

Making Guilt Visible: Cicero's *Against Piso* and the Language of Curse Tablets

This paper argues that Ciceronian invective shares common ground with the language of curse tablets (*defixiones*). Curse tablets, which paint a vivid picture of the various ways in which the inhabitants of the Roman world believed that their gods could punish criminals, serve as a way of seeking justice beyond the court system; they also provide important evidence as to how Romans expected to be able to identify criminals within their community. Despite recent scholarly interest in these texts, however (e.g., Versnel 1991 and 2010; Tomlin 2010), they are rarely considered alongside other genres. In this paper, using *Against Piso* as an example, I demonstrate that Cicero actively invokes the language and themes of curse tablets to establish the guilt of his opponents.

I start by examining two representative curse tablets, both from Roman Britain and both commissioned by victims of theft, to highlight some of the conventions of the genre. In the first (from Hamble), a man named Muconius, unaware of his robber's identity, commissions a curse tablet in which he calls on Neptune to strip the criminal of his or her physical and mental health. Biccus, the commissioner of the second curse tablet (Uley 4), likewise does not know who stole his valuables and therefore asks Mercury to beset the guilty party with a range of gruesome punishments. Both tablets therefore show a considerable interest in inflicting physical harm on the criminals, particularly through charging the gods with stopping all normal bodily functions. Biccus and Muconius may not know who wronged them, but they assume that once the gods have done what is asked for, the criminals' sudden severe decline in health will make them easily identifiable to the wider community.

In the second part of the paper, I turn to Cicero, who knows the identity of the guilty party, but has to persuade others of his view. As has regularly been remarked, Ciceronian

invective displays an intense fascination with the physical appearance of the opponent (e.g., Kubiak 1989; Corbeill 1996; Gildenhard 2011, esp. 20–124, and Meister 2012, esp. 53–57). I argue that the way in which curse tablets aim to make guilt visible to the wider community helps us explain this feature of Ciceronian oratory: just as in the curse tablets, a person’s physical and mental state becomes evidence against him. Cicero’s frequent comments on the physical appearance of his opponents are therefore not just added touches of invective but, at least by Roman standards, manifest evidence of guilt. *Against Piso*, which was delivered in the Senate in 55 BCE, offers a striking demonstration of this technique at work. The work is not a formal prosecution speech and therefore is a particularly good example of how Cicero presents extra-legal evidence of guilt. Piso’s mental state is a major theme throughout. At *Pis.* 46, for example, Cicero explicitly identifies his opponent’s madness as so severe that it must be divinely inflicted. At the end of the speech (*Pis.* 99), the orator pictures Piso as no longer able to physically function. By describing his opponent’s physical and mental state in a way that is closely corresponds to the punishments found on curse tablets, the orator invites his audience to view Piso as a guilty person who is already suffering from the consequences of divine punishment and now also has to be punished by human authorities. The correspondences between the standard language of curse tablets and Cicero’s speech further invite a wider discussion about what constitutes evidence for guilt in the Roman world.

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