***CLST 360: Magic and Witchcraft in the Greek and Roman Worlds***

***Handout, October 16***

***Apuleius: the trial of a warlock***

*The following are selections from a defence speech of a Roman citizen charged with practising magic in North Africa under the Roman Empire. The defendant, Apuleius, faced a charge of enchanting a rich widow, Pudentilla, into marrying him via love magic. The case was taken by the brother of Pudentilla’s previous husband, Sicinius Aemilianus, who objected to this, as he had hoped she would marry back into his family, and her seventeen year old son. The trial took place in 158 CE before the Roman governor, Claudius Maximus, and his advisory council, and presumably as many people in the town (Sabratha) as could fit around this law case. It, after all, promised everything: family intrigue, love, magic, fish, good-looking philosophers, extremely rich people, and more. The speech must have been successful as Apuleius went on to a very successful career as a public intellectual in Carthage, even having statues erected to him there and other towns in the province.* *He also went on to write The Golden Ass, a novel packed full of witches and bandits.*

**1** For my part, Claudius Maximus, and you, gentlemen who sit beside him on the bench, I regarded it as a foregone conclusion that Sicinius Aemilianus would for sheer lack of any real ground for accusation cram his indictment with vulgar abuse; for the old rascal is notorious for his unscrupulous audacity, and, further, launched forth on his task of bringing me to trial in your court before he had given a thought to the line his prosecution should pursue. Now while the most innocent of men may be the victim of false accusation, only the criminal can be found guilty. It is this thought that gives me special confidence, but I have further ground for self-congratulation in the fact that I have you for my judge on an occasion when it is my privilege to have the opportunity of clearing philosophy of the aspersions cast upon her by the uninstructed and of proving my own innocence. Nevertheless these false charges are on the face of them serious enough, and the suddenness with which they have been improvised makes them the more difficult to refute. For you will remember that it is only four or five days since his advocates of malice attacked me with slanderous accusations, and began to charge me with practice of the black art and with the murder of my step-son Pontianus.[[1]](#footnote-1) I was at the moment totally unprepared for such a charge, and was occupied in defending an action brought by the brothers Granius against my wife Pudentilla. I perceived that these charges were brought forward not so much in a serious spirit as to gratify my opponents' taste for malicious slander. I therefore straightway challenged them, not once only, but frequently and emphatically, to proceed with their accusation. The result was that Aemilianus, perceiving that you, Maximus, not to speak of others, were strongly moved by what had occurred, and that his words had created a serious scandal, began to be alarmed and to seek for some safe refuge from the consequences of his rashness.

**2** Therefore as soon as he was compelled to set his name to the indictment, he conveniently forgot Pontianus, his own brother's son, of whose death he had been continually accusing me only a few days previously. He made absolutely no mention of the death of his young kinsman; he abandoned this most serious charge, but -- to avoid the appearance of having totally abandoned his mendacious accusations -- he selected, as the sole support of his indictment, the charge of magic -- a charge with which it is easy to create a prejudice against the accused, but which it is hard to prove…

4. To begin then, only a short while ago, at the start of the indictment, you heard them say, `He, whom we accuse in your court, is a philosopher of the most elegant appearance and a master of eloquence not merely in Latin but also in Greek!' What a damning insinuation! Unless I am mistaken, those were the very words with which Tannonius Pudens,[[2]](#footnote-2) whom no one could accuse of being a master of eloquence, began the indictment.  I wish that these serious reproaches of beauty and eloquence had been true. It would have been easy to answer in the words, with which Homer makes Paris reply to Hector which I may interpret thus: `The most glorious gifts of the gods should never be despised; but the things which they are accustomed to give are withheld from many that would gladly possess them.' That would have been my reply. I should have added that philosophers are not forbidden to possess a handsome face. Pythagoras, the first to take the name of `philosopher', was the handsomest man of his day. Zeno also, the ancient philosopher of Velia, who was the first to discover that most ingenious device of refuting hypotheses by the method of self-inconsistency, that same Zeno was -- so Plato asserts -- by far the most striking in appearance of all the men of his generation. It is further recorded of many other philosophers that they were comely of countenance and added fresh charm to their personal beauty by their beauty of character. But such a defence is, as I have already said, far from me. Not only has nature given me only an ordinary appearance, but continued literary labour has swept away such charm as my person ever possessed, has reduced me to a lean habit of body, sucked away all the freshness of life, destroyed my complexion and impaired my vigour. As to my hair, which they with unblushing mendacity declare I have allowed to grow long as an enhancement to my personal attractions, you can judge of its elegance and beauty. As you see, it is tangled, twisted and unkempt like a lump of tow, shaggy and irregular in length, so knotted and matted that the tangle is past the art of man to unravel. This is due not to mere carelessness in the tiring of my hair, but to the fact that I never so much as comb or part it. I think this is a sufficient refutation of the accusations concerning my hair which they hurl against me as though it carried the death penalty.

*Apuleius had to also defend his background, family, and birthplace:*

23. But if you despise these examples and challenge me, not to plead my case, but to enter into a discussion of the amount of my fortune, to put an end to your ignorance on this point, if it exists, I acknowledge that my father left my brother and myself a little under 2,000,000 sesterces -- a sum on which my lengthy travels, continual studies, and frequent generosity have made considerable inroads. For I have often assisted my friends and have shown substantial gratitude to many of my instructors, on more than one occasion going so far as to provide dowries for their daughters. Nay, I should not have hesitated to expend every farthing of my patrimony, if so I might acquire what is far better by contempt for my patrimony. But as for you, Aemilianus, and ignorant boors of your type, in your case the fortune makes the man. You are like barren and blasted trees that produce no fruit, but are valued only for the timber that their trunks contain. But I beg you, Aemilianus, in future to abstain from sneering at any one for their poverty, since you yourself used, after waiting for some seasonable shower to soften the ground, to expend three days in ploughing single-handed, with the aid of one wretched ass, that miserable farm at Zarath, which was all your father left you. It is only recently that fortune has smiled on you in the shape of wholly undeserved inheritances which have fallen to you by the frequent deaths of relatives, deaths to which, far more than to your hideous face, you owe your nickname of Charon.As to my birthplace, you assert that my writings prove it to lie right on the marches of Numidia and Gaetulia, for I publicly described myself as half Numidian, half Gaetulian in a discourse delivered in the presence of that most distinguished citizen Lollianus Avitus. I do not see that I have any more reason to be ashamed of that than had the elder Cyrus for being of mixed descent, half Mede, half Persian. A man's birthplace is of no importance, it is his character that matters. We must consider not in what part of the world, but with what purpose he set out to live his life. Sellers of wine and cabbages are permitted to enhance the value of their wares by advertising the excellence of the soil whence they spring, as for instance with the wine of Thasos and the cabbages of Phlius. For those products of the soil are wonderfully improved in flavour by the fertility of the district which produces them, the moistness of the climate, the mildness of the winds, the warmth of the sun, and the richness of the soil. But in the case of man, the soul enters the tenement of the body from without. What, then, can such circumstances as these add to or take away from his virtues or his vices? Has there ever been a time or place in which a race has not produced a variety of intellects, although some races seem stupider and some wiser than others?…

25. Are you not ashamed to produce such accusations with such violence before such a judge, to bring forward frivolous and self-contradictory accusations, and then in the same breath to blame me on both charges at once? Is it not a sheer contradiction to object to my wallet and staff on the ground of austerity,[[3]](#footnote-3) to my poems and mirror on the ground of them being too silly; to accuse me of parsimony for having only one slave, and of extravagance in having three; to denounce me for my Greek eloquence and my barbarian birth? Wake up from your slumber and remember that you are speaking before Claudius Maximus, a man of stern character, burdened with the business of the whole province. Please stop bringing forward these empty slanders. Prove your indictment, prove that I am guilty of ghastly crimes, detestable sorceries, and black art-magic. Why is it that the strength of your speech lies in mere noise, while it is weak and flabby in point of facts? I will now deal with the actual charge of magic. You spared no violence in fanning the flame of hatred against me. But you have disappointed all men's expectations by your old wives' fables, and the fire kindled by your accusations has burned itself away. I ask you, Maximus, have you ever seen fire spring up among the stubble, crackling sharply, blazing wide and spreading fast, but soon exhausting its flimsy fuel, dying fast away, leaving not a wrack behind? So they have kindled their accusation with abuse and fanned it with words, but it lacks the fuel of facts and, your verdict once given, is destined to leave not a wrack of calumny behind. The whole of Aemilianus' false accusation was centred in the charge of magic. I should therefore like to ask his most learned advocates how, precisely, they would define a magician. If what I read in a large number of authors is true, namely, that magician is the Persian word for priest, what is there criminal in being a priest and having proper knowledge, science, and skill in all ceremonial law, sacrificial duties, and the binding rules of religion, at least if magic consists in that which Plato sets forth in his description of the methods employed by the Persians in the education of their young princes? I remember the very words of that divine philosopher. Let me recall them to your memory, Maximus:

“When the boy has reached the age of fourteen he is handed over to the care of men known as the Royal Masters. They are four in number, and are chosen as being the best of the elders of Persia, one the wisest, another the justest, a third the most temperate, a fourth the bravest. And one of these teaches the boy the magic of Zoroaster the son of Oromazes; and this magic is no other than the worship of the gods. He also teaches him the arts of kingship.”[[4]](#footnote-4)

26. Do you hear, you who so rashly accuse the art of magic? It is an art acceptable to the immortal gods, full of all knowledge of worship and of prayer, full of piety and wisdom in things divine, full of honour and glory since the day when Zoroaster and Oromazes established it, high-priestess of the powers of heaven. Nay, it is one of the first elements of princely instruction, nor do they lightly admit any chance person to be a magician, any more than they would admit him to be a king. Plato -- if I may quote him again -- in another passage dealing with a certain Zalmoxis, a Thracian and also a master of this art has written that magical charms are merely beautiful words. If that is so, why should I be forbidden to learn the fair words of Zalmoxis or the priestly lore. of Zoroaster? But if these accusers of mine, after the fashion of the common herd, define a magician as one who by communion of speech with the immortal gods has power to do all the marvels that he will, through a strange power of incantation, I really wonder that they are not afraid to attack one whom they acknowledge to be so powerful. For it is impossible to guard against such a mysterious and divine power. Against other dangers we may take adequate precautions. He who summons a murderer before the judge comes into court with an escort of friends; he who denounces a poisoner is unusually careful as to what he eats; he who accuses a thief sets a guard over his possessions. But for the man who exposes a magician, credited with such awful powers, to the danger of a capital sentence, how can escort or precaution or watchmen save him from unforeseen and inevitable disaster? Nothing can save him, and therefore the man who believes in the truth of such a charge as this is certainly the last person in the world who should bring such an accusation.

27... I fear, however, Maximus, that you may regard the empty, ridiculous and childish fictions which my opponents have advanced in support of their case as serious charges merely because they have been put forward. `Why,' says my accuser, `have you sought out particular kinds of fish?' Why should not a philosopher be permitted to do for the satisfaction of his desire for knowledge what the gourmand is permitted to do for the satisfaction of his gluttony? `What,' he asks, `induced a free woman to marry you after thirteen years of widowhood?' As if it were not more remarkable that she should have remained a widow so long. `Why, before she married you, did she express certain opinions in a letter?' As if anyone should give the reasons for another person's private opinions. `But,' he goes on, `although she was your senior in years, she did not despise your youth.' Surely this simply serves to show that there was no need of magic to induce a woman to marry a man, or a widow to wed a bachelor some years her junior. There are more charges equally frivolous. `Apuleius,' he persists, `keeps a mysterious object in his house which he worships with veneration.' As if it were not a worse offence to have nothing to worship at all. `A boy fell to the ground in Apuleius' presence.' What if a young man or even an old man had fallen in my presence through a sudden stroke of disease or merely owing to the slipperiness of the ground? Do you really think to prove your charge of magic by such arguments as these: the fall of a wretched boy, my marriage to my wife, my purchases of fish?

**28** … I will therefore begin by refuting their arguments, and will prove that they have nothing to do with magic. Next I will show that even on the assumption of my being the most consummate magician, I have never given cause or occasion for conviction of any evil practice. I will also deal with the lies with which they have endeavoured to arouse hostility against me, with their misquotation and misinterpretation of my wife's letters, and with my marriage with Pudentilla, whom, as I will proceed to prove, I married for love and not for money. This marriage of ours caused frightful annoyance and distress to Aemilianus. Hence springs all the anger, frenzy, and raving madness that he has shown in the conduct of this accusation…

**29** I will now, as I promised, take Aemilianus' ravings one by one, beginning with that charge which you must have noticed was given the place of honour in the accuser's speech, as his most effective method of exciting suspicion against me as a sorcerer, the charge that I had sought to purchase certain kinds of fish from some fishermen. Which of these two points is of the slightest value as affording suspicion of sorcery? That fishermen sought to procure me the fish ? Would you have me entrust such a task to gold-embroiderers or carpenters, and, to avoid your calumnies, make them change their trades so that the carpenter would net me the fish, and the fisherman take his place and hew his timber? Or did you infer that the fish were wanted for evil purposes because I paid to get them? I presume, if I had wanted them for a dinner-party, I should have got them for nothing. Why do not you go farther and accuse me on many similar grounds ? I have often bought wine and vegetables, fruit and bread. The principles laid down by you would involve the starvation of all purveyors of dainties. Who will ever venture to purchase food from them, if it be decided that all provisions for which money is given are wanted not for food but for sorcery?   
  
But if there is nothing in all this that can give rise to suspicion, neither the payment of the fishermen to ply their usual trade, to wit, the capture of fish -- I may point out that the prosecution never produced any of these fishermen, who are, as a matter of fact, wholly creatures of their imagination -- nor the purchase of a common article of sale -- the prosecution have never stated the amount paid, for fear that if they mentioned a small sum, it would be regarded as trivial, or if they mentioned a large sum it would fail to win belief, -- if, I say, there is no cause for suspicion on any of these grounds, I would ask Aemilianus to tell me what, failing these, induced them to accuse me of magic.

**30** `You seek to purchase fish,' he says. I will not deny it. But, I ask you, is any one who does that a magician? No more, in my opinion, than if I should seek to purchase hares or boar's flesh or fatted capons. Or is there something mysterious in fish and fish alone, hidden from all save sorcerers only? If you know what it is, clearly you are a magician. If you do not know, you must confess that you are bringing an accusation of the nature of which you are entirely ignorant. To think that you should be so ignorant not only of all literature, but even of popular tales, that you cannot even invent charges that will have some show of plausibility! For of what use for the kindling of love is an unfeeling chilly creature like a fish, or indeed anything else drawn from the sea, unless indeed you propose to bring forward in support of your lie the legend that Venus was born from the sea?   
  
I beg you to listen to me, Tannonius Pudens, that you may learn the extent of the ignorance which you have shown by accepting the possession of a fish as a proof of sorcery. If you had read your Vergil, you would certainly have known that very different things are sought for this purpose. He, as far as I recollect, mentions soft garlands and rich herbs and male incense and threads of diverse hues, and, in addition to these, brittle laurel, clay to be hardened, and wax to be melted in the fire. There are also the objects mentioned by him in a more serious poem.   
  
Rank herbs are sought, with milky venom dark   
by brazen sickles under moonlight mown;   
sought also is that wondrous talisman,[[5]](#footnote-5)   
torn from the forehead of the foal at birth   
before its mother could snatch it.   
  
But you who take such exception to fish attribute far different instruments to magicians, charms not to be torn from new-born foreheads, but to be cut from scaly backs; not to be plucked from the fields of earth, but to be drawn up from the deep fields of ocean; not to be mowed with sickles, but to be caught on hooks. Finally, when he is speaking of the black art, Vergil mentions poison, you produce an entree; he mentions herbs and young shoots, you talk of scales and bones; he crops the meadow, you search the waves. I would also have quoted for your benefit similar passages from Theocritus with many others from Homer and Orpheus, from the comic and tragic poets and from the historians, had I not noticed before now that you were unable to read Pudentilla's letter which was written in Greek. I will, therefore, do no more than cite one Latin poet. Those who have read Laevius will recognize the lines.   
  
Love-charms wizards seek through all the world:   
The `lover's knot' they try, the magic wheel,   
ribbons and nails and roots and herbs and shoots,   
the two-tailed lizard that draws on to love,   
and the charm that goads the whinnying mare.[[6]](#footnote-6)   
  
**31** You would have made out a far more plausible case by pretending that I made use of such things instead of fish, if only you had possessed the slightest erudition. For the belief in the use of these things is so widespread that you might have been believed. But of what use are fish save to be cooked and eaten at meals? In magic they seem to me to be absolutely useless. I will tell you why I think so. Many hold Pythagoras was a pupil of Zoroaster, and, like him, to have been skilled in magic. And yet it is recorded that once near Metapontum, on the shores of Italy, his home, which his influence had converted into a second Greece, he noticed certain fishermen draw up their net. He offered to buy whatever it might contain, and after depositing the price ordered all the fish caught in meshes of the net to be relea~ed and thrown back into the sea. He would assuredly never have allowed them to slip from his possession had he known them to possess any valuable magical properties. For being a man of abnormal learning, and a great admirer of the men of old, he remembered that Homer, a poet of manifold or, rather I should say, absolute knowledge of all that may be known, spoke of the power of all the drugs that earth produces, but made no mention of the sea, when speasing of a certain witch, he wrote the line:   
  
All drugs, that wide earth nourishes, she knew.   
  
Similarly in another passage he says:   
  
Earth the grain-giver   
yields up to her its store of drugs, whereo   
many be healing, mingled in the cup,   
and many baneful.   
  
But never in the works of Homer did Proteus anoint his face nor Ulysses his magic trench, nor Aeolus his windbags, nor Helen her mixing bowl, nor Circe her cup, nor Venus her girdle, with any charm drawn from the sea or its inhabitants. You alone within the memory of man have been found to sweep as it were by some convulsion of nature all the powers of herbs and roots and young shoots and small pebbles from their hilltops into the sea, and there confine them in the entrails of fish. And so whereas sorcerers at their rites used to call on Mercury the giver of oracles, Venus that lures the soul, the moon that knows the mystery of the night, and Trivia the mistress of the shades, you will transfer Neptune, with Salacia and Portumnus and all the company of Nereids from the cold tides of the sea to the burning tides of love.

**32** I have given my reasons for refusing to believe that magicians and fish have anything to do with one another. But now, if it please you, we will assume with Aemilianus that fish are useful for making magical charms as well as for their usual purposes. But does that prove that whoever acquires fish is then a magician? On those lines it might be urged that whoever acquires a boat is a pirate, whoever acquires a crowbar a burglar, whoever acquires a sword an assassin. You will say that there is nothing in the world, however harmless, that may not be put to some bad use, nothing so cheerful that it may not be given a gloomy meaning. And yet we do not on that account put a bad interpretation on everything, though, for instance, you should hold that incense, cassia, myrrh, and similar other scents are purchased solely for the purpose of funerals; whereas they are also used for sacrifice and medicine. But on the lines of your argument you must believe that even the comrades of Menelaus were magicians; for they, according to the great poet, averted starvation at the isle of Pharos by their use of curved fish-hooks. Nay, you will class in the same category of sorcerers seamews, dolphins, and the lobster; gourmands also, who sink whole fortunes in the sums they pay to fishermen; and fishermen themselves, who by their art capture all manner of fish. `But what do you want fish for?' you insist. I feel myself under no necessity to tell you, and refuse to do so. But I challenge you to prove unsupported that I bought them for the purpose you assert; as though I had bought hellebore or hemlock or opium or any other of those drugs, the moderate use of which is salutary, although they are deadly when given with other substances or in too large quantities. Who would endure it if you made this a ground for accusing me of being a poisoner, merely because those drugs are capable of killing a man?

**33** However, let us see what these fish were, fish so necessary for my possession and so hard to find, that they were well worth the price I paid for their acquisition. They have mentioned no more than three. To one they gave a false name; as regards the other two they lied. The name was false, for they asserted that the fish was a sea-hare, whereas it was quite another fish, which Themison, my slave, who knows something of medicine as you heard from his own lips, bought of his own suggestion for me to inspect. For, as a matter of fact, he has not as yet ever come across a sea-hare. But I admit that I search for other kinds of fish as well, and have commissioned not only fishermen but private friends to search for all the rarest kinds of fish, begging them either to describe the appearance of the fish or to send it me, if possible, alive, or, failing that, dead. Why I do so I will soon make clear.   
  
My accusers lied -- and they thought themselves very cunning -- when they closed their false accusation by pretending that I had sought for two sea-beasts known by gross names. That fellow Tannonius wished to indicate the nature of the obscenity, but failed, matchless pleader that he is, owing to his inability to speak. After long hesitation he indicated the name of one of them by means of some clumsy and disgusting circumlocution. The other he found impossible to describe with decency, and evaded the difficulty by turning to my works and quoting a certain passage from them in which I described the attitude of a statue of Venus.   
  
**34**  He also with that lofty puritanism which characterizes him, reproached me for not being ashamed to describe foul things in noble language. I might justly retort on him that, though he openly professes the study of eloquence, that stammering voice of his often gives utterance to noble things so basely as to defile them, and that frequently, when what he has to say presents not the slightest difficulty, he begins to stutter or even becomes utterly tongue-tied. Come now! Suppose I had said nothing about the statue of Venus, nor used the phrase which was of such service to you, what words would you have found to frame a charge, which is as suited to your stupidity as to your powers of speech? I ask you, is there anything more idiotic than the inference that, because the names of two things resemble each other, the things themselves are identical?   
  
Or did you think it a particularly clever invention on your part to pretend that I had sought out these two fish for the purpose of using them as magical charms? Remember that it is as absurd an argument to say that these sea-creatures with gross names were sought for gross purposes, as to say that the sea-comb is sought for the adornment of the hair, the fish named sea-hawk to catch birds, the fish named the little boar for the hunting of boars, or the sea-skull to raise the dead. My reply to these lying fabrications, which are as stupid as they are absurd, is that I have never attempted to acquire these playthings of the sea, these tiny trifles of the shore, either gratis or for money.

**35** Further, I reply that you were quite ignorant of the nature of the objects which you pretended that I sought to acquire. For these worthless fish you mention can be found on any shore in heaps and multitudes, and are cast up on dry land by the merest ripple without any need for human agency. Why do you not say that at the same time I commissioned large numbers of fishermen to secure for me at a price striped sea-shells, rough shells, smooth pebbles, crabs' claws, sea-urchins' husks, the tentacles of cuttlefish, shingle, straws, cordage, not to mention worm-eaten oyster-shells, moss, and seaweed, and all the flotsam of the sea that the winds drive, or the salt wave casts up, or the storm sweeps back, or the calm leaves high and dry all along our shores? For their names are no less suitable than those I mentioned above for the purpose of awakening suspicions.   
  
You have said that certain objects drawn from the sea have a certain value for gross purposes on account of the similarity of their names. On this analogy why should not a stone be good for diseases of the bladder, a shell for the making of a will, a crab for a cancer, seaweed for an ague? Really, Claudius Maximus, in listening to these appallingly long-winded accusations to their very close you have shown a patience that is excessive and a kindness which is too long-suffering. For my part when they uttered these charges of theirs, as though they were serious and cogent, while I laughed at their stupidity, I marvelled at your patience.

**36** However, since he takes so much interest in my affairs, I will now tell Aemilianus why I have examined so many fishes already and why I am unwilling to remain in ignorance of some I have not yet seen. Although he is in the decline of life and suffering from senile decay, let him, if he will, acquire ome learning even at the eleventh hour. Let him read the words of the philosophers of old, that now at any rate he may learn that I am not the first ichthyologist, but follow in the steps of authors, centuries my seniors, such as Aristotle, Theophrastus, Eudemus, Lycon, and the other successors of Plato, who have left many books on the generation, life, parts and differences of animals. It is a good thing, Maximus, that this case is being tried before a scholar like yourself, who have read Aristotle's numerous volumes `on the generation, the anatomy, the history of animals', together with his numberless `Problems' and works by others of his school, treating of various subjects of this kind. If it is an honour and glory to them that they should have put on record the results of their careful researches, why should it be disgraceful to me to attempt the like task, especially since I shall attempt to write on those subjects both in Greek and Latin and in a more concise and systematic manner, and shall strive either to make good omissions or remedy mistakes in all these authors?   
  
I ask you, if you think it worth while, to permit the reading of extracts from my `magic' works, that Aemilianus may learn that my conscientious research and inquiries have a wider range than he thinks. Bring a volume of my Greek works -- some of my friends who are interested in questions of natural history may perhaps have them with them in court -- take by preference one of those dealing with problems of natural philosophy, and from among those that volume in particular which treats of the race of fish. While he is looking for the book, I will tell you a story which has some relevance to this case….

*The fish stuff goes on for a while longer before he moves on:*

**42** Since I have sufficiently cleared up this business of the fish, listen to another of their equally stupid inventions, but one much more extravagant and far more wicked. They themselves knew that their argument about the fish was futile and bound to fail. They realized, moreover, its strange absurdity (for who ever heard of fish being scaled and boned for dark purposes of magic?), they realized that it would be better for their fictions to deal with things of more common fame, which have now been believed before now. And so they devised the following fiction which does at least fall within the limits of popular credence and rumour. They asserted that I had taken a boy apart to a secret place with a small altar and a lantern and only a few accomplices as witnesses, and there so bewitched him with a magical incantation that he fell in the very spot where I pronounced the charm, and on being awakened was found to be out of his wits. They did not dare to go any further with the lie. To complete their story they should have added that the boy uttered many prophecies.   
  
For this we know is the prize of magical incantations, namely divination and prophecy. And this miracle in the case of boys is confirmed not only by vulgar opinion but by the authority of learned men. I remember reading various relations of the kind in the philosopher Varro, a writer of the highest learning and erudition, but there was the following story in particular. Inquiry was being made at Tralles by means of magic into the probable issue of the Mithridatic war, and a boy who was gazing at an image of Mercury reflected in a bowl of water foretold the future in a hundred and sixty lines of verse. He records also that Fabius, having lost five hundred denarii, came to consult Nigidius; the latter by means of incantations inspired certain boys so that they were able to indicate to him where a pot containing a certain portion of the money had been hidden in the ground, and how the remainder had been dispersed, one denarius having found its way into the possession of Marcus Cato the philosopher. This coin Cato acknowledged he had received from a certain lackey as a contribution to the treasury of Apollo.   
  
**43** I have read this and the like concerning boys and art-magic in several authors, but I am in doubt whether to admit the truth of such stories or no, although I believe Plato when he asserts that there are certain divine powers holding a position and possessing a character midway between gods and men, and that all divination and the miracles of magicians are controlled by them. Moreover it is my own personal opinion that the human soul, especially when it is young and unsophisticated, may by the allurement of music or the soothing influence of sweet smells be lulled into slumber and banished into oblivion of its surroundings so that, as all consciousness of the body fades from the memory, it returns and is reduced to its primal nature, which is in truth immortal and divine; and thus, as it were in a kind of slumber, it may predict the future.   
  
But howsoever these things may be, if any faith is to be put in them, the prophetic boy must, as far as I can understand, be fair and unblemished in body, shrewd of wit and ready of speech, so that a worthy and fair shrine may be provided for the divine indwelling power (if indeed such a power does enter into the boy's body) or that the boy's mind when wakened may quickly apply itself to its inherent powers of divination, find them ready to its use and reproduce their promptings undulled and unimpaired by any loss of memory. For, as Pythagoras said, not every kind of wood is fit to be carved into the likeness of Mercury. If that be so, tell me who was that healthy, unblemished, intelligent, handsome boy whom I thought worthy of initiation into such mysteries by the power of my spells. As a matter of fact, Thallus, whom you mentioned, needs a doctor rather than a magician. For the poor wretch is such a victim to epilepsy that he frequently has fits twice or thrice in one day without the need for any incantations, and exhausts all his limbs with his convulsions. His face is ulcerous, his head bruised in front and behind, his eyes are dull, his nostrils distended, his feet stumbling. He may claim to be the greatest of magicians in whose presence Thallus has remained for any considerable time upon his feet. For he is continually lying down, either a seizure or mere weariness causing him to collapse.

**44** Yet you say that it is my incantations that have overwhelmed him, simply because he has once chanced to have a fit in my presence. Many of his fellow slaves, whose appearance as witnesses you have demanded, are present in court. They all can tell you why it is they spit upon Thallus, and why no one ventures to eat from the same dish with him or to drink from the same cup. But why do I speak of these slaves? You yourselves have eyes. Deny then, if you dare, that Thallus used to have fits of epilepsy long before I came to Oea, or that has frequently been shown to doctors. Do his fellow slaves, who are at your service, deny this?   
  
I will confess myself guilty of everything, if he has not long since been sent away into the country, far from the sight of all of them, to a distant farm, for fear he should infect the rest of the household. They cannot deny this to be the fact. For the same reason it is impossible for us to produce him here today. The whole of this accusation has been reckless and sudden, and it was only the day before yesterday that Aemilianus demanded that we should produce fifteen slaves before you. The fourteen living in the town are present today. Thallus only is absent owing to the fact that he has been banished to a place some hundred miles distant. However, we have sent a man to bring him here in a carriage…

*He also responded to a charge that he had performed a magic ritual in someone else’s house:*

57 You heard them read from a written deposition, the evidence of a gorging brute, a hopeless glutton, named Junius Crassus, that I performed certain nocturnal rites at his house in company with my friend Appius Quintianus, who had taken lodgings there. This, mark you, Crassus says that he discovered (in spite of the fact that he was as far away as Alexandria at the time!) from finding the feathers of birds and traces of the smoke of a torch. I suppose that while he was enjoying a round of festivities at Alexandria -- for Crassus is one who is ready even to encroach upon the daylight with his gluttonies -- I suppose, I say, that there from his reeking-tavern he saw, with an eye keen as any fowler's, feathers of birds wafted towards him from his house, and saw the smoke of his home rising far off from his ancestral rooftree. If he saw this with his eyes, he saw even further than Ulysses prayed and yearned to see. For Ulysses spent years in gazing vainly from the shore to see the smoke rising from his home, while Crassus during a few months' absence from home succeeded, without the least difficulty, in seeing this same smoke as he sat in a wine-shop! If, on the other hand, it was his nose that discerned the smoke, he surpasses hounds and vultures in the keenness of his sense of smell. For what hound, what vulture hovering in the Alexandrian sky, could sniff out anything so far distant as Oea? Crassus is, I admit, a gourmand of the first order, and an expert in all the varied flavours of kitchen-smoke, but in view of his love of drinking, his only real title to fame, it would have been easier to reach him at Alexandria for the fumes of his wine rather than the fumes of his chimney.

*Another charge involved a magic seal:*

61. And after all this, they have also come up, on reading Pudentilla's letters, concerning the manufacture of a seal. This seal, they assert, I had fashioned of the rarest wood by some secret process for purposes of the black art. They add that, although it is loathly and horrible to look upon, being in the form of a skeleton, I yet give it especial honour and call it in the Greek tongue, basileus, my king. I think I am right in saying that I am following the various stages of their accusation in due order and reconstructing the whole fabric of their slander detail by detail. Now how can the manufacture of this seal have been secret, as you assert, when you are sufficiently well acquainted with the maker to have summoned him to appear in court? Here is Cornelius Saturninus, the artist, a man whose skill is famous among his townsfolk and whose character is above reproach. A little while back, in answer, Maximus, to your careful cross-examination, he explained the whole sequence of events in the most convincing and truthful manner. He said that I visited his shop and, after looking at many geometrical patterns all carved out of boxwood in the most cunning and ingenious manner, was so much attracted by his skill that I asked him to make me certain mechanical devices and also begged him to make me the image of some god to which I might pray after my custom. The particular god and the precise material I left to his choice, my only stipulation being that it should be made of wood. He therefore first attempted to work in boxwood. Meanwhile, during my absence in the country, Sicinius Pontianus, my step-son, wishing it to be made for me, procured some ebony tablets from that excellent lady Capitolina and brought them to his shop, exhorting him to make what I had ordered out of this rarer and more durable material: such a gift, he said, would be most gratifying to me. Our artist did as Pontianus suggested, as far as the size of the ebony tablets permitted. By careful dove-tailing of minute portions of the tablets he succeeded in making a small figure of Mercury…

1. This was the older brother, with whom Apuleius had studied in Athens. He had introduced Apuleius to his mother and, according to Apuleius, had pushed for the marriage before turning sour on it thanks to the malign influence of his wife’s family. [↑](#footnote-ref-1)
2. Somone connected to the family and another prosecutor. [↑](#footnote-ref-2)
3. A wallet and a staff were the traditional accessories of the philosopher. [↑](#footnote-ref-3)
4. This is supposed to be a quote from Plato; it is not very accurate. [↑](#footnote-ref-4)
5. Hippomanes. [↑](#footnote-ref-5)
6. Hippomanes. [↑](#footnote-ref-6)