's, and his use of words must be expected to include innovations, which may then be followed by later writers.

² It is arguable that *μελέοισι* here is in emphatic position in order to point the contrast between feeble mortals and mighty fire, or to stress the shiftlessness of men without fire.

as unparalleled as is West's double dative. The honest subjective opinion of a fine scholar is as follows: 'Neither the syntax nor the order seems to me any more characteristic of early epic than West's way of taking *μελίησι*.' I too feel some difficulty about *μελέοισι*, in a subjective way.³ Nevertheless Paley read *μελέοισι* in his text without wincing. It is pertinent to ask: was Paley 'insensitive', or am I and the other scholar 'over-fussy'? In the absence of more evidence about early Greek idiom, can the judgment be other than subjective?

The arguments against West's interpretation are based not just on subjective ideas about the possibilities of Greek idiom, but on sense and context. By these arguments I feel driven⁴ to the conclusion that, whether *μελέοισι* is right or not, the answer cannot be to revert to nymphs and ash-trees. Other readings are conceivable (e.g. excise 564 and read *θηητοῖσι* for *μελίησι* in 563), but involve considerable violence to the text. It would seem sensible, therefore, at least to consider the possibility that worries about word order may be over-fussy and that *μελέοισι* may after all be right.⁵

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³ The real trouble is that one has to wait till the next line before getting the application of it.

⁴ Others may feel less driven. The point I make here is that my view is based on argument and evidence, and shows a healthy regard for imperatives of sense and context.

⁵ I am indebted for some helpful advice to Mr T. C. W. Stinton.

Aeschylus' ὕμνος δέσμιος (*Eum.* 306) and Attic judicial curse tablets

When the Erinyes catch up with Orestes in Athens they find him clutching the archaic wooden statue of Athena and invoking her aid along with that of Apollo (*Eum.* 235 ff.). The Erinyes scorn his prayers and bid him hear their 'binding song': ὕμνον δ' ἀκούσῃ τόνδε δέσμιον (306). Wecklein in his 1888 edition of the play remarked 'erinnert an magische Künste' and quoted *Laws* 933a, where Plato, discussing murder by poison, makes brief mention of the popular belief in sorcerers, incantations and binding spells (*καταδέσεις*). Subsequent commentators repeat Wecklein's brief note nearly verbatim and then elaborate it along two different lines, either claiming some vague Orphic source (Thomson 1938) or citing Wuensch's *Defixionum Tabellae Atticae* (Blass 1907; Groeneboom 1952). More recently, Lebeck argued that the ostensible title ('binding song') is incompatible with the actual content of the stasimon (Apollo's encroachment on the Erinyes' power); she concluded that the title is irrelevant or at best only of secondary importance.¹ Thus on the whole, this ὕμνος δέσμιος has been treated as a remnant of magical or chthonic lore too obscure to have any real bearing on our understanding of the immediate dramatic situation in *Eumenides*. I shall argue to the contrary that the song is closely related to a specific kind of curse tablet used to affect the outcome of law cases in Athens as early as the 5th century BC, and as such it is important to the dramatic context of a tragedy which depicts the mythical foundation of Athens' first homicide court.

¹ A. Lebeck, *The Oresteia* (Cambridge, Mass. 1971) 150.

Curse tablets or *defixiones*² have been unearthed in every corner of the Greco-Roman world. In the classical period, they are usually inscribed sheets of lead which have been folded up or rolled, pierced with an iron nail and then buried with the corpse of one of the untimely dead (*ἄωροι*).³ Their simplest texts are the names of the persons to be cursed; by fixing the names of the victims with a nail, the *defigens* attempts to tranfix his or her intended victims. Excavations in Athens and elsewhere⁴ have yielded a more bizarre form of this kind of binding. Lead 'voodoo dolls' with their limbs twisted and bound were placed inside boxes formed by folded lead sheets. The lids of the boxes and sometimes the dolls themselves are inscribed with one or more names. Such practices, often referred to as 'sympathetic' or 'homeopathic', have been more precisely described by S. J. Tambiah as 'persuasively analogical'.⁵ The tablets and dolls are employed in a ritual in which the intended victim is 'persuaded' to become analogous to the lead material itself ('... as this lead is valueless and cold, so

let him and his deeds be cold and valueless . . .', *DTA* 107).

A *defixio*, however, which only provides the intended victim's name does not offer much information about its purpose or social context. For this we must turn to the more elaborate formulas⁶ which range from simple sentences (*καταδῶ τὸν δαίνα* or *καταδῶ τὸν δαίνα πρὸς Ἑρμῇ*) to long invocations of chthonic deities. These more discursive texts contain details which allow us to place them into three⁷ categories according to social context: erotic curses, judicial curses and circus⁸ curses (i.e. against chariot racers or gladiators). The essential feature of all three types is that they have reference to agonistic relationships: rival lovers, litigants or athletes competing for the same prize.

Judicial curse tablets, once thought to be post-trial imprecations upon the winning party, now seem to have been written, without exception, prior to the final outcome of the trial.⁹ More specifically, they are attempts at binding the opponent's ability to think clearly and speak effectively in court. Just as circus curses¹⁰ attempted to bind the parts of a charioteer's body in which his competitive skill lay (i.e. his shoulders, arms, elbows, wrists and eyes), so judicial curses are primarily concerned with the cognitive and verbal faculties which are essential to success in the law

² R. Wuensch, *Defixionum Tabellae Atticae*, appendix to *IG* iii (1897) ('*DTA*') and Auguste Audollent, *Defixionum Tabellae* (1904) ('*DT*') are the basic collections. See K. Preisendanz, 'Die griechischen und lateinischen Zaubertafeln', *APF* ix (1930) 119–54, for a full bibliography to that date, and D. R. Jordan, 'A survey of Greek *defixiones* not included in the special corpora', *GRBS* xxvi (1985), for more recent work. I should like to thank Prof. Jordan for kindly allowing me full access to forthcoming and unpublished materials.

³ Detailed instructions for the manufacture and burial of *defixiones* are preserved in the magical handbooks of the third and fourth centuries AD, and seem to be in agreement with the archaeological evidence of the classical period. K. Preisendanz and A. Henrichs, *Papyri Graecae Magicae* i (1973) and ii (1974) ('*PGM*') collect several recipes: *PGM* V 304; VII 394, 417; IX; XXXVI 1–35, 231 and LVIII. The recipe in *PGM* IV 335–84 provides the text of a curse which also appears on a tablet in the Cairo Museum (no. 48217) and on two tablets and a small pot in Cologne (D. Wortmann, 'Neue magische Texte', *BJ* clxviii [1968] 56–111 nos 1–3). D. R. Jordan gives the most recent assessment of the archaeology of Attic lead curse tablets in a series of articles connected with his re-editing of the entire corpus of Greek *defixiones*: 'Two inscribed lead tablets from a well in the Athenian Kerameikos', *AthMitt* xcv (1980) 225–39; 'Fourteen *defixiones* from a well near the southeast corner of the Athenian Agora', *Hesperia* xlv (1985), and 'New archaeological evidence for the practice of magic in classical Athens' which will appear in the *Πρακτικά τοῦ 12^{ου} Διεθνoῦς Συνεδρίου Κλασικῆς Ἀρχαιολογίας*.

⁴ R. Wuensch, 'Eine antike Racheputte', *Philol.* lxi (1902) 26–31; Audollent, *DT* lxxvii; Ch. Dugas, 'Figurines d'envoûtement trouvées à Délos', *BCH* xxxix (1915) 413–23; Jordan, 'New evidence' (n. 3) *passim*.

⁵ S. J. Tambiah, 'Form and meaning of magical acts: a point of view', in R. Horton and R. Finnegan, eds, *Modes of Thought* (London 1973) 199–229, reinterprets the data on Zande magical practices collected by Evans-Pritchard and argues persuasively (see G. E. R. Lloyd, *Magic, Reason and Experience* [Cambridge 1979] 2–3, 7) against the prevailing theory that 'sympathetic' or 'homeopathic' magic was based on (poor) observation of empirical analogies. Tambiah differentiates, instead, between the operation of 'empirical analogy' used in scientific inquiry to predict future action, and 'persuasive analogy' used in magical ritual to encourage future action. The Azande prick the stalks of bananas with crocodile teeth while saying 'Teeth of crocodile are you. I prick bananas with them. May bananas be prolific like crocodile teeth' (Evans-Pritchard, *Witchcraft, Oracles and Magic among the Azande* [Oxford 1937] 450 quoted by Tambiah on p. 204). This magical act is not based on any (mistaken) empirical analogy between bananas and crocodile teeth, but rather on the hope that correct performance of ritual and incantation will 'persuade' the bananas to become analogous to crocodile teeth with regard to their plentitude.

⁶ Curses which mention only the name of the intended victim steadily decrease in frequency from the classical age until their total disappearance in the first century AD. The use of the more complex formulas, on the other hand, becomes more popular in the later periods. See E. G. Kagarow, 'Form und Stil der Texte der Fluchtafeln', *Archiv für Religionswissenschaft* xxi (1922) 496 and *Griechische Fluchtafeln*, *Eos* Suppl. iv (1929) 44–9 (Graph of formula frequencies p. 45).

⁷ Audollent, *DT* lxxxix, included public proclamations against unknown thieves as a fourth category, and Kagarow 1929 (n. 6) so described five types, adding public curses and phylacteries. P. Moraux, 'Une défixion judiciaire au Musée d'Istanbul', *Acad. Roy. Belg. Mém.* liv (1960) 5, however, makes an important distinction between 'imprécation' (a public notice cursing unknown or potential evildoers) and 'défixion' (a buried private curse operating against specifically named individuals, who are presumably unaware of its existence). Phylacteries against lead tablets are defensive rather than offensive magical operations, and as such fall outside the definition of curse tablet.

⁸ Perhaps 'athletic curses' is a better designation for a category which also includes runners and wrestlers. See Wortmann (n. 3) no. 12, against two runners, and Jordan, 'Fourteen *defixiones*' (n. 3), five new curses against wrestlers and one against a runner.

⁹ E. Ziebarth, 'Neue attische Fluchtafeln', *Nachrichten der K. Ges. d. Wiss. Göttingen* (1899) 122, asserted that judicial curses were enacted by the losers of a lawsuit, after the decision had been rendered. He was refuted by Wuensch, 'Neue Fluchtafeln', *RhM* lv (1900) 68, who argued that judicial curse formulas all seem to point to a future event and that they were therefore employed beforehand or while cases were still pending. Audollent, *DT* lxxxviii–ix n. 2, supported this view. Years later, Ziebarth, 'Neue Verfluchungstafeln aus Attika, Boiotien und Euböia', *SDAW* xxxiii (1934) 1028–32, adopted the compromise view that a judicial curse was enacted while the trial was going on, but only after its author had come to the conclusion that he was about to lose his case. Moraux (n. 7) 42 reviews the debate and concludes that although none of the curses seem to have been enacted after the final outcome of the trial, it is impossible to know at what point during the trial the litigants wrote the curses. There seems to be a trade-off between the practical desire to inhibit damaging evidence as early as possible and the point at which the litigants realize that such action is necessary.

¹⁰ See Wuensch (n. 9) 248–59 for a detailed discussion of a Carthaginian circus curse from the third century AD (*DT* 242).

courts (e.g. καταδῶ . . . ψυχὴν καὶ λόγον, DT 49 or γλώσσαν καταδίδωμι . . . καὶ τὸν νοῦν καὶ τὰς φρένας, DT 69). Evidence from later writers attests to the popular belief that a poor performance in a trial or a debate could be the result of binding curses; Cicero relates how an opposing attorney suddenly forgot the case he was pleading and subsequently lost the lawsuit. He later claimed that his poor performance was the result of sorceries and incantations (*veneficiis et cantionibus*).¹¹

The Erinyes, as portrayed by Aeschylus in *Eumenides*, are litigants in a forthcoming murder trial¹² who have recourse to a judicial curse. They attempt to bind the wits of their opponent in order to prevent him from mounting a strong defense. This is clear from the explicit mention of the φρένας as the target of their binding song (327–33 = 341–61¹³):

¹¹ *Brutus* 217; Libanius tells us in his autobiography (245–9) how at one point late in his life he became gravely ill and was no longer able to read, write or speak before his students. After a time, the twisted and mutilated body of a chameleon was found in his lecture room. Its head had been placed between its hind legs, one of its forefeet was missing and the other was ‘closing the mouth for silence’. Libanius says that he regained his health after the chameleon was removed. C. Bonner, ‘Witchcraft in the lecture room of Libanius’, *TAPA* lxiii (1932) 34–44 interprets this as a form of *envoûtement* directed against Libanius’ oratorical abilities; the cutting off of the one forefoot was directed against the hand with which the orator gesticulated and the position of the other attempted to silence him, as Libanius himself seemed to realize. Profs John J. Winkler and H. S. Versnel have independently brought to my attention a third-century BC inscribed pillar from the island of Delos (*IG* xi.4 1299; I. U. Powell, *Collectanea Alexandrina* [Oxford 1925] 68–71; recently republished with full commentary by H. Engelmann, *The Delian Aretalogy of Serapis*, Ét. prelim. aux relig. orient. xlv [Leiden 1975]) which preserves a rather lengthy account in epic hexameters of the successful founding of the cult of Serapis on the island of Delos. The central miracle in this aretalogy is the god’s timely intervention in a lawsuit that threatened the existence of his newly constructed temple; he binds the men who are pressing charges and ruins their performance in court (lines 85–90):

φῶτας γὰρ ἀλιτρο(νό)ους ἐπέδησας
οἱ ῥα δίκην πόσανον, ἐνὶ γναθμοῖς ὑπανάσσας
γλώσσαν ἀναύδητον τῆς οὐτ’ ὅπιν ἐκλεεν οὐθεῖς
οὔτε γ’ ῥ’ ἄμμα δίκης ἐπιτάρροδον· ἀλλ’ ἄρα θεῖως
στεύντο θεοπληγέσσιν ἐοικότας εἰδῶλοισιν
ἐμμεναι ἢ λᾶεσσιν·

Although there is no mention of curse tablets or any other kind of magical activity, the binding of the tongue and the paralysis of the witnesses is remarkably similar to the aims described in many *defixiones* (see Engelmann *ad loc.* for specific parallels).

¹² Orestes is informed about the approaching trial very early in the play when Apollo explains what will happen in Athens: *κάκει δικάστας τῶνδε . . . εὐρήσομεν* (81–2). Shortly thereafter the Erinyes receive the same information: *δίκας δὲ Παλλὰς τῶνδ’ ἐποπτεύσει θεά* (224), and then echo the forensic vocabulary when they declare their own intentions: *ἐγὼ δ’, ἄγει γὰρ αἷμα μητρῶν, δίκας μέτειμι τόνδε φῶτα* (230–1). These two announcements of the forthcoming trial give ample forewarning to all the litigants involved and perhaps help to facilitate the audience’s recognition of the ‘binding song’ as a judicial curse.

¹³ The repetition of this ephymnion and others in this stasimon may indicate a literary rendering of magical formulas. The MSS, however, only repeat the first ephymnion and the scholarly debate, spanning nearly a century, has produced no clear consensus on the advisability of repeating the second and third in our modern texts. For the most recent discussion of the problem see W. S. Scott, ‘Non-strophic elements in the *Oresteia*’, *TAPA* cxii (1982) 189–91. Repetition is a standard component of magical incantation, and literary renditions of charms commonly include wholesale repetition (Theoc. *Id.* 2; Verg. *Ec.* 8). See the introduction to Thomson’s 1938

ἐπὶ δὲ τῷ τεθυμένῳ
τόδε μέλος, παρακοπά,
παραφορὰ φρενοδαλῆς,
ὕμνος ἐξ Ἑρινύων
δέσμιος φρενῶν, ἀφόρ-
μικτος, αὐτὸν βροτοῖς.

The second frequent target of judicial curses is the verbal abilities of the intended victim, as Galen (xii p. 251 Kühn) informs us: καταδῆσαι τοὺς ἀντιδίκους, ὡς μηδὲν ἐπὶ τοῦ δικανικοῦ δυνήθηναι φθέγγασθαι. Such a target might be implied in line 303 of the prologue to the Erinyes’ binding song: οὐδ’ ἀντιφωνεῖς, ἀλλ’ ἀποπτύεις λόγους.¹⁴ The Scholia Vetera, at least, offer such an interpretation as a second possibility: οὐκ ἀποκρίνη. ἢ ἀντὶ τοῦ οὐδὲ ἀντιφωνήσεις μοι ἀλλὰ σοῦ βουλομένου λαλεῖν τὸ φθέγμα δεθήσεται. Indeed, the line is similar to a much later judicial curse tablet found in Bithynia: *μη ἀντιλέγοντες, μη λαλοῦντες, μη ἐνβλέποντες, ἀλλὰ ἀναυδοι, κωφοὶ ἔστωσαν*.¹⁵

One would not necessarily expect the highly charged poetry of an elaborate Aeschylean choral passage to show any specific verbal resemblances to the formulas of the curse tablets. Although the invocation of Night as *μᾶτερ ᾧ μ’ ἔτικτες* (321) and the reference to Apollo solely as *ὁ Λατοῦς ἱνις* (323) might prompt some to recall the use of matronymics in curse tablets and magical incantations, the earliest examples of this usage date to the first century BC, far too late for our purposes here.¹⁶ The first antistrophe, however, contains an

edition of the *Oresteia* (p. 4); W. Kranz, *Stasimon* (Berlin 1933) 132, 135; and M. Alexiou, *The Ritual Lament in Greek Tradition* (Cambridge 1974) 134–5. Recently, a papyrus fragment of a first- or second-century school exercise has been found to contain, amongst other things, two strophes of anapests which have been tentatively identified as part of a chorus from Aeschylus’ lost play *The Psychagogoi*. The two strophes are part of the chorus’ instructions to someone (Odysseus?) on the correct method of sacrifice necessary to summon the souls of the dead from the underworld. The combination of magical ritual and anapests might provide a parallel for the anapests in the binding song in the *Eumenides*. See J. S. Rusten, ‘The Aeschylean Avernus: notes on *P.Köln* 3.125’, *ZPE* xlv (1982) 33–8.

¹⁴ Mueller (1833) and Ahrens (1892) printed 303–4 as a declarative sentence, whereas Page (1972), the most recent editor, follows Paley (1879), Kirchhoff (1880), Wecklein (1888), Weil (1909) (his final judgement, see below for an interim choice) and Wilamowitz (1914), and prints the two lines as a question. Blass (1907) printed the first half of 303 as a question and the rest of the couplet as a declarative statement. Burges (1822) made a misguided attempt to introduce the scholiast’s words into the text and Weil adopted *ἀποπτύσεις* for a time (see Wecklein’s ‘Appendix ad *Eumenides*’ *ad loc.*); both men were trying to restore the future tense to these lines in order to suit the context of the prologue (299–306) which predicts the effect of the binding song (*ρύσαιτ’*, 300; *δαίσεις*, 305). In two later literary renderings of erotic curses, the text of the actual incantation is preceded by a dramatic prologue which includes a prediction of the incantation’s effect, stated in the future tense; Theocritus, in his *Pharmaceutria*, prefates the elaborate text of Simaetha’s erotic spell with a prediction of its result: *νῦν δὲ νῦν ἐκ θυέων καταδῆσομαι* (*Id.* 2.10), as Horace does in *Epod.* 5.77–8: *maius parabo, maius infundam tibi fastidienti poculum*. Virgil’s Alphesiboeus is less confident: *ut magicis avertere sacris experiar sensus* (*Ec.* 8.66–7).

¹⁵ J. M. R. Cormack, ‘A *tabella defixionis* in the Museum of the University of Reading, England’, *HTHR* xlv (1951) 25–34, citing various similarities between this tablet and the cache of anomalous Cypriot curses discussed below in n. 18, dates this Bithynian tablet to the third or fourth century AD.

¹⁶ L. Koenen, ‘Ein wiedergefundenes Archilochos-Gedicht?’, *Poetica* vi (1974) 500 n. 38, discusses the very rare use of a matronymic in line 7 of the Cologne Epode and the parallels in magical incantations.

invocation to Moira, whose charge—*δμαρτεῖν ὄφρ' ἄν γὰν ὑπέλθῃ* (*Eum.* 338–9)—resembles that of Hermes and Persephone on an Attic curse tablet from the classical period: *κατέχετε . . . ἕως ἄν εἰς Αἰδοῦ καταβῇ*, *DT* 50.¹⁷

The neglect of *defixiones* as sources for the interpretation of Greek society and literature has in the past been due to the false notion that all magical practices are a late phenomenon imported from the Near East or Egypt, and used predominantly by the lower classes or outcast groups (i.e. metics or hetairae). Such a belief is particularly misplaced in the case of Greek judicial curses. Whereas both erotic and circus curses date almost invariably to the third and fourth centuries AD, the oldest examples of judicial curse tablets—those found in mainland Greece and Sicily—date back as far as the end of the fifth century BC.¹⁸ More to the point is the fact that all of the Attic judicial curse tablets that have been discovered to date belong to the classical era.¹⁹ Recent studies, moreover, link individuals named

He argues that the use of the matronymic suits the situation of the poem, which necessitates a clear distinction between two stepsisters, and he rightly rejects the possibility of any connection with magical lore. D. R. Jordan, 'CIL VIII 9525.(8)2: QPVLVA=q(uem) p(eperit) vulva'. *Philol.* cxx (1976) 127–32, lists all the instances of maternal lineage in Greek curse tablets and notes that maternal lineage is not used before the first century BC.

¹⁷ *DT* 50 is a fourth-century BC curse from Attica which does not explicitly mention its social context.

¹⁸ All *DTA* curses date in the third century BC or earlier (see n. 19). A survey of the dates and provenances of the Greek judicial curses listed by Audollent in his Index 5A to *DT* reveals only one set of judicial curse tablets which date to a period later than the second century BC. This group of fifteen Cypriot curses (*DT* 22–35 and 37) were all found in the same well and seem to have been written by the same person (L. MacDonald, 'Inscriptions relating to sorcery in Cyprus', *Proc. Soc. Biblical Arch.* xiii [1890–91] 160–90). They have been dated in the Roman Imperial period and seem to be an anomaly, since all the other Greek judicial curses—with the exception of a second-century AD Magnesian tablet (F. K. Dörner, *ÖJh* xxxii [1940] 63–72) and a third- or fourth-century AD Bithynian tablet published in 1951 (see n. 15 above)—are much earlier. With regard to the oldest Greek judicial curses see L. H. Jeffery, 'Further comments on archaic Greek inscriptions', *ABSA* i (1955) 69–76, who lists 25 fifth-century Greek curses, most of them discovered in Sicily subsequent to Audollent's collection. Three of them (Jeffery 1, 2 and 11) are explicitly judicial curses. (See *SEG* xxvi 1112–16 for more fifth-century Sicilian examples.) Jordan, 'New evidence' (n. 3) adds three more late-fifth-century examples of judicial curses (see n. 20 below).

¹⁹ Wuensch's *DTA* provides the most extensive collection of Attic curses, including twelve judicial curses: *DTA* 63, 65–7, 81, 94–5, 103, 105–7 and 129. He was cautious, almost agnostic, in his dating of the tablets and assigned them all to the third century BC—and then only tentatively—unless some overwhelming evidence pointed to an earlier or later date (see his introduction p. 1); accordingly, of the Attic judicial curses enumerated above, he assigned only *DTA* 107 with confidence to the fourth century. A. Wilhelm, 'Über die Zeit einiger attischer Fluchtafeln', *ÖJh* vii (1907) 105–26 argued persuasively that Wuensch greatly underestimated the antiquity of the *DTA* curses and by way of example he redated a number of them (including one of the judicial curses, *DTA* 103) to the fourth century using a combination of paleographic and prosopographic evidence. The tablets themselves have since disappeared and as a result most of them have never been properly redated. Audollent gave seven examples of Attic judicial curse tablets, six from the fourth century BC (*DT* 49, 60, 62–3, 66–7) and one which he was unable to date (*DT* 77). Attic curse tablets published subsequent to these two major collections include ten judicial curses. Five have been assigned to the fourth century BC; A. Abt, *Archiv für Religionswissenschaft* xiv (1911) 143–56, no. 5; W. S. Fox, *AJP* xxiv (1913) 76–80, no. 2; Ziebarth 1934 (n. 9) 1028–32, nos 2 and 3, and L. Robert, *Collection Froehner* i (Paris 1936) no. 11. The

on Attic curse tablets to prominent litigants and politicians mentioned in the extant corpus of forensic oratory and point to a wide use of *defixiones* in the higher echelons of Attic society.²⁰ Although the performance of the *Oresteia* predates the first appearance of Attic judicial curses by more than half a century, it is not unreasonable to suppose that purely oral binding curses like the Erinyes' binding song existed prior to the written curse tablets²¹ and were a common enough practice in fifth-century Athens for Aeschylus to assume that his audience would understand the Erinyes' action as a judicial curse.

I would like, in summing up, to speculate on the purpose and social context of the Attic judicial curse, and to suggest how the use of such a curse suits the dramatic context of *Eumenides*. Peter Brown describes how in late antiquity magic coalesces around areas of competition and uncertainty. He cites the circus curse tablet, a phenomenon peculiar to the late antique period, as a prime example: 'the competition faced by the charioteer extended beyond his time in the circus. The charioteer was an undefined mediator in urban society. He was both the client of local aristocracies and the leader of organized groups of fans.'²² The use of curse tablets to bind the competitive power of the charioteer was more than an act of personal malice—it was a political act of the greatest importance. The radically democratic courts in fifth-century Athens²³

remaining five have been dated in the late fifth/early fourth century: W. Peek, *Kerameikos* iii (Berlin 1941) 93–4, no. 4, and four of the inscribed lead dolls published by Trumpf and Jordan (see n. 20 below). Prof. Jordan reminds me, however, that there are some sixty unpublished third-century AD curse tablets from the Athenian Agora, most of them still rolled up and unread, and that we must not rule out the possibility that the group contains later examples of judicial curse tablets.

²⁰ In his comments on *DT* 60, Audollent gently criticized Wuensch's haste to identify the Demosthenes and the Lykourgos mentioned there with the famous orators: 'non raro redeunt apud Graecos huius saeculi talia nomina'. Wilhelm (n. 19) 105–26, however, redated many of the *DTA* curses to the fourth century [see n. 19 above] using the prosopography of rarer names. Ziebarth 1934 (n. 9) 1023–7 published a long curse which lists the names of the intended victims along with their demotics (a relative rarity). With the added assistance of the demotics he was able to make clear identifications of the well known politician Demades and others in his political circle. Three lead dolls, whose inscribed lead 'coffins' bear a series of names and descriptive epithets such as *ἐὺνδικος*, *ἀντιδικος* and *μάρτυς*, have been unearthed in the Athenian Kerameikos. The first bears the name Mnesimachos and may be connected with a defendant in a case in the Lysian corpus: see J. Trumpf, 'Fluchtafel und Rache puppe', *AthMitt* lxxiii (1958) 94–102. The other two will be published by Jordan, 'New evidence' (n. 3), who has established that all three of the lead dolls date to the late fifth or early fourth century BC.

²¹ Some of the curse recipes in the magical papyri include spoken and written curses working simultaneously (*PGM* IV 325–35; V 314 ff; VII 429 ff; XXXVI 161 ff). It is hard to imagine what sort of effect the simple inscription of a name on lead would have unless it were accompanied by some further kind of incantation and ritual performance. Tambiah's theory of 'persuasive analogy' (n. 5) assumes the interplay of performative utterances and manipulation of objects (in this case the rolling and piercing of the curse tablet). The efficacy of the entire operation depends on the ability of the spoken word to 'persuade'.

²² P. Brown, 'Sorcery, demons and the rise of Christianity', in *Witchcraft Confessions and Accusations*, ed. M. Douglas (London 1970) 25.

²³ Although the traditional date for the establishment of democratic juries in Athens is the reform of Ephialtes in 462/1 BC, more recent

provide an analogous arena of competition and uncertainty. Powerful patrons constantly flexed their political muscle through the use of surrogates, making accusations against rivals, contesting wills and hiring sycophants. It was in such an arena that *defixiones* were thought to be effective, and it may be significant that judicial curses fall into disuse in Attica when the civil courts cease to be areas of real political competition.²⁴ The very fact that Aeschylus includes a binding curse in the story of the first murder trial and the aetiological founding of the court seems to suggest that curse and court were thought to have evolved simultaneously.

A. L. Brown has recently stressed how the focus of the trilogy shifts at the beginning of *Eumenides* from the human sphere to the divine. The anthropomorphised gods (Athena, Apollo and the Erinyes) physically take to the stage and confront one another within the formal constraints of a human courtroom as they sometimes do on the battlefield in the *Iliad*, while the mortal participants (Orestes and the Athenian jurors) are dwarfed by the immortals and cease to be of any real importance.²⁵ In such a setting, the activity of the Erinyes has been correspondingly 'anthropomorphised' into the rather commonplace Athenian activity of invoking a judicial binding curse prior to an important trial. Orestes is no longer their principal target, but rather the means through which they can attack Apollo;²⁶ if they can successfully bind Orestes' wits and tongue, he will be ineffective in his own defense and lose the case, much to the shame of his patron and protector. Lebeck's concern (cited at the beginning of this paper) over the apparent incompatibility of the title and content of the binding song vanishes once we realise that the Erinyes' complaint about the usurpation of their power perfectly expresses the larger meaning of a politically motivated judicial curse aimed at curtailing Apollo's influence.²⁷

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scholarship points to a much more gradual shift in power to the *hēliaia* beginning sometime after the turn of the century and culminating in a law attributed to Pericles in the fifties which granted pay for jury duty: C. Hignett, *A History of the Athenian Constitution*² (Oxford 1958) 216–21; R. Sealey, 'Ephialtes', *CPh* lix [1964] 14–18 = *Essays in Greek politics* (Woodhaven, N.Y. 1963) 46–52; D. M. MacDowell, *The Law in Classical Athens* (Ithaca 1978) 29–40; P. J. Rhodes, *A Commentary on the Aristotelian Athenaion Politeia* (Oxford 1981) 318–19, 338–9.

²⁴ All of the extant Attic judicial *defixiones* date to the late fifth and fourth centuries (see n. 19). The period of radically democratic juries continued down until 322 BC, the year of Demosthenes' suicide, when the Athenian constitution was amended (at the urging of Antipater) to include property qualifications which effectively disenfranchised nearly four-sevenths of the citizens of Athens. As a result the size and power of the juries were severely curtailed and some courts were completely disbanded: J. Beloch, *Gr. Gesch.* iiiia (Strassburg 1904) 77–80; W. S. Ferguson, *Hellenistic Athens* (London 1911) 20–6; *CAH* vi² 459–60.

²⁵ A. L. Brown, 'The Erinyes in the *Oresteia*', *JHS* ciii (1983) 29–30.

²⁶ In the so-called Aretalogy of Serapis discussed above (n. 11), Serapis calms the fears of his priest with regard to the forthcoming trial (*IG* xi.4 1299.77–80):

μέθες ἄλγος ἀπὸ φρενός· οὐ σέ τις ἀνδρός
ψήφος ἀίστασται, ἐπεὶ εἰς <ἐ>μὲ τείνεται αὐτόν
ἦδε δίκη, τὴν οὕτως ἐμεῦ περιώσιον ἄλλος
ἀνὴρ αὐδήσει·

The god clearly interprets the legal charges laid against his human 'clients' as a personal attack upon himself.

²⁷ I should like to express my gratitude to Profs John J. Winkler and David R. Jordan for their help and enthusiasm in general, and for their specific remarks on earlier drafts of this paper. I have also benefited from the comments of Profs H. S. Versnel and Marsh McCall Jr and two anonymous referees.

ADDENDUM: Prof. B. M. W. Knox has independently noted some of the general correspondences between the Erinyes' binding song and judicial curses in a forthcoming article entitled 'Black Magic in the *Oresteia*'.

Two notes on Sophocles' *Trachiniae*¹

(i) 527–30

τὸ δ' ἀμφινείκητον ὄμμα νύμφας
ἐλεινὸν ἀμμένει·
κάπο ματρὸς ἄφαρ βέβαχ',
ὥστε πόρτις ἐρήμα.

528 post ἀμμένει] τέλος Wilamowitz, λάχος Dawe, <υ>→ Easterling

ἀμμένει need not have an object;² ἐλεινὸν can be taken adverbially. The only substantial objection to the text is thus metrical, for reasons already advanced by others and summarized below.

The paradosis has ἐλεινὸν. However, the forms δεεινός, κλεινός and ἐλεινός are identified as invalid in Attic by Porson³ and Ellendt.⁴ Porson plausibly explains the several corruptions in the MSS at e.g. Aesch. *PV* 246 as due to scribes' over-familiarity with Homer and ignorance of most metre.

Kamerbeek⁵ defends the paradosis by citing as a parallel Men. *Sam.* 371 S. However, as Gomme and Sandbach observe,⁶ neither this occurrence of the uncontracted form nor that at *Dysc.* 297 is metrically guaranteed. The longer form prevailed in the *κοινή*, which suggests an alternative explanation to Porson's for the corruption; and, even if it were genuine in Menander, it is nowhere metrically guaranteed in fifth-century Attic. By contrast, ἐλεινοί is guaranteed at Ar. *Ran.* 1063.

The scansion of the paradosis (υ υ υ υ υ υ) is itself highly suspect, being paralleled only in such exceptional circumstances as Eur. *Hipp.* 123 and Soph. *OT* 1208 (both dochmiac contexts) and Aesch. *Pers.* 80 (a catalectic anacreontic to end an ionic antistrophe). If, however, one makes the obvious emendation to ἐλεινόν, one encounters the so-called 'iambic tripody', υ υ υ υ υ υ, a quantity which need not invite suspicion outside tragedy;⁷ but in tragedy it is unknown outside dochmiac contexts,⁸ of which this is certainly not an example. These are the considerations which have led editors to fill out the line as an iambic dimeter.

¹ Thanks are due to Dr. M. Davies, Mr T. C. W. Stinton and an anonymous referee.

² LSJ s.v.—e.g. Soph. *El.* 1397.

³ R. Porson, *Euripidis Hecuba* (London 1817) vi.

⁴ F. Ellendt, *Lexicon Sophocleum* (Berlin 1872) s.v. ἐλεινός.

⁵ J. C. Kamerbeek, *The plays of Sophocles* ii (Leiden 1959) ad loc.

⁶ A. W. Gomme and F. H. Sandbach, *Menander, a commentary* (Oxford 1973) on *Dysc.* 297.

⁷ M. L. West, *Greek metre* (Oxford 1982) 62, 68.

⁸ West (n. 7) 111. See also A. M. Dale, *Lyric metres of Greek drama* (Cambridge 1968) 115.