MORALITY, EMOTIONS AND REASON: NEW PERSPECTIVES IN THE STUDY OF ROMAN MAGIC

Summary

Academic interest in magic has grown considerably during the last twenty years. Leaving aside the old stereotyped dichotomy between magic and religion, I consider magic a pragmatic subsystem of religion whose function is to alleviate or deal with daily life's misfortunes. I suggest in this paper some possible approaches that might be interesting to deepen in the social study of Roman magic. This paper is divided in three sections. The first one deals with morality and magic: even if legal sanctions on magic can be influential in the individual's decision to resort to magical practices, H. Versnel's category of Prayers for Justice proved that some curses can be perceived as legitimate from the subjective point of view of the user; I suggest that subjective legitimation can in fact be applied to all roman curses. The second section tackles the topic of emotions and magic: based on western conceptualisations of emotions, scholarly approaches on ancient magic have generally failed to see the evidence that make the choice of resorting to magic a rational option more than an emotional act. Finally, the third part of this paper analyses magic as rational choice in the individual's strategies for decision taking.

Keywords

Morality – Emotions – Rational Choice – Risk Management – Magic – Witchcraft – Curses

In the field of Classical Studies, the limitations of the evidential base and the dominance of collective models of religious action marginalised the social study of magic until the 1990s.[1] Before

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[1] During the last few decades, several publications have suggested new approaches on the study of ancient magic, mainly in cultural-historical terms, but not primarily from a sociological point of view. The very first attempt to apply sociological approaches to the evidence of ancient magic is P. Brown's foundational article "Sorcery, Demons and the Rise of Christianity from Late Antiquity into the Middle Ages", in M. Douglas (ed.), *Witchcraft: Confessions and Accusations*, New York, 1970: 17-45, which was directly inspired by A. McFarlane, *Witchtrials in Tudor and Stuart England: A Regional and Comparative Study*, London, 1970. But this contribution to the sociology of Late Antique magic was not followed up until the 90's, by which time the shift of paradigm from historicism to cultural history brought religion and magic back into focus. Examples of specifically sociological approaches are, e.g., Ch. A. Faraone, "The Agonistic Context of Early Greek Binding Spells", in id. and D. Obbink, *Magika Hiera. Ancient Greek Magic & Religion*, New York-Oxford, 1991: 3-32; J. B. Clerc, Homines Magici: *Étude sur la sorcellerie et la magie dans la société romaine impériale*, Bern-Berlin, 1995; Ch. A. Faraone, *Ancient Greek Love Magic*, Cambridge, MA, 1999; S. I. Johnston, *Restless Dead: Encounters Between the Living and the Dead in Ancient Greece*, Berkeley, 1999 (in particular chapter 5, "Childless Mothers and Blighted Virgins", pp. 161-199); D. Frankfurter, "Dynamics of Ritual Expertise in Antiquity and Beyond: Towards a New Taxonomy of "Magicians"", in M. W. Meyer and P. A. Mirecki (eds.), *Magic*

this date, most of the works were based on philological editions of new texts and discussions of the negative stereotype of magic in antiquity. Hitherto the instrumental dimension of magic, its study as a Foucaldian cultural *dispositif* to cope with daily-life problems, has had hardly any impact on the study of religion in the Graeco-Roman world before the turning point of the 90s.[2]

Despite a few initiatives toward rethinking traditional questions in terms of the instrumental approach, Classical Studies continue to focus heavily on the words in Greek and Latin for 'magical' practices and their relation to our own concepts.[3] In my view *Begriffsgeschichte* is virtually useless as a means of investigating anything but the exclusionary discourses of parties interested in maintaining their own investment in the religious system. Such an approach cannot ask about self-styling or auto-perceptions on the supply-side, let alone pragmatics, which are here all-important.[4]

The aim of this paper is to tackle some aspects of the sociological study of ancient magic – magic and morality, magic and emotions, and magic and reason– which have not attracted much attention among historians of Roman religion. I will thus rely on materials from the western part of the Mediterranean from the end of the Roman Republic to the end of the Principate. At the same time, in keeping with social-anthropological reorientations, I abandon the binary opposition between magic and religion, and view 'magic' as a pragmatic or instrumental sub-system of religion aimed mainly at alleviating recurrent, contingent and crisis situations diagnosed by the client as requiring the intervention of a religious specialist or for which, as in the case of binding-curses, there existed semi-institutionalised pragmatic solutions which drew upon the authority of the dominant religious system of temples and shrines, which were available to individuals in need. The practices available within the sub-system can in principle be enumerated and form a polythetic, open set within the wider pluricentered religious system of Graeco-Roman polytheism.

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and Ritual in the Ancient World, Leiden, 2001: 159-178; E. Eidinow, *Oracles, Curses and Risk among the Ancient Greeks*, Oxford, 2007; R. L. Gordon, "The Rules of the Game: Constructing Power in Rhizotomic Practice", *Acta Classica* 47, 2011: 45-68; or some of the recent contributions in K. B. Stratton and D. S. Kalleres (eds.), *Daughters of Hecate: Women and Magic in the Ancient World*, Oxford-New York, 2014, specially E. A. Pollard, "Magic Accusations against Women in Tacitus's *Annals*" (pp. 183-218) and D. Frankfurter, "The Social Context of Women's Erotic Magic in Antiquity" (pp. 319-339).

[2] There is still reluctance among some scholars to consider magic in the same framework of religion, labelling it "popular religiosity", e.g. I. Vélázquez, "Intersección de realidades culturales en la Antigüedad Tardía: el ejemplo de las *defixiones* y filacterias como instrumentos de la cultura popular", *Antiquité Tardive* 9, 2001: 149-162, or considering it transgressive and against the socio-political order. Cf. M. J. Hidalgo de la Vega, "Voix soumises, pratiques transgressives. Les magiciennes dans le roman gréco-romain", *Dialogues d'Histoire Ancienne* 34, 2008: 27-43; J. A. Jiménez Sánchez, "los magos en la *Hispania* tardorromana y visigoda", in R. González Salinero (ed.), *Marginados sociales y religiosos en la Hispania Tardorromana y visigoda*, Madrid, 2013: 119-138.

[3] Cf. E.g. R. L. Fowler, "The concept of magic", *ThesCRA*, 6.i (2005): 283-287; J. N. Bremmer, "The birth of the term "Magic"", in id. and J. R. Veenstra (eds.), *The Metamorphosis of Magic from Late Antiquity to the Early Modern Period*, Leuven, 2002: 1-11; F. Graf, "Excluding the Charming: The Developement of the Greek Concept of Magic." In M. Meyer and P. Mirecki (eds.), *Ancient Magic and Ritual Power*, Leiden-New York, 1995: 29-42.

[4] There have recently been some attempts to study ancient magic from an archaeological point of view. Cf. M. Bailliot, *Magie et sortilèges dans l'Antiquité romaine. Archéologie des rituels et des images*, Paris, 2010; A. T. Wilburn, *Materia Magica: The Archaeology of Magic in Roman Egypt, Cyprus, and Spain*, Ann Arbor, 2012; M. Piranomonte and F. Marco Simón (eds.), *Contextos Mágicos/Contesti Magici*, Roma, 2012 (although not all of the publications here were strictly related to contextualizing magic from an archaeological perspective).

1. Morality

The modern historiography of European magic and witchcraft has mainly focused on accusations and confessions within specific religious and legal contexts.[5] This approach had a great deal to do with the type of records available, but was also indebted to the earlier work of (largely British) social anthropologists in Africa. The basic assumption, derived from Marcel Mauss, was that witchcraft and magic are part of a communication system. In the hey-day of functionalism, witchcraft was interpreted as part of a homeostatic system of social control.[6] On this view, such accusations are a strategy for regulating moral disorder within a community. Recourse to magic by an individual constitutes a break with collectively-agreed codes of conduct, so the witch can be brought into court. Thus, the health of a social structure can be measured in relation to the number of witchcraft accusations: the greater the number of accusations, the greater the socio-moral disorder.

This thesis has a double dimension. First, it feeds from the conceptualization of magic in Antiquity: the public discourse of Greek and Roman civic or public religion defined magic as a series of practices that differed from their interests: they were seditious and illegitimate. The magician is scorned, and his/her clients disqualified. In this way, these practices are typified as "superstitious", a wrong interpretation of religion, and a wrong praxis for the communication with the gods.[7] Magic is charlatanism, bluffing and deceitful. The claim that justifies the moral superiority of the elite is the 'theodicy of good fortune', the belief that the rich and powerful enjoy their prosperity thanks to the divine acquiescence. Nevertheless, the theodicy has its flaws: it cannot, for example, explain problem-cases, why individuals within the elite also suffer misfortunes in daily life.

Second, the fact that social historians and anthropologists have focused on the homeostatic model of magic feeds back the assumption that it is different from religion.[8] Both Frazer's definition of magic –it being coercive, instrumental and manipulative– and Durkheim and Mauss' –

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[5] See e.g. E. Peters, *The Magician, the Witch and the Law*, Hassocks, 1978; K. Thomas, *Religion and the Decline of Magic*, London 1971: 517-698; W. Behringer, *Hexenverfolgung in Bayern: Volksmagie, Glaubenseifer und Staatsräson in der frühen Neuzeit*, Munich 1997. Behringer has also written what is probably the best overall survey: *Witches and Witch-hunts: A Global History*, Cambridge 2004.

[6] Cf. For a survey, see M. Douglas (ed.), *Witchcraft Confessions and Accusations*, London, 1970: xvii-xxiv.

[7] R.L. Gordon, "Superstitio, Superstition and Religious Repression in the Late Roman Republic and Principate (100 BCE-300 CE)". In S. A. Smith and A. Knight (eds). *The Religion of Fools? Superstition Past and Present. (Past and Present Supplements, 3)*, Oxford-New York, 2008: 72-94.

[8] Cf. e.g. K. Stratton, *Naming the Witch: Magic, Ideology, and Stereotype in the Ancient World*, New York, 2007, who suggests that magic was used in Antiquity as a pejorative label in order to maintain the status quo; M. Dickie, *Magic and Magicians in the Greco-Roman World*, London, 2001: 124-141 presents magic in the Roman period as essentially subversive, assuming, thus, the image of magic provided by roman authors as authentic; J. Annequin, *Recherches sur l'action magique et ses représentations (Ier et IIème siècles après J. C.),* Besançon, 1973, sees magic as a coherent system with its own taxonomy of the Universe and competitive with the religious structure.

where magic is anti-social, diverted from community interests and immoral– keep a categorical differentiation between magic and religion.[9] Anthropologists have long noticed that the homeostatic model is inappropriate, for it overlooked all the exceptions to the model, and ethnographic reports offered more and more exceptions. The discussion regarding the definition of magic and religion has been intense.[10] Even now there is no agreement whether keeping the concepts of magic and religion is heuristically useful or they should be removed.[11]

The idea that magic is part of a communication system remains valid. Cicero's legal speeches are instructive with this regard. He sets the boundaries of legitimate religious action, and stresses the use of several ritual practices to mark the immorality of his political enemies. His speech against Publius Vatinius is an excellent example: he first denounces his opponent for resorting to questionable practices, such as evoking the spirits of the Underworld, offering the entrails of children to the gods, or practicing unspeakable rituals. On the other hand, Vatinius allegedly ignored the auspices of the augurs on behalf of the Roman state.[12] By invoking his contempt of public rituals together with his performance of wicked private rituals, Cicero can intimate that Vatinius, an important prosecution-witness in the trial of Publius Sestius in 56 BCE, was both morally degenerate and unfit for public life.[13]

Legal sanctions on magic are another example of the efforts of the establishment to define the limits of ritual practice, yet more if we accept the social impact of laws in the regulation of daily-life.[14] It is generally assumed that at any rate certain magical practices, such as 'transferring' others' crops to one's own fields by incantation, were prohibited in the Twelve Tables, although it is not clear whether the laws condemning harmful incantations were part of the original code or an update.[15] At any rate, the first known trial relating to magic, the famous story of C. Furius Chresimus, is to be dated around 191 BCE.[16]

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[9] Cf. Goode's tenth characteristic that distinguishes magic from religion in W. J. Goode, "Magic and Religion: A Continuum". *Ethnos* 14 (1949): 178: "Defined as instrumental by the society, magic is thought of as at least potentially directed against the society, or a major accepted group within it, or a respected individual in good repute with the gods. Religious rituals are not thought of as even potentially directed against the society or such respected people".

[10] For a survey, see H .S. Versnel, "Some reflections on the relationship magic-religion". *Numen* 38 (1991): 177-197.

[11] See D. F. Pocock, "Foreword" in M. Mauss, *A General Theory of Magic*, London, 1972: 2, who considers the concept "magic" an ethnocentric imposition that distorts non-western religious systems; J. Z. Smith, "Trading Places", in M. Meyer and P. Mirecki (eds.), *Ancient Magic and Ritual Power (Religions in the Graeco-Roman World, 129)*, Leiden-New York-Cologne, 1995: 13-28 suggests that academic language should be more sophisticated and the concepts more precise; B. C. Otto, *Magie. Rezeptions- Und Diskursgeschichtliche Analysen Von Der Antike Bis Zur Neuzeit*, Berlin-New York, 2011 retakes the debate.

[12] Cic. *Vat.* 14. Cf. M. Dickie, *op. cit.*: 137-138. The trial was held in 56; the speech may have been extempore and at any rate was completely rewritten for publication in 54.

[13] Vatinius, a stalwart Caesarian, was duly elected *praetor urbanus* for 55 in the elections that had to be postponed until February of the same year. Cicero promptly reconciled himself to the new state of affairs and had dinner with Vatinius (Plutarch, *Cic*. 26.2).

[14] For the sophistication of the concept of magic in Roman law, see J. B. Rives, "Magic in Roman Law: The Reconstruction of a Crime", *Classical Antiquity* 22 (2003): 313-339.

The *Lex Cornelia de sicariis et veneficiis* approved during Sulla's dictatorship in 81 BCE is also widely known but, as with the Twelve Tables, we know of few cases brought under it.[17] The earliest known trial that may have been sanctioned under the Lex Cornelia occurred in 24 CE, during the reign of Tiberius, when Fabia Numantina was accused of driving her former husband, M. Plautius Silvanus (*praetor urbanus* 24 CE), insane *carminibus et veneficiis*, 'by incantations and potions', the usual Latin expression for (harmful) magical action.[18] Another well-known trial was the accusation against Apuleius of Madaura that took place on 158/159 CE.[19] Although we do not have much evidence for accusations of magic and witchcraft, we should consider that they were more frequent in local courts and judged by provincial governors, as the edict issued by the prefect of Egypt in 198/199 CE suggests,[20] or were solved locally through gossips and rumours stigmatizing the alleged witch, and alleviating social tensions without involving the magistrates.[21]

The academic attention should not underestimate the importance of the theological/ ideological conceptualization of magic, although scholars should not neglect either the pragmatic reasons that make the individual resort to it, and the subjective auto-justifications that legitimate its use. With this regard, it is convenient to point out that morality is not understood as the codes of conduct that are defined and taught in a coherent doctrine, but the behaviour each individual selects from the variety of codes of conduct at hand and follows subjectively because he/she considers them appropriate. Morality is not just a philosophical or religious matter. It can be found also in proverbs, fables, *gnomai* and *exempla*, all of them interrelated most of the time.

Hegel's distinction between ethics and morality might be appropriate. For the German philosopher, morality is the set of subjective dictates of individual consciousness, while ethics transcends that subjectivity and becomes the normative and institutional regulation of individual conduct. We could differentiate then between an ethics of magic, which is defined in literary and legal discourse, and a morality of magic, which allows the individual to find a way to legitimate his choice to resort to certain ritual practices. The religious background that sanctioned people's daily life in the ancient world included a number of practices and beliefs that allowed the individual to know which the appropriate behaviour according to his social status was. Even if most of the times the individual's behaviour coincided with the established ethic, there were occasions where he/she resisted, rebelled or searched a moral authority that he/she found superior to the normative one. In other words, the individual is an active part in the elaboration of his own moral code; he is not a passive recipient of the established values. A late-antique curse tablet written in Greek for a slave woman and probably found in a tomb on the Via Latina, in Rome, provides an example:[22]

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[15] Plin. *HN* 28.17-18; 30.12. Cf. *Tab.* VIII.8a and 8b. J. B Rives, "Magic in the XII Tables Revisited", *Classical Quarterly* 52 (2002): 270-290.

[16] Plin. *HN* 18.41-2. For a general account, cf. M. Dickie, *op. cit.*: 142-144. On the various dates that have been canvassed, see G. Forsythe, *L. Calpurnius Piso Frugi and the Roman Annalistic Tradition*, Lanham-New York-London, 1994: 376ff.

[17] Cic. *Clu.* 148 with *Dig.* 48. 8. 3 For the *Lex Cornelia* see R. L. Gordon, "Imagining Greek and Roman Magic." In B. Ankarloo and S. Clark (eds.). *Witchcraft and Magic in Europe, 2. Ancient Greece and Rome*, London and Philadelphia, 1999: 255-258.

[18] Tac. *Ann.* 4.22.4. Tacitus comments: *insons iudicatur*, '(she) was found not guilty'. Silvanus, the brother of Plautia Urgulanilla, the later wife of Claudius, had earlier been accused of murdering his second wife Apronia by throwing her out of the window, and was invited to commit suicide. Cf. M. Dickie, *op. cit.*: 146-147.

[19] Apul. *Apol.*

[20] *P.Yale* Inv. 299. J. Rea, "A New Version of P.Yale Inv. 299", *ZPE* 27 (1977): 15-56.

[21] Cf. P. J. Stewart and A. Strathern, *Witchcraft, Sorcery, Rumours, and Gossip*. Cambridge, 2004.

> "(Side A) PHANOIBIKUX PETRIADÊ KRATARNADÊ, Lord Angels, restrain Clôdia Valeria Sôphronê and may she not succeed in buying Pôlitoria.
> (Side B) ARTHU*LAILAM *SEMISILAM *BACHUCH BACHAXICHUCH MENEBAICHUCH *ABRASAX, Lord Gods, restrain the matron of the workhouse, Clôdia Valeria Sôphronê and do not let her drag Pôlitoria (as a workhouse labourer), to suffer (?) the fate of lifelessness (there)."

According to the text, the slave was going to be sold to a workhouse, probably a brothel. It seems clear that the slave did not accept the authority of her owner and considered her condition unjust. As a slave, she had a very limited number of options to resort to, so the only alternative she found to escape her fate was addressing to magic and cursing the matron of the workhouse. What we find here is a desperate effort of resistance against the social order and the search for divine justice, as it happens with Versnel's category of Prayers for Justice (see below).[23]

The existence of magic is also a useful tool to link daily-life misfortune and morality. It allows externalizing individual responsibility from arbitrary misfortune. Even if an individual carries out the established ethics, fulfilling his duties towards the gods through routine prayer and sacrifice, or has a social position that may be interpreted as divine fortune, he may have to face unpleasant unexpected situations: a love fail, the inexplicable death of a relative, an economic set-back... In examples like these, the justification of having suffered a random malign mystical harm such as the evil eye or a curse, relativizes the dominant theodicy of good fortune. Misfortune can thus be related to the "objective" existence of malign magic instead of considering that divine anger has caused it and assuming personal responsibility. Among the Azande, for instance, *mangu,* the natural ability attributed to some individuals to harm others with their mystical power, could be identified examining the liver.[24] Similarly, in ancient Rome the ability to cast the evil eye was correlated to visible ocular pathologies such as the "double pupil", the *coloboma iridis*.[25]

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[22] Ed. by R. Wünsch, 'Deisidaimoniaka' *ARW* 12 (1909): 37-41 no.2. I follow the translation provided by J. G. Gager, *Curse Tablets and Binding Spells from the Ancient World*, New York-Oxford, 1992: 169-171 no.78, though at several points it is adventurous (the tablet is damaged and the readings uncertain). There is for example no particular reason for supposing that either a sale is involved, or a work-house: ἐργαστήριον can mean a brothel (e.g. Alciphron frg. 5.1, p.340 Fobes), and this meaning may have influenced the semantic development of the word *ergastulum* (here written ἐ[ργ]αστίλλ[ο]ν). We say 'written for' because the obverse of the tablet carries competent *charaktêres*, and the *onomata barbara* are authentic. Neither technique was available to private individuals.

[23] On the contrary, Gager includes this curse tablets in his category of curses in business, shops, and taverns. This curse has very little to do with "competition and rivalry in the work place" (Gager, *op. cit.*: 152).

Misfortune may also be interpreted as punishment for specific immoral behaviour. These cases are interpreted as the divine punishment that restores socio-moral order. The testimonies addressed to Asclepius are well-known. Albeit a hypochondriac intellectual, Aelius Aristides epitomizes a general belief: [26]

> "Light came forth from Isis, and other secret manifestations conducive to salvation. Sarapis, too, appeared that same night, he and Asclepius together, both of wondrous beauty and size, and in a manner resembling each other. When misfortune overtook me in the matter of Zosimus —for I pass over the warning and advice which the god gave when the misfortune was impeding—, at any rate, when it occurred and I was grievously suffering with pain, Sarapis in seated form, bearing in his hand a kind of knife, seemed to me to make an incision around my face near the hairline, as if removing and destroying the defilement and restoring me to my proper state; then later a vision came to me from the gods of the underworld saying that it would work to my greater advantage if I should cease to be so sorely grieved over the dead. But much more awe-inspiring than these events were those that occurred later, among which were the ladders which mark the boundary between the upper world and the nether world and the power of the god in either region, as well as other events which caused extraordinary consternation and probably are not told to everyone, so that I was gratified to have the tokens disclosed to me. The main one concerned the power of the god, in that Sarapis was able to convey men without vehicles and without bodies wherever he wished. Such were the mystic rites, and I rose up, not easily to be recognized."

The link between illness and morality is the cultural basis that allows the individual to consider correct to resort to the gods in situations where he thinks he has been wronged.[27] The group of curses defined by H. S. Versnel as "Prayers for Justice" is a good example for this. As Versnel has shown, there are curses designed by the user with no apparent malice. He/she considers himself offended unfairly by someone and looks for divine intervention to balance the situation. Versnel includes in the category of Prayers for Justice all the curses that imply a clear offense to the user, be it for theft, slander, false accusations or magical action.[28] It is not unusual to find in the curse terms referring to the immoral attitude of the target *–dolus malus, iniquus, male cogito, male facere, involare–* and there are even instances (mainly from Bath and Uley) where a juridical or quasi-juridical language is used.[29] Additionally, the curser resorts to a number of strategies that include pleas (*rogo*), flattering epithets to appeal to the gods, or offering a part of the goods that have been lost or stolen. It is in this last case where it seems that the curses are not aiming for a material compensation but a moral one, a reestablishment of the moral order through the punishment for the author's offenders. A telling example is a curse tablet from the temple of Isis and Mater Magna in Mainz:[30]

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[24] E. E. Evans-Pritchard, *Witchcraft, Oracles and Magic among the Azande*, Oxford, 1968 [1937]: 118-133. Cf. infra 2.1.

[25] Horace, *Ep.* 1.14.37-38; Ovid, *Am.* 1.8.1-16; Pliny, *N.H.* 11.142 and 7.16-18. Cf. A. Alvar Nuño, "Ocular Pathologies and the Evil Eye in the Early Roman Principate", *Numen* 59 (2012): 295-321.

[26] Aristides, *Or.* 49.46-48 (trans. by E. J. Edelstein and L. Edelstein, *Asclepius. A collection and interpretation of the testiomonies*, *vol. I*, Baltimore,1945: T. 325; TT. 318-325 collect literary accounts with moral implications related to Asclepius.

[27] Some of the wronged individuals who resorted to cursing asked the gods to send fevers or even worms to the target. Cf. R. Gordon, "Gods, Guilt and Suffering: Psychological aspects for Cursing in the North-West Provinces", *Acta* Classica 49, 2013: 255-281. For fevers, see e.g. the collection of curse tablets bought by the Department of Classics of the John Hopkins University in 1908: W. S. Fox, "The John Hopkins *tabellae defixionum"*, *AJPh* 33 (1912): 4-68 = E.

> "In this tablet I curse Quintus, who has turned against himself and reason, and leads his life to bad end. Just as the galli or the priests of Bellona have castrated or cut themselves, so may his good name, reputation, ability to conduct his affairs be cut away. Just as they are not numbered among mankind, so may he too not (be so numbered). Just as he cheated me, so may you (deal with him), holy Mater Magna, and take everything away from him. Just as the tree shall wither in the sanctuary, so may his reputation, good name, fortune, and ability to conduct his affairs wither. I hand (him) over to you, Lord Atthis, that you may punish him for me, so that by the end of the year (he may suffer a) horrible bad death...
> He writes the name of this person to the wives. If anything useful is to be done, he shall be useful for us by his body. Being cursed you shall be horrified."

García Ruiz, "Estudio lingüístico de las *defixiones* latinas no incluidas en el *corpus* de Audollent", *Emerita* 35 (1967): n. 9-11 = A. Kropp, *Defixiones. Ein aktuelles Corpus of lateinischer Fluchtafeln (defixiones)*, Tübingen: 1.4.4/8-11 = C. Sánchez Natalías, "El contenido de las *defixiones* en el Occidente del Imperio Romano" (PhD diss., University of Zaragoza/University of Verona): Roma 9-11. For worms, *AE* 2007: 1049 = J. Blänsdorf, "„Würmer und Krebs sollen ihn befallen": Eine neue Fluchtafel aus Gross-Gerau", *ZPE* 161 (2007): 61-65 = A. Kropp, *op. cit.*: 5.1.3/2 = C. Sánchez Natalías, op. cit.: Gross-Gerau 2.

[28] H. S. Versnel, "Prayers for Justice, East and West: New Finds an Publications since 1990", in R. Gordon and F. Marco (eds.), *Magical Practice in the Latin West*, Leiden-Boston, 2010: 278.

[29] Cf. *Tab. Sul*: 64 s.v. *infrascriptis*; 70f; 79-81; R. S. O. Tomlin, "Cursing a Thief in Iberia and Britain", in R.L. Gordon and F. Marco, *op. cit.*: 249.

[30] *AE* 2005: 1126 = J. Blänsdorf, "The Curse Tablets from the Sanctuary of Isis and Mater Magna in Mainz", *MHNH* 5: n. 11 = A. Kropp, *op. cit.*: 5.1.5/12 = J. Blänsdorf, *Die defixionum tabellae des mainzer Isis- und Mater Magna-Heiligtums. Defixionum Tabellae Mogontiacenses (DTM). Mainzer Archäologische Schriften 9*, Mainz, 2012: n. 6 = C. Sánchez Natalías, op. cit.: Mainz 11. The translation is by J. Blänsdorf, "The *defixiones* from the sanctuary of Isis and Mater Magna in Mainz", in R. Gordon and F. Marco (eds.), *op. cit.*: 186.

There is no doubt that Prayers for Justice have shown that curses are not exclusive of evil-doers. They are a semi-institutionalized form of looking for subjective justice in conflict-situations. The reasons that require divine justice are unlimited: the author may not trust the judicial system, he may not have access to it – like women or slaves –, he may not consider appropriate to publicize his affairs (fearing the social effects of gossip and Schadenfreude for instance)[31] or, simply, because the conflict is not a juridical matter. A convenient option to avoid gossips or local accusations was to travel to renowned temples such as Bath, Uley or Mainz to keep anonymity.[32] Visiting a temple would not be considered inappropriate, so the practices carried out in the temple or its surroundings became symbiotic: certain temples permitted questioned practices and, in exchange, could capitalize their symbolic value and gain prestige.[33] At any rate, the curser feels vulnerable and needs to resort to a superior and all-powerful moral authority. It is a rational mechanism to re-negotiate social relations or to alleviate the conflicts resulting from them. With this regard, all the corpus of graeco-roman *defixiones* should be revisited.

2. Emotions

The publication of *The Expression of Emotions in Man and Animals* by Charles Darwin in 1872 established the assumption that emotions are a constituent part of our biological nature and thus alien to culture. As such, they are unpredictable, involuntary, uncontrollable and wild. C. A. Lutz has identified three aspects of the western conceptualisation of emotions that are worth stressing here:[34]

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[31] Cf. H. S. Versnel, "Κόλασαι τοὺς ἡμᾶς τοιούς ἡδέως βλέποντες - Punish those who rejoice in our misery: On curse texts and *Schadenfreude"*, in D. R. Jordan, H. Montgomery and E. Thomassen (eds.), *The World of Ancient Magic. Papers from the First International Samson Eitrem Seminar at the Norwegian Institute at Athens, 4-8 May 1997*, Bergen, 1999: 125-62.

[32] Cf. G. Obeyesekere, "Sorcery, premeditated murder, and the canalization of aggression in Sri Lanka", *Ethnology* 14 (1975): 5.

[33] Certainly, not all the temples turned a blind eye on magical practices. Cf. Phil. *VA* 4.18; 8.19; *SIG*^{3} 985 = *LSAM* 20.

[34] C. A. Lutz, *Unnatural Emotions. Everyday Sentiments on a Micronesian Atoll and Their Challenge to Western Theory*, Chicago-London,1988. Against the ethological and psychological perspectives that consider that emotions are a universal category shared with animals, anthropologists and sociologists analyse them as culturally determined. Cf. e.g. F. R. Myers, "Emotions and the Self: A Theory of Personhood and Political Order among Pintupi Aborigines",*Ethos* 7 (1979): 343-70; R. Harré (ed), *The Social Construction of Emotion*. Oxford-New York, 1986; R. E. Nisbett, *The Geography of Thought: How Asians and Westerners Think Differently...And Why*, New York, 2003. For the Classical World, S. M. Braund and Ch. Gill (eds), *The Passions in Roman Thought and Literature*. Cambridge, 1997; D. Konstan, "Translating Ancient Emotions", *AntClass* 46 (2003): 5-19; R. A. Kaster, *Emotion, Restraint, and Community in Ancient Rome*, Oxford, 2005; D. Konstan, *The Emotions of the Ancient Greeks : Studies in Aristotle and Classical Literature*, Toronto, 2006; A. Chaniotis, "Rituals beyond Norms and Emotions: Rituals as shared Experience and Memory", in E. Stavrianopoulou (ed.), *Ritual and Communication in the Graeco-Roman World* (Liège: Kernos supp. 16), 2006: 211-38; A. Chaniotis (ed.), *Unveiling Emotions: Sources and Methods for the Study of Emotions in the Greek World, HABES 52*, Stuttgart, 2012; A. Chaniotis and P. Ducrey (eds.) , *Unveiling Emotions II: Sources and Methods for the Study of Emotions in Greece and Rome: Texts, Images, Material Culture*, Stuttgart, 2014.

- Emotion versus thought: emotion is contrasted with the process of thinking and reflection, which is positively evaluated. An 'unemotional person' is rational, deliberate, calm.
- Emotion as irrational: emotion is antithetical to reason or rationality, if we understand rationality as the set of socially-accepted behaviours each individual selects to solve a given problem. In Lutz's words: "To be emotional is to fail to process information rationally and hence to reduce one's capacity for 'sensible' or 'intelligent' action. Emotion, therefore, becomes a residual category used to talk about deviations from the dominant definition of the 'sensible' or 'intelligent'".
- Emotion as unintended and uncontrollable: emotion is conceptualized as a somatic rather than a psychological complex. It cannot easily be controlled by mere thinking and is therefore conceived as uncontrolled, uncontrollable and involuntary.

The received view of magic in the ancient world drew on these assumptions about emotion. A case in point is the reaction ("Botokudenphilologie") of the eminent German classical philologist Ulrich von Wilamowitz-Möllendorff when the Greek magical papyri began to be published: by contrast with the idealized rationality of the Graeco-Roman world admired by classicists, the Greek Magical Papyri (*PGM*) seemed to be full of emotion and apparent irrationality.[35] Until the late twentieth century, it was generally assumed that the expression of emotions in curse tablets and the *PGM* reflect a spontaneous impulse, overlooking at least three features of the emotional dimension of magic that should be pointed out: 1) the distinction between ritual magic and "pure" magic noticed long ago by anthropologists that can be applied to the Graeco-Roman world. Even if the use of these models generally impels us to shift from the implicit actors' models to an observer's one, they seem to be operative in the case of Graeco-Roman magic; 2) the appropriation of the expression of emotions into stereotyped formulae by ritual experts; 3) the time lapse that occurs from the alleged offence suffered by the agent and the decision to resort to a ritual specialist.

2.1 The model of "pure" magic

Since the publication of Edward Evans-Pritchard's *Witchcraft, Oracles and Magic among the Azande* in 1937, anthropologists, especially African anthropologists, have differentiated between witchcraft and sorcery. According to Evans-Pritchard, the Azande distinguished a particular form of magic they called *mangu*. *Mangu* is the natural capacity some individuals have for causing mystical harm instantly, without ritual action. On the other hand, the Azande used the term 'ngua' to refer to magic performed by ritual means. Evans-Pritchard associated *mangu* with witchcraft and *ngua* with sorcery.[36]

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[35] U. von Wilamowitz-Moellendorff, *Reden Und Vorträge*, Berlin, 1902: 54-55. The Botocudos were an indigenous people, consisting of several related tribes, that lived mainly in Minais Gerais in SE Brazil. The name is derived from the Portuguese for a barrel-bung (*botoque*): like many Brazilian Indians, they practised body-modification in the form of lip-plugs. They were more or less exterminated by European settlers in the nineteenth century. The name was applied contemptuously to all Brazilian indigenous peoples, and this is the sense in which Wilamowitz used it.

After discussing the appropriateness of employing the terms witchcraft and sorcery as Evans-Pritchard did, some anthropologists decided to use malign magic and pure magic as distinguished categories.[37] Pure magic is considered an internal mystical power, inherited and involuntary most of the times whose purpose is feeding with the victim's vital force. By contrast, malign magic is a performative activity, can be learned, is voluntary and, despite the fact that it can cause illness or death, the sorcerer does not intend to consume his victim's vital force.[38] It should be noted that pure magic is usually caused immediately as a result of an intense emotional access (envy, rage, hatred). Some groups in Papua New Guinea, for instance, believe that when someone does not receive a gift he/she was expecting, his frustration can produce an illness in the person from whom the gift was expected.[39] The illness is sent instantly if the principal swallows saliva when he receives the bad news, so it is not necessarily a voluntary action.

In the Greek and Roman world, there were various forms of magic that could be considered ‘pure’ types. The evil eye is probably the most common.[40] First of all, it was not considered to be something that could be learned, but was often seen as an inherited ability, sometimes within an entire tribe or nation,[41] or as an involuntary and unconscious power resulting from envy. Second, it was not ritualized: it did not require a verbal utterance such as incantation, or any other kind of performative action. The only example of the evil eye being cast by ritual means that I am aware of in Classical Literature is Apollonius Rhodius' account of the curse directed by Medea against the bronze giant Talus.[42] Medea invokes the Ceres and the hounds of Hades three times with songs and prayers, and targets Talos through her eyes. But as far as I know this example is unique in ancient literature because it fuses two distinct forms of magical action. This seems to be confirmed by the fact that it was not picked up by Valerius Flaccus, which probably means that already in the first century BCE, Varro Ataecinus chose not to reproduce this account in his Latin reworking of the *Argonautica*.[43] In my view, this means that Apollonius Rhodius' version was not considered a plausible representation of the working of the evil eye at least in the Latin speaking world. And third, it did not require to be routed through the appeal to the other world: it was a natural mystical harm similar to *mangu*. Hence, only forms of pure magic such as the evil eye were cast due to an intense emotional access. Ritual malign magic might begin with an emotional outrage, but the whole process it implies is far from being emotional.

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[36] I reckon that Evans-Pritchard description of the Azande distinction may not be wholly applicable to the ancient mediterranean situation.

[37] One of the criticisms of Evans-Pritchard was that he did not consider the psychological implications of witchcraft. Cf. C. Kluckhohn, *Navaho Witchcraft*, Cambridge, 1944; M. Gluckman and E. Devons, *Closed Systems and Opened Minds: the Limits of Naïvety in Social Anthropology*, Edinburgh, 1964 with a response in J. G. Kennedy, “Psychological and Social Explanations of Witchcraft”, *Man* 2 (1967) 216-225, and a counter-response in M. Gluckman, “Psychological, Sociological and Anthropological Explanations of Witchcraft and Gossip: A Clarification”, *Man* 3 (1968) 20-34; D. Nash, “A Convergence of Psychological and Sociological Explanations of Witchcraft”, *Current Anthropology* 14 (1973) 545-546 tried to find a consensus. M. Marwick, *Sorcery in its Social Setting: a Study of the Northern Rhodesian Cewa*, Manchester, 1965, provides the definition of malign magic and pure magic that we follow here.

[38] Cf. P. J. Stewart and A. Strathern. *op. cit.*: 5-6. Before M. Douglas (ed.), *Witchcraft Confessions and Accusations*, London, 1970, the categories witchcraft/sorcery were limited to African ethnography, but she opened the scope of study, like H. G. Nutini and J. M. Roberts, *Bloodsucking Witchcraft. An Epistemological Study of Anthropomorphic Supernaturalism in Rural Tlaxcala*, Tucson-London, 1993: 128-129, the distinction between malign magic and pure magic is generally assumed.

[39] P. J. Stewart and A. Strathern. *op. cit.*: 19 and ff.

[40] G. Lafaye in *Daremberg-Saglio* s.v. *fascinum*, vol. 2 (1896.) 983ff. was probably the first to note the difference between the evil eye as a natural mystical power and ritualized curses. Cf. A. Alvar Nuño, *Envidia y fascinación. El mal de ojo en el occidente romano*, Huelva, 2012: 48-53. E. Eidinow, *Envy, Poison, and Death. Women on Trial in Classical Athens*, Oxford, 2016: 102-163 has recently analysed the use of *phthonos* to construct accusation narratives, especially in the context of spreading gossips.

[41] It may be best to think of the conceptualization of the evil eye as a continuum between the pole of purely involuntary projection of malice through the eyes to projections of mystical harm due to feelings of envy (cf. e.g. Plu. *Quaest. conu.* 680-683). Some anthropologists, such as M. Herzfeld, “Meaning and Morality: A Semiotic Approach to Evil Eye Accusations in a Greek Village”, *American Ethnologist* 8 (1981) 560-574, have questioned its validity as a category due to the great number of local variants in its conceptualization, but this does not affect the validity of the model of "pure" magic.

2.2 Transferring the expression of emotions

If an individual decides to resort to a ritual specialist, he is voluntarily transferring the expression of his emotions to the expert. This decision implies a legitimate empowerment of the expert and the expression of emotions become objectified, a mere instrument to gain a particular purpose.

The analysis of strategies to obtain religious authority has been a major topic in religious studies. The traditional interpretation of ritual “designed to disguise the brute exercise of ‘real’ power”[44] has been challenged, and power is no longer considered a mask to gain social control, but as effective and functional by itself.[45] Ritual experts exercise their power to articulate the client's emotions with their explicit consent.

On the other hand it was by no means necessary to employ such a mediator. In the case of magic in the Graeco-Roman world, this can be appreciated in the fact that there are curse tablets written by individuals who, instead of appealing to a ritual specialist, chose to write their own texts. These curses are very rudimentary and are either limited to inscribing the list of names that the curser wants to target, such as a *defixio* from Bath that just lists three names: *Br<p>ituenda /*

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[42] A.R. 4.1638-1688, with M. Dickie, "Talos Bewitched. Magic, Atomic Theory and Paradoxography in Apollonius *Argonautica* 4.1638-88", in F. Cairns and M. Heath (eds.), *Papers of the Leeds International Seminar. Vol. 6*, Leeds, 1990: 267-296.

[43] Cf. W. Morel, *Fragmenta poetarum latinorum*, Leipzig, 1927: 93-96.

[44] Cf. C. Bell, *Ritual Theory. Ritual Power*, New York-Oxford, 1992: 193.

[45] Cf. C. Geertz, *Negara: The Theatre State in Nineteenth Century Bali*, Princeton, 1980, and D. Cannadine, ‘Introduction: Divine Right of Kings’, in D. Cannadine and S.R.F. Price (eds.). *Rituals of Royalty: Power and Ceremonial in Traditional Societies,* Cambridge, 1987: 1-19.

Marinus / Memorina;[46] or include a brief sentence of command, such as: *nomen rei qui destrale involaverit*, "The name of the culprit who has stolen (my) bracelet (is given)"[47]; or, in the case of illiterates, merely imitate standard writing or false writing.[48] The principal's lack of the rhetorical capacity to express his emotions is apparent in such cases.

By contrast, more sophisticated *defixiones*, like some examples related to erotic magic, include a meticulous enumeration of the body parts of the victim and have too many rhetorical variables to be considered a 'spontaneous' expression of emotions such as jealousy.[49] In these cases, the client delegates to the ritual expert the communication of his/her emotions to the other world.

In this communicative process, the original emotion becomes objectified to a preliminary degree through its reconstruction in narrative (the explanation of the situation to the ritual expert). In a second stage, the ritual expert transforms the emotions conveyed in this primary narrative into a set of stereotyped feelings that are taken to be the authoritative means of representing subjective states to others, in this case, to the divine world. The stereotypical quality of these mediated emotions are taken as the source of authority required by the ritual specialist in his communication with the other world. The client's subjective interpretation of his feelings is thus replaced by an objectified version derived from *topoi* made available through literary resources, such as erotic poetry.[50]

2.3 Pre-meditated acts

In 1975, the Sri Lankan anthropologist Gananath Obeyesekere published an article in which he established a link between sorcery and pre-meditated murder in Sri Lanka.[51] According to official statistics on homicide and violent crimes in Sri Lanka, spontaneous, unpre-meditated murder were far more common than pre-meditated homicides, which formed just 20% of the total murders. Obeyesekere concluded not that Sri Lankans rarely wished to murder their enemies but that pre-meditated homicide was channelled through other functional alternatives, such as sorcery to death. In fact, once sorcery was seen as analogous to pre-meditated murder and included into the data, the results changed significantly. Just on the basis of the information collected from three major shrines of different religions (Hindu, Buddhist, Muslim) in a few months and extrapolated them over a year, Obeyesekere and his team found that requests for performing sorcery rituals against named enemies were more numerous than the total of violent crimes in Sri Lanka for that same year.[52] The reasons given for this choice of temple-sorcery generally had to do with the impossibility of asserting one's rights or obtaining redress for experienced wrongdoing in the face of gangsters, corrupt police and officials, ineffectual court-systems, and inadequate laws.

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[46] M. W. C. Hassall and R. S. O. Tomlin, "Roman Britain in 1981. II. Inscriptions", *Britannia* 13 (1982) 397 = *AE* 1982: 662 = *Tab. Sulis* 3 = A. Kropp, *Defixiones. Ein aktuelles Corpus lateinischer Fluchtafeln*. Speyer, 2008: 3.2/5 = C. Sánchez Natalías, 'El contenido de las *defixiones* en el Occidente del Imperio Romano' (PhD diss. University of Zaragoza) 2013: Bath 4. Curiously, the name *Britivenda* appears in another tablet from Bath together with another name (*Venibelia*) inscribed by a different hand. Cf. M. W. C. Hassall and R. S. O. Tomlin, "Roman Britain in 1983. II. Inscriptions", *Britannia* 15 (1984): 336; *AE* 1984: 621; *Tab. Sulis* 2; A. Kropp, *op. cit.*: 3.2/4; C. Sánchez Natalías, *op. cit.*: Bath 3.

[47] Transl. by R. S. O. Tomlin in *Tab. Sulis* 15 = M. W. C. Hassal and R. S. O. Tomlin, art. cit.: 401-402 = *AE* 1982: 665 = A. Kropp, *op. cit.*: 3.2/14 = C. Sánchez Natalías, *op. cit.*: Bath 15.

[48] Cf. *Tab. Sulis*: 113-116 = C. Sánchez Natalías, op. cit.: Bath 113-115.

[49] Cf. R.L. Gordon, "What's in a list? Listing in Greek and Graeco-Roman malign magical texts", in D. R. Jordan, H. Montgomery and E. Thomassen (eds.), *op. cit.*: 239-277.

[50] Cf. Ben-Ze'ev, *The Subtlety of Emotions*, Cambridge, 2000:166.

[51] G. Obeyesekere, art. cit.: 1-23.

Obeyesekere argues that, instead of understanding malign ritual magic as an emotional act, it should rather be understood as a kind of rational crime, since it is a deliberate and intentional act that implies a pre-meditated plan. The whole process that comes from the decision of resorting to malign magic reflects a considerable inner control and self-restraint when someone has to face provocation. After the experience of suffering wrong, the individual analyses the problem and acts accordingly. He has a range of possible actions; if he opts for sorcery, he has to decide how to proceed: he may decide to prepare a curse himself, or may think it more effective to resort to an acknowledged expert (these temples in Sri Lanka actually advertise their prowess in this area). If he consults a ritual specialist, he needs to be aware of the consequences for his local reputation and social image, so he may decide to stay anonymous and make a trip far from his place of residence to visit a temple renowned for its magical practices. Finally, he has to act according to the prescribed ritual.

The value of Obeyesekere's study is that it allows us to question the traditional understanding of the appeal to malign magic as driven by emotion and, as such, uncontrolled and irrational. He makes clear that the resort to ritual magic can be thought of as a form of rational action in response to specific problems. Three factors are crucial: the institutionalization of sorcery-rituals both in the temples of the three main religions of Sri Lanka and, less formally, among individual religious specialists; the idea that the individual's perception of the justice of his claim gives him the moral right to appeal to sorcery; the sense that the socio-political order cannot fulfil its ideal role as guarantor of individual rights. In my view, the two latter points certainly hold good for antiquity. As for the first, the frequent deposition of *defixiones* – and not just 'prayers for justice' – at temple-sites indicates that private curses could be perceived by the principals as appropriately submitted to the attention of the deity. The fundamental point is that it is a mere a-priorism to assume that when an individual who writes a curse does not use the language of pious appeal to a divinity, he or she must be motivated by 'mere' malice. This is simply to take over the stereotype uncritically.[53]

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[52] Ibid.: 8-9.

[53] Cf. L. Watson, *Arae: The Curse Poetry of Antiquity*, Leeds, 1991: 12: "(*defixiones* were) motivated by purely private emotions such as hate, greed, or sexual jealousy, served merely selfish ends, and exhibited either a blissful unconcern with the well-being of the unhappy victim or (...) a malevolent interest in his destruction".

3. Rational Choice

Recourse to magic has traditionally been considered a form of irrational behaviour fuelled by low passions. As everyone knows, one of Frazer's main arguments in favour of its irrationality was that, although magic attempts to alter facts in the world, it can have no empirical effect – it is failed technology.[54] Once Talcott Parsons had divided action into instrumental and symbolic, there was again no doubt where magic belonged.[55] This was one reason why social anthropologists in Africa preferred to focus on witchcraft, and study patterns of accusation, conceptions of evil, and asymmetries of social power.[56] Implicit here were two thoughts: that witchcraft beliefs must be studied not 'in themselves' but as an element in an entire view of the world; and that, on their own terms, as Evans-Pritchard showed for the Azande, they cannot be falsified.[57] Studying witchcraft beliefs however implicitly conceded the Parsonian view of symbolic action; Tambiah's view of magical spells as performative utterance assumed the validity of this account.[58] More recently the issue of instrumentality has been re-formulated in terms of actors' perspectives: what utility is attributed to magic by agents in the prosecution of individual interests and/or ends?[59] Resort to magic can thus be understood as one possible option to be set alongside other options in dealing with a concrete situation. It can therefore properly be understood as a strategy of problem-solving.[60]

Once the question had been reframed in this way, the application of economic theories on risk and uncertainty in the Social Sciences has proved to be fruitful.[61] Mary Douglas, for example, shifted the concept of risk away from individual calculation to the social body.[62] Douglas did not try to formulate a general theory of the mechanisms of risk management but focused on the idea that notions of risk are subject to a regulatory social code: there is an implicit consensus regarding the factors or circumstances perceived as risky, and there is a consensus regarding the reasons why some factors or circumstances are more risky than others. That is, personal calculation of future hypothetical scenarios is governed by cultural rules and by collective agreement regarding risk-factors. Douglas points out that most of the factors that might 'objectively' be considered dangerous or that might be a ground for uncertainty are in fact ignored. Thus the Lele of Zaire regularly suffer from all kinds of diseases, such as fever, gastro-enteritis, tuberculosis, leprosy, ulcers, barrenness and pneumonia, but their major articulated fears concern being struck by lightning, or afflicted by barrenness; bronchitis was the one disease that figured prominently among the things they worry about.[63] Their main explanation for the actual incidence of these hazards was that a powerful leader or an elder had committed any of a specific range of immoral acts, while the victim was generally seen as personally blameless.[64] Explanations of misfortune as well as perceptions of risk are cultural matters.

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[54] J. G. Frazer, *The Golden Bough. A Study in Magic and Religion, vol. 1*. Edimburgh, 1920 [1906]: 80. See Plutarch, *Quaest. Conv*. 7.2; Aelian, *De natura animalium* 17.13; Schol. Aristoph. *Au*. 266; Schol. Plat. *Gorg*. 494B.

[55] T. Parsons, *The Structure of Social Action*, New York, 1937.

[56] M. Marwick, *op. cit*. For a survey, M. Douglas (ed.), *Witchcraft Confessions and Accusations,* London, 1970: xvii-xxiv.

[57] E. E. Evans-Pritchard, *op. cit*.

[58] S. J. Tambiah, "The magical power of words", *Man* 3 (1968): 175-208.

[59] In the ancient context, e.g. C.A. Faraone, "The agonistic context of early Greek binding spells" in idem & D. Obbink (eds.), *Magika hiera. Ancient Greek Magic and Religion*, New York, 1992: 3-32; P. Oikonomopoulou, '*Pharmaka* and witches', *MHNH* 4 (2004): 123-40.

[60] F. G. Bailey, *Stratagems and Spoils: a Social Anthropology of Politics*, Oxford, 1969.

[61] Cf. F. H. Knight, *Risk, Uncertainty and Profit*, Boston, 1921, who established the bases for modern studies on risk theories in Economy.

[62] There is an unsystematic treatment on this topic in M. Douglas, *Purity and Danger*, London, 1966 but the key studies are ead. and A. Wildavsky, *Risk and Culture. An Essay on the Selection of Technological and Environmental Dangers*, Berkeley-Los Angeles-London, 1982, and ead., *Risk Acceptability according to the Social Sciences*, New York, 1985.

Hitherto the model of risk management has had hardly any impact on the study of religion in the Graeco-Roman world. Esther Eidinow has been one of the first scholars to apply theories of risk management to the consultation of oracles, such as that of Zeus at Dodona, and resort to formal written curses (*katadesmoi* in Greek).[65] For Eidinow, such practices were used either to provide external legitimation for a choice already made informally, or to externalise responsibility for choosing one among several options available. In either case, the effect would be to reduce the principal's anxiety in choosing one (high-risk) alternative rather than another. The consultation of oracles and recourse to curses alike are strategies for maximizing expected utility on the part of individuals exposed to risk in different situations of daily life.

The conceptualisation of risk is a closely connected issue. The idea that magic may be responsible for any of a range of misfortunes provides a recognised means of classifying negative experience in socially-meaningful terms. By ignoring explanations of illness as due to polluted water or unhealthy food, or a mosquito bite, contagion or infection, and preferring explanations based on the evil eye, curse, miasma, unwitting religious fault, or impiety, misfortunes can be rendered amenable to direct responsive action. At the same time, it is clear that other, more neutral, ways of dealing with misfortunes are also always available, such as fatalism or resignation.

Erotic magic is an illustrative example of it.[66] In the volatile milieu of sexual relations, magic is a useful explanatory tool for love success, rejection or unexpected fails. The elaborated dispositive of magic allows a range of self-satisfactory answers to the varied range of uncertain situations related to sex. Erotic curses are not just a Freudian materialization of the frustrated desires of men and women.[67] Spells, herbs and wax figurines can be a justification for sexual dysfunction instead of assuming the shame of performance anxiety.[68]

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[63] Douglas' work on the Lele was done in the 1950s, when no one had heard of AIDS.

[64] M. Douglas and A. Wildavsky, *op. cit.*: 6-7. Elsewhere in the book, Douglas discusses the socially-conditioned risk-awareness Hima of Eastern Ankole/Uganda at much greater length, ibid. 40-48.

[65] E. Eidinow, *Oracles, Curses, and Risk Among the Ancient Greeks*, Oxford , 2007.

[66] The number of publications regarding erotic magic largely exceeds our purposes here. Some important references are: Ch. A. Faraone, *Ancient Greek Love Magic,* Cambridge (Mass.)-London, 1999; A. M. Tupet, *La magie dnas la poésie latine*, Paris, 1976 with R. L. Gordon, "Magic as a Topos in Augustan Poetry: Discourse, Reality and Distance", *Archiv für Religionsgeschichte* 11 (2009): 209-228; F. Graf, *La magie dans l'Antiquité gréco-romaine*, Paris, 1994: 199-215.

On the other side, preparing or commanding a curse may seem a rational option in situations with a high level of uncertainty. The social impact of gossips and the infinity variables chit-chat cause hinder any possible personal calculation, so cursing maybe seen a preferred choice; all the same, being struggled by the economic insecurity and competitiveness of prostitution or the asymmetries of power between rival social networks are perceived as valid reasons for choosing magic:[69]

> "In the same way the deceased that lies in this sepulchre can neither talk nor speak, shall Rhodine die so she can neither talk nor speak to M. Licinius Faustus. In the same way this deceased is neither accepted among gods nor among men, nor be Rhodine accepted by M. Licinium, and be her as dear as the deceased that lies in this sepulchre.
> Dis Pater, I commend you to Rhodine, for M. Licinius Faustus hates her forever. And also M. Hedius Amphionis, and C. Popillius Apollonius, and Vennonia Hermonia, and Sergia Glycinna."

Even if this curse has been labelled as "erotic", the fact is that the preoccupation of the curser is that Rhodine could speak to M. Licinius Faustus. To my mind, this curse should be read in the context of the Augustan laws on adultery, prostitution and non-marital relationships.[70] Rhodine and her partners, all of them ex-slaves, are probably related to an illegal affair where the curser is implied. The curser does not fear to lose a lover but to have his/her affair unveiled to a roman citizen who, presumably, knows him/her, M. Licinius Faustus. The possibility of being denounced together with the lack of options to control the situation forces the anonymous actor to look for fulminant solutions.

Resort to magic, or at least some aspects of it such as the use of protective amulets and binding-curses, can be understood, like the consultation of institutionalised oracles, as a mechanism of risk management that allows the agent to maximise expected utility. Inasmuch as actors necessarily employ subjective variables in calculating possible future contingencies, such behaviour can be viewed as one of a range of possible strategies of risk-management. If the social context offers the actor the option of selecting such practices from among a range of options in order to maximise expected utility, then resort to magic counts as a rational choice. The variables of decision-making are, after all, subjective.

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[67] Cf. J. J. Winkler, *The Constrains of Desire. The Anthropology of Sex and Gender in Ancient Greece*, New York, 1990: 71-98 and M. W. Dickie, "Who Practised Love-Magic in Classical Antiquity and in the Late Roman World?", *CQ* 50 (2000): 563-583 for a discussion on the gender of the practitioners of erotic magic.

[68] Ovid *Am.* 3.7.27-38 and *Her.* 6.91 and ff.

[69] *CIL* I^2 1012 = *ADT* 139 = *ILS* 8749 = A. Kropp, *op. cit.*: 1.4.4/3 = Sánchez Natalías, op. cit.: Roma 3. An example of a curse commanded by a woman seeking economic security: *ADT* 271. For gossips and spells, cf. Cat. 5 and 7 with M. Dickie, "Malice, Envy and Inquisitiveness in Catullus 5 and 7", in F. Cairns and M. Heath (eds.), *Papers of the Leeds International Latin Seminar 7*, Leeds, 1993: 9-26 for the Hellenistic reminiscences of the topic. Cf. also *supra* n. 27.

[70] According to paleographical analysis of the curse tablet, it should be dated on late I BCE. For the three *leges Iuliae* (the *lex Iulia de maritandis ordinibus*, the *lex Papia Poppaea* and the *lex Iulia de adulteriis coercendis*), cf. T. A. J. McGinn, *Prostitution, Sexuality, and the Law in Ancient Rome*, Oxford-New York, 1998, and D. Kienast, *Augustus: Prinzeps und Monarch*, Darmstadt, 1982: 137f.

Morality, emotions and reason are all important components of the major social debate between determinism and voluntary action. Whether we are all part of a social frame whose structures pressure on the individual's capacity for personal choice, we act according to an internally constructed "ontological security", or we positively act as independent agents, the study of individual patterns of behaviour within a given society keeps being a rich field of study.[71] Magic is essentially action, although a particular kind of action that has seduced scholars since the XIXth Century in their search of boundaries for modern rationality.[72] Narrowing the gap between sociology, comparative ethnography and Classical Studies seems a good option to escape from the tantalizing image of "Hekate's daughters",[73] and to further the nascent trend of the few scholars working from an instrumental rather than symbolic perspective of ancient magic.

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[71] Individual action driven by the pressure of external structures is the main subject of T. Parsons, *op. cit.*, while A. Giddens, *New Rules of Sociological Method*, London, 1976 seeks its reasons in the individual's psyche. The free-will of the individual regardless social pressures is the object of study of ethnomethodologists since H. Garfinkel, *Studies in Ethnomethodology*, Englewood Cliffs (NJ), 1967.

[72] Cf. R. Styers, *Making Magic. Religion, Magic, and Science in the Modern World*, Oxford, 2004.

[73] I borrow this expression from E. Wallinger, *Hekates Töchter. Hexen in der römischen Antike*, Vienna, 1994.