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## Inscriptional Violence and the Art of Cursing: A Study of Performative Writing

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### *When Justice Fails: Legislation versus Imprecation*

#### *Deuteronomy*

In the book of Deuteronomy, we read near the end that after the crossing of the Jordan and the conquest of the Promised Land stones should be set up on Mt. Ebal, covered with plaster and bearing as an inscription the whole text of the Torah "in very plain characters" (27:7). Then six leaders should stand on Mt. Garizim, and six others on Mt. Ebal. Those on Mt. Garizim should shout blessings (27:11-13), and those on Mt. Ebal should shout curses. The ensuing text gives twelve verses of curses (15-26). The next chapter (28) starts with fourteen verses of blessings, for diligent obedience to the voice of god (3-13), but again there follow no fewer than fifty-three verses containing a seemingly endless enumeration of elaborate and painful punishments (16-68) for disobedience. Apparently, those standing on Mt. Ebal have a task four times heavier than those on Mt. Garizim. But a closer analysis reveals that the curses to be shouted from Mt. Ebal are to be distinguished from those of chapter 28. The former constitute a fact of structural orality, the latter, a fact of structural literacy or, to be more precise, of "inscriptionality." The former are a fact of *voice*, the latter, a fact of *stone*. They belong to the stones to be erected on Mt. Ebal, the mountain of cursing, and to be inscribed with the Torah.

Let us look at the structure and content of these curses. The first set (27:11-13) begins with "cursed be he who [*arûr*]," followed by a specific crime. These curses are to be shouted before all the people,

and the people are to confirm every one of them by responding "Amen." Therefore, they are actually self-imprecations, and the repeated "cursed be he" must be understood as "cursed shall I be if I..." This is a purely oral performance. The second set of (blessings and) curses shows an inverse structure. Here, the curse is specified, and the crime consists invariably in not hearkening to the voice of god. These curses are not self-imprecations; they say "cursed be *you* if you..." , and it is Moses himself who curses the people, referring to THE LORD THY GOD as the agent or executor of punishment. The list begins with an outline of the range of the curses, which pertain not only to the person himself, his soul and body, his destiny and affairs, but also to his belongings, his social and material sphere of interest and identity:

But it shall come to pass, if thou wilt not hearken unto the voice of THE LORD THY GOD, to observe to do all his commandments and his statutes which I command thee this day;<sup>1</sup> that all these curses shall come upon thee, and overtake thee: Cursed shalt thou be in the city, and cursed shalt thou be in the field. Cursed shall be thy basket and thy store. Cursed shall be the fruit of thy body, and the fruit of thy land, the increase of thy kine, and the flocks of thy sheep. Cursed shalt thou be when thou comest in, and cursed shalt thou be when thou goest out. (28:15-19)

Then follow specific misfortunes. First come maladies: pestilence, consumption, fever, inflammation, extreme burning, the sword, blasting, and mildew (28:21-22). Then comes sterility of heaven and earth (28:23-24). In the third place, we find defeat and political disaster: "THE LORD shall cause thee to be smitten before thine enemies: thou shalt go out one way against them, and seven ways before them: and shalt be removed into all the kingdoms of the earth" (28:25). Then there are dreadful diseases: the botch of Egypt, the emerods, the scab, the itch, "whereof thou canst not be healed" (28:27). Then follow madness, blindness, and "astonishment of heart" (28:28). Afterwards come failures of all sorts: a wife with whom another will sleep, a house in which one never will dwell, a vineyard where one will never gather grapes, an ox one will never eat, sheep, sons, and daughters given away, and, what is worst, all this is to happen before the eyes of the person concerned: "and thine eyes shall look," "from before thy face," "so that thou shalt be mad for the sight of thine eyes which thou shalt

<sup>1</sup> Deafness occurs also in the Kanais text of Seti I as an element of the actor-specification (*sh-hr*). The Hittite treaty of Ramses II refers to "whoever will not observe these words."



see" (28:29-34).<sup>2</sup> Another set of diseases (28:35) and political misfortunes ensue, among them deportation "unto a nation which neither thou nor thy fathers have known; and there shalt thou serve other gods, wood and stone" (28:36), followed by failures in harvesting and housing (28:38-42). Social revolutions are threatened: "the stranger that is within thee shall get up above thee very high; and thou shalt come down very low" (28:43). To this, oppression by enemies is added: "he shall put a yoke of iron upon thy neck, until he have destroyed thee" (28:48). The political theme prevails again. God will bring a nation from afar, from the end of the world, "whose tongue thou shalt not understand; a nation of fierce countenance, which shall not regard the person of the old, nor shew favor to the young," such a one as "shall not leave thee either corn, wine, or oil, or the issue of thy kine, or flocks of thy sheep," who "shall besiege thee in all thy gates" throughout the land (28:49-52). Now a siege is depicted in the most gruesome colors: "And thou shalt eat the fruit of thine own body, the flesh of thy sons and of thy daughters... the man that is tender among you, and very delicate, his eye shall be evil toward his brother, and toward the wife of his bosom, and toward the remnant of his children which he shall leave," a scene dwelt upon in several more verses (28:53-57). There follow plagues, like the plagues of Egypt and plagues as yet unheard of, and expulsion from the land and dispersion among the peoples (28:59-61).

And among these nations shalt thou find no ease, neither shall the sole of thy foot have rest: but the LORD shall give thee there a trembling heart, and failing of eyes, and sorrow of mind: and thy life shall hang in doubt before thee; and thou shalt fear day and night, and shalt have none assurance of thy life: in the morning thou shalt say, Would God it were even! and at even thou shalt say, Would God it were morning! for the fear of thine heart... and for the sight of thine eyes. (28:65-67)

Curses upon curses, a grandiose tableau of despair and desolation, of misery and confusion, of destruction and annihilation, a masterpiece in the art of cursing and in imagination (a real *Todesfuge*, already saturated with experience after centuries of Assyrian and Babylonian oppression, and only to become even more true in centuries to come). There can be no doubt that we are dealing here with a genre that one could perhaps call the "imprecatory catalogue" (*Fluchkatalog*),

<sup>2</sup> See the specification "the eyes looking (*jrtj hr dg3*) in late Egyptian texts like the *Amenophis Son of Hapu Decree* or the *Stèle d'Apanage* (see below).

and even with the apex in the history of this genre. The point of catalogue cursing seems to be to give an exhaustive enumeration of all the constituent parts of the entity one wants to curse, and to curse every one of them. In the following contribution I would like to follow up some lines in this history and to do a very small and sketchy investigation into its forms and functions.

Deuteronomy is a book of law, *sefer ha-torah*. The curses concern those who break the law, and the blessings, those who keep it. But we must not confound legislation and imprecation. Legislation establishes a nexus between norm and sanction on the one hand, and action and consequence on the other. If an action implies violation of a law, then as a consequence there will be a penalty. (There is, of course, no question of any blessings for those who do *not* violate the law.) The nexus between crime and penalty is to be defined by legislation and to be enacted by judiciary and executive institutions, that is, by society and the state. This is what I call "connective justice." Connective justice provides and protects the link between action and consequence, doing and faring (see figure 1).

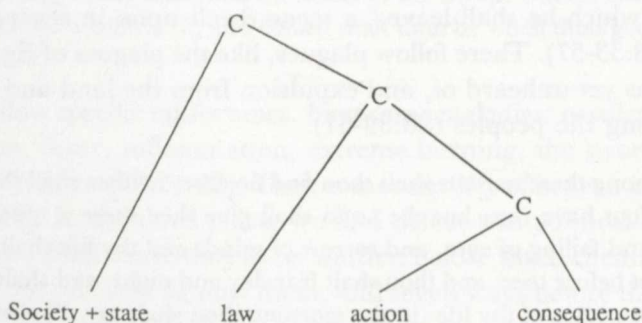


Figure 1

But there are two cases where connective justice is bound to fail: (1) if the crime is committed secretly and there is no accuser, and (2) if the law as a whole is not properly enacted, is altered, or even is completely done away with by society and/or the state. In these cases, other agencies must take care of the nexus between action and consequence, agencies that I shall call, for want of a better term, "metaphysical":<sup>3</sup>

<sup>3</sup> For the concept of divine agency, see the important study by B. Albrektson, *History and the Gods: An Essay on the Idea of Historical Events as Divine Manifestations in the Ancient Near East and in Israel* (Lund, 1967).



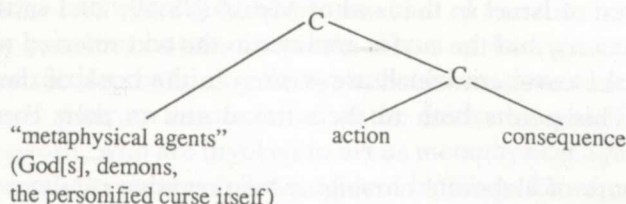


Figure 2

This is the formal structure of a curse or imprecation. A curse triggers “metaphysical agents” to bring about the consequence of a given action. It establishes a link between crime and penalty that is independent of sociopolitical institutions and therefore quasi-automatic.<sup>4</sup> Disbelief in metaphysical agents will cause a decline in the art of cursing,<sup>5</sup> disbelief in the functioning of sociopolitical institutions will have the opposite effect. Hidden criminality and the breakdown of connective justice provide the two cases where legislation stops and imprecation takes over. The first set of curses, to be shouted from Mt. Ebal, refer to the first case. These curses concern undetected or undetectable crimes.<sup>6</sup> Because of their dialogical structure (curse and “Amen”) they constitute, as we have seen, a purely oral performance. The second set of curses refers to the second case: when the law as a whole ceases to be valid among the people. These curses are not to be shouted from Mt. Ebal, and not to be confirmed by “Amen.” They form a purely literal or “inscriptional” performance. This is what the following considerations will try to show. Their status as a “literal” event, a fact of writing, has three closely interrelated aspects, which I shall refer to as (a) contractual, (b) testamentary, and (c) monumental. The contractual character is what the text itself says. The long series of curses is closed by the remark: “These are the words of the covenant (*elāh divrê ha-b’rît*), which the LORD commanded Moses to make with

<sup>4</sup> This touches upon the problem of “magic,” i.e., the idea of an automatic link between cause and effect established by some ritual device, in our case by the pronunciation of a curse; see the literature quoted by W. Schottroff, *Der altisraelitische Fluchspruch*, Wissenschaftliche Monographien zum Alten und Neuen Testament 30 (Neukirchen, 1969) 16n2. But this is not how inscriptional curses work. They require metaphysical agency and therefore do not suggest a distinction between magic and religion.

<sup>5</sup> This, as R. Wagner informs me, seems to be the case in ancient China, where cursing in these functions is virtually unknown.

<sup>6</sup> A. Alt, “Zum Begriff des apodiktischen Rechts,” *Kleine Schriften* 1 (Munich, 1953) 302-32, S.314.

the children of Israel in the land of Moab" (28:69; 29:1 in the King James version), and the curses are later in the text referred to as "the curses of the covenant which are written in the book of the Torah" (29:20). This points both to their literal and to their contractual character.<sup>7</sup>

The genre of elaborate cursing or "imprecative catalogues" is an integral part of ancient treaties.<sup>8</sup> A covenant, or treaty of alliance, is made, or rather sealed, by swearing an oath.<sup>9</sup> This conforms to very ancient oriental practice. The oath automatically subjects the parties to the powers who watch over the observance of the treaty. Breaking a treaty means breaking an oath and becoming exposed to the curses that are included in and released by swearing an oath. You can break a given stipulation of a treaty and still remain within the frame of alliance and connective justice. You will then be subject to a penalty, and this penalty is part of the treaty. But you can also break the alliance as a whole by changing sides, etc. Then you no longer place yourself inside, but outside the treaty, and you will not be subject to any of the internal punishments, but to the external curses whose function is to protect the treaty as a whole and to prevent partners from breaking it.

<sup>7</sup> The affinity of Deuteronomy to the form of a treaty and its many resemblances to political treaties of the ancient Near East have often been remarked; see esp. M. Weinfeld, *Deuteronomy and the Deuteronomistic School* (Oxford, 1972) 116ff and D. J. McCarthy, *Treaty and Covenant*, Analecta Biblica 21 A (Rome, 1978). See also M. Weinfeld, "The Common Heritage of the Covenantal Traditions in the Ancient World," in L. Canfora, M. Liverani, and C. Zaccagnini, eds., *I trattati nel Mondo Antico: forma, ideologia, funzione* (Rome, 1990) 175-91; for treaties in general, see this collection overall. The literal character of "treaty-curses" is also stressed by Assurbanipal in one of his historical inscriptions: the gods did bring "the complete number of curses which were laid down in writing in the record of the treaty over the illoyal Uaite' and the Arabs" (A. E. Pritchard, ed., *Ancient Near Eastern Texts Relating to the Old Testament*, 3rd ed. [1955] 300a [hereafter abbreviated *ANET*]).

<sup>8</sup> D. R. Hillers, *Treaty-Curses and the Old Testament Prophets*, Biblica et Orientalia 16 (Rome, 1964); H. C. Brichto, *The Problem of "Curse" in the Hebrew Bible*, Journal of Biblical Literature Monograph 13 (Philadelphia, 1963). The most impressive example of an imprecative catalogue is to be found in the Vassal treaties of Asarhaddon; see *ANET* 534ff; R. Borger, in O. Kaiser, ed., *Texte aus der Umwelt des Alten Testaments*, vol. 1, fasc. 2: *Staatsverträge* (Gütersloh, 1983) 160ff; R. Frankena, "The Vassal-Treaties of Esarhaddon and the Dating of Deuteronomy," *Old Testament Studies* 14 (1965) 122-54; S. Parpola and K. Watanabe, eds., *State Archives of Assyria*, vol. 2: *Neoassyrian Treaties and Loyalty Oaths* (Helsinki, 1988) 28ff.

<sup>9</sup> M. Weinfeld, "The Loyalty Oath in the Ancient Near East," *Ugaritische Forschungen* 8 (1976) 379-414; H. Tadmor, "Treaty and Oath in the Ancient Near East: An



The idea of a treaty also differs from that of a law in that it implies not only penalties but also rewards. Thus we find in many ancient treaties a section containing the typical combination of blessings and cursings.<sup>10</sup> After an enumeration of the deities by whom the treaty is to be sworn, who are invoked to act as metaphysical agents watching over its observance, follows a list of blessings for whoever keeps the treaty and a list of curses for whoever breaks it.<sup>11</sup> A treaty, therefore, is a very special and ambivalent kind of text, a text with great consequences. It entails, again to quote Deuteronomy, "life and luck, death and disaster" (30:15). As a treaty, in its "contractual" aspect Deuteronomy places the reader in a dilemma, a "bivious" position. He must choose between two ways the text opens before him: "I have set before you life and death, blessing and cursing: therefore choose life, that both thou and thy seed may live" (30:19). A treaty is a text that structures reality in a bivious form. This is the *contractual* aspect.

The other two aspects I have termed "testamentary" and "monumental." All three are, as I said before, closely interrelated, the testament being a kind of contract, and the monument a kind of testament. All three seem to me to have some bearing on the question of "*Writing, Ecriture, Schrift*." Deuteronomy presents itself as a record of Moses' last speech or sermon, which he delivered before the people of Israel on the eve of crossing the Jordan and entering the Promised Land. Moses will not go with them, but stay and die in Moab. His speech is a speech of farewell and has an unmistakably *testamentary* character. The speech is recorded in a book that constitutes a fact of literature: legal literature. It is, as we have seen, a book of law, *sefer ha-torah*, and a book of alliance or "covenant," *sefer ha-b'rit*. But it also implies and prescribes a fact of monumentality and inscriptionality. This is represented by the stones on Mt. Ebal: "And it shall be on the day when ye shall pass over Jordan unto the land which the LORD thy GOD giveth thee, that thou shalt set thee up great stones, and plaister them with plaister: and thou shalt write upon them all the words of this law" (27:2-3).<sup>12</sup>

Historian's Approach," *Shnaton* 5-6 (1981-1982) 165ff (Hebrew). See also J. Pederesen, *Der Eid bei den Semiten* (1914).

<sup>10</sup> F. C. Fensham, "Malediction and Benediction in Ancient Near Eastern Vassal Treaties and the Old Testament," *Zeitschrift für die Alttestamentliche Wissenschaft* 74 (1962) 1-9 (hereafter abbreviated ZAW).

<sup>11</sup> Many examples can be found in Kaiser, ed., *Staatsverträge*. The Assyrian treaties, especially, provide an exact model for Deuteronomy; see Weinfeld, *Deuteronomy*.

<sup>12</sup> The execution of this order is narrated in Joshua 8:30-35: "Then Joshua built an altar unto the LORD GOD of Israel in mount Ebal, as Moses the servant of the



From the fact that these stones or stelae are to be placed on Mt. Ebal, of all places, the mountain of cursing, it is to be deduced that there is an intrinsic relationship between cursing and inscriptional erection and exhibition, that is, *monumentality*. This relationship is to be seen in the institution of the witness. Curses and blessings, which usually appear in the context of treaties, are elements of an oath, which is to be sworn by both parties. The stone that the parties set up as a visual sign of the binding force of the contract is explicitly described as fulfilling the function of witness. This *testimonial* function is made explicit in the book of Joshua, where the same covenant ceremony as in Deuteronomy is related:

So Joshua made a covenant with the people that day, and set them a statute and an ordinance in Shechem. And Joshua wrote these words in the book of the law of God, and took a great stone, and set it up there under an oak, that was by the sanctuary of the LORD. And Joshua said unto all the people, Behold, this stone shall be a witness unto us; for it hath heard all the words of the LORD which he spake unto us: it shall be therefore a witness unto you, lest ye deny your GOD. (Joshua 24:25-27)

The stones act as witnesses of the oath by which the treaty is sealed. They materialize, visualize, and eternalize the oath.

There is a second dimension of monumentality, however, which I would like to call the *commemorative* function; witnessing, testifying, and memorializing are, of course, closely related functions. The monument functions as *lieu de mémoire*. In exactly this function, the erection of stones occurs over and over again in the book of Joshua — the narrative of the conquest — and accompanies the various steps of the invasion. Stones are set up by the Jordan River in order to commemorate its miraculous parting, which allowed the Israelites to cross over on dry ground. Twelve stones are picked out of the Jordan and set up in Gilgal.<sup>13</sup> We are dealing here with what could be

LORD commanded... and he wrote there upon the stones a copy of the law of Moses, which he wrote in the presence of the children of Israel. And all Israel... stood on this side the ark and on that side before the priests the Levites, which bare the ark of the covenant of the LORD,... half of them over against mount Gerizim, and half of them over against mount Ebal,... And afterward he read all the words of the law, the blessings and the cursings, according to all that is written in the book of the law."

<sup>13</sup> The memory function of these stones is clearly stated in the biblical record: "When your children shall ask their fathers in time to come, saying, What mean these stones? Then ye shall let your children know, saying, Israel came over this Jordan on dry land" (Joshua 4:21-22).

called "prospective memoria," the foundation of memory for future generations.

In a third dimension of monumentality, these stones seem to be connected with a *limitative* or *demarcative* function. They could be compared to boundary stones, which occur in the ancient Near East as a primary *Sitz im Leben*, or function of inscriptionality. Again, the marking and remembering of boundaries are closely related, and boundaries have a very strong contractual character. Contracts and treaties typically concern boundaries.<sup>14</sup> Thus, stones commemorate the treaty and the boundary. An affinity seems to exist between inscriptionality and territoriality. The inscription serves to make the spoken word of the oath sedentary, *ortsfest*, immobile. We may thus subsume the functions of monuments and inscriptionality in the three notions of witness, memory, and boundary.

### *Hammurabi*

Apart from treaties, blessings and curses in the form of a catalogue occur in still another genre of ancient Near Eastern literature: Mesopotamian law codes.<sup>15</sup> Here, too, the blessings and curses do not belong within the main body of laws and sanctions but are set apart in the form of an epilogue, with a clear predominance of curses. But among the many Mesopotamian law books, only two texts with such an epilogue have been preserved: that of Lipit-Ishtar and that of Hammurabi. What they have in common by contrast to the other law codes is that both involve a stela. The Lipit-Ishtar code is preserved on clay tablets pretending to be a copy of a stela, and the epilogue refers to that stela.<sup>16</sup> The code of Hammurabi is preserved on a stela, which

<sup>14</sup> The most important civil documents referring to boundaries are the Kudurru documents, which abound in curses. See L. W. King, *Babylonian Boundary-Stones and Memorial-Tablets in the British Museum* (London, 1912); F. X. Steinmetzer, *Die babylonischen Kudurru (Grenzsteine) als Urkundenform* (1922); M. Noth, *Gesammelte Studien zum Alten Testament*, 2nd ed. (Munich, 1960) 155-71.

<sup>15</sup> B. Landsberger, "Das 'gute Wort,'" *Altorientalische Studien B. Meissner*, Mitteilungen der Altorientalischen Gesellschaft 4 (1928-1929) 295-321; A. A. B. Mercer, "The Malediction in Cuneiform Inscriptions," *Journal of the Ancient Oriental Society* 34 (1915) 282-309; K. Watanabe, "Die literarische Überlieferung eines babylonisch-assyrischen Fluchthemas mit Anrufung des Mondgottes Sin," *Acta Sumerologica* 6 (1984) 99-119.

<sup>16</sup> O. Kaiser, ed., *Texte aus der Umwelt des Alten Testaments*, vol. 1, fasc. 1: *Rechtswörter* (Gütersloh, 1982) 30: "The day on which I erected justice in Sumer and Akkad, I verily erected this stela. May he be given a long life who does not commit bad actions against it, who does not destroy what I erected, who does not efface



today is the pride of the Louvre.<sup>17</sup> All the other Mesopotamian codes, which are preserved only on clay tablets and do not mention any monumental form of recording, do not contain any epilogue or imprecatory catalogue. This shows beyond a doubt that the blessings and imprecations belong not to the act of law giving but to that of stela erecting. It is the stela, not the law, that embodies the three aspects of contract, testament, and monument.

The imprecatory section of Hammurabi's epilogue not only by far outweighs its few blessings (three lines of blessings, a hundred lines of curses!), but parallels Deuteronomy in imprecatory emphasis. It proves beyond a doubt that cursing must be considered as an art and an important literary genre. In this section, ten particular gods, then the totality of the gods, are invoked to take care of the culprit

who did not heed my words that I wrote on my stela,  
and disregarded my curses,  
and did not fear the curses of the gods,  
but has abolished the law that I enacted,  
has distorted my words,  
has altered my statutes,  
effaced my name inscribed thereon  
and has written his own name.

Enlil, the supreme god, is invoked to incite revolts, bring misfortune, shorten his days, destroy his city, abolish his name and memory from the land. Ninlil, "the mighty mother," shall induce Enlil to decree "the destruction of his people, the pouring out of his life like water." Enki, the god of wisdom, shall "deprive him of knowledge and understanding, and constantly lead him astray, dam up his rivers at the source, take away grain, the life of his people." Shamash, the sun god and supreme judge, shall "cause the foundations of his nation to crumble," give evil omens, cut him off from among the living; even "below, in the underworld, may he cause his shade to thirst for water." Sin, the moon god and lord of destiny, shall "lay upon him heavy guilt"; "may he determine as the fate for him a life that is constantly

its inscription and write his own name upon it. May he lift his neck to heaven in Ekur and may the radiant front of Enlil from heaven return his look; but whoever commits bad actions against it, who destroys or stores away what I erected, who changes its place, effaces its inscription, writes his own name upon it or lets another do it, be he a king, or a priest... may he flee..." (a series of curses follows).

<sup>17</sup> R. Borger, in Kaiser, ed., *Rechtsbücher* 39ff.



wrestling with death." Adad, the lord of abundance, shall bring famine and destructive floods. Zababa and Ishtar, the deities of war, shall "let his enemy trample upon him" and "deliver him into the hands of his enemies." Nergal, the lord of the underworld, shall "break his body in pieces like an earthen image." Nintu, the goddess of birth, shall "deny him an heir." Ninkarrak, the goddess of maladies, shall "inflict upon him a serious injury that never heals, whose nature no physician knows." Finally, all the gods, and again Enlil, are invoked to "curse him with these curses."

I would like to stress four aspects of this text that illustrate the difference between legislation and imprecation:

1. *The person of the addressee.* In the case of Hammurabi, the person involved is specifically a ruler. This shows beyond a doubt that the addressee of the curses is not identical to the addressee of the laws. The legal penalty threatens whoever transgresses a law, the curses whoever alters it. The laws address and concern everybody, but the curses address and concern only the person who is responsible for their functioning. In this point, Deuteronomy and Hammurabi differ. In Deuteronomy, both laws and curses address the same collective person, who is called Israel and addressed now as "thou" and now as "you." In the Israelite world, the mediating position of a ruler, who takes upon himself responsibility for the functioning of the law, is abolished, and every individual member of the new community becomes responsible both for keeping the individual law and for respecting "the law" in its everlasting totality. In Deuteronomy the curses are directed against (a) the individual person, and (b) the collective, political person of "Israel." In the Hammurabi inscription, they are directed against (a) the individual person of the ruler, and (b) his political person as representative of his country.

2. *Concepts of person and annihilation.* Penalties aim at restoring the damage that has been done by transgressing a particular rule or law. They are devised as to meet and to match a particular crime. Curses, on the other hand, aim at total destruction and annihilation. They do not know any measure and limitation in drawing on the imaginary of destruction. They aim at the total dissolution and decomposition of a person in all his aspects, in this world and in the hereafter. In so doing, they provide important insights into the concepts of person involved in these images of destruction. The art of cursing consists in knowing how to undo a person. It presupposes a concept of person, a knowledge of what constitutes and belongs to a person and

how these different elements and constituents are most effectively dis-integrated and annihilated. Thus a comparative study of the art and genre of cursing should lead to a much more detailed knowledge about ancient anthropological conceptions. But this is not our present concern.

3. *The role of the gods.* In Hammurabi several gods take the place of the "metaphysical agent," who in Deuteronomy and Joshua is called THE LORD THY GOD (*IHWH 'elohekha*). The gods are invoked to protect the law, not against a simple trespasser, a protection provided for by institutionalized "connective justice," but against a future ruler of Babylon who might change or neglect the law and thereby weaken connective justice. The ruler's task is to watch over the application of the law, and the god's task is to watch over the ruler. They point to both the contractual and the monumental aspects of cursing. Contracts and treaties are sealed by a solemn oath, binding both parties and invoking deities to watch over the strict observance of the terms.

4. *Prescriptive versus performative sentences.* The Codex Hammurabi makes the difference between legislation and imprecation absolutely clear. Legislative sentences are prescriptive. They acquire a performative function only when applied by a judge to a given case and transformed into a judgment/verdict/sentence. Curses, by contrast, are performative. They do not describe or refer to a fact, but create it. But what they create is a "potential fact," not an actual one, because they are aimed at a person who is (negatively) specified but not identified. In Deuteronomy we are dealing with a similar situation, but there the person ("you") is identified and the negative specification is only potential. This is the defining difference between treaties and monuments. Curses in treaties concern persons who are identified, but not (yet) negatively specified. Curses in monuments refer to persons who are negatively specified, but not yet identified. In both cases, curses function as *potential performatives*. My thesis is that potential performatives show an intrinsic affinity to monumental writing, writing on monuments — that is, inscriptionality. The stela of Hammurabi is an excellent illustration of this intrinsic relationship between curse and monument, imprecation and inscription. It is very probable that in a clay-tablet form of recording, the imprecatory epilogue would be absent. It belongs not to the code but to the monument, not to the message but to the medium. The Hammurabi stela demonstrates what is meant by the stones to be set up on Mt. Ebal. It not only codifies the law, but represents and eternalizes its ambivalent charisma of blessing and cursing, luck and disaster, life and death.



## Curses and Monuments

### *Treaty and Property*

One objection imposes itself. Both Deuteronomy and the Codex Hammurabi are law books. Would it not be much more plausible to see in their common genre the reason for the occurrence of blessings and curses in both texts than to claim a common category like "potential performatives"? The answer is simple. The parallels for the epilogues in the codes of Lipit-Ishtar and Hammurabi are to be found not in law books but on statues and in tombs. Thus we read on a statue of Gudea of Lagasch, several centuries earlier: "Whosoever will bring it (the statue) out from E-ninnu or will efface its inscription,... Anu, Enlil... etc. shall change his destiny, they shall break his days like an ox, they shall cast on the ground his strength like a wild bull, they shall cast to the ground the throne that he has built..."<sup>18</sup> This is the tradition to which the law codes of Lipit-Ishtar and Hammurabi are linked, not in their quality as law codes but in their quality as monuments.

There is even a verbatim parallel to Deuteronomy among the large corpus of imprecatory monumental inscriptions. It comes from Chalcis in Euboia. It is an inscription, erected by a certain Amphicles, in order to protect a statue and a place, a public bath, where it was situated. Among the many threats this inscription directs against a potential violator of statue or area, we read the following: "God shall smite him with consumption, fever, inflammation, extreme burning, destructive storm, madness, blindness, mental confusion."<sup>19</sup>

This is a verbatim quotation of two verses of Deuteronomy. Amphicles must have been a Jew who knew his Torah and who adapted some of its curses for his private purposes. This fact is interesting enough, but what concerns us here is the parallelism between treaty and property, so that a person could apply to protecting his own foundations and monuments against violation the same imprecation formulas he knew to be directed by his god against apostates from his covenant. At first sight, the two cases seem very different. On the

<sup>18</sup> After A. Parrot, *Malédiction et violation des tombes* (Paris, 1939) 17.

<sup>19</sup> Parrot 151 (Syll. 3rd ed., 1240); IG XII.9: 955 and 1170; L. Robert, "Malédiction funéraires grecques," *Comptes rendus de l'Académie des Inscriptions et Belles-Lettres* (1978) 241-89. The text continues (following Parrot): "Que ses biens soient anéanties, que la mer ne lui soit pas navigable, ni la terre franchissable et qu'il n'a pas de postérité. Que sa maison ne s'augmente pas, qu'il ne profite ni des fruits, ni des biens, ni de la lumière, ni de l'usage, ni de la possession. Quant à celui qui soignera,



one hand, we have a treaty between god and his people, implying a set of laws and stipulations to be observed and confirmed by strong oaths that will turn into curses against whoever breaks the alliance. On the other hand, we have a statue, erected in a public place and protected by the very same curses, directed against whoever removes or damages the statue. Where is the parallel?

Both cases have a "contractual character." In the case of the treaty, this is self-evident and needs no further commentary. In the case of the statue, the contractual character is not so clear. But let us consider for a moment what erecting a monument means. A monument is meant to outlast its founder; it has, therefore, an unmistakably testamentary character. Erecting a monument means bequeathing a legacy to posterity and thereby forming a kind of contract. It is not easy to convince posterity of the advantage in accepting this legacy. The imprecation formulas compensate for this deficiency. They strengthen the contractual character of the relationship with the dedicator of the monument into which every reader is supposed to enter. The dedicator, in erecting a statue, exposes himself to the good will and respect of unknown visitors for an unlimited future. This future depends totally on the "reception" of the monument by posterity. The imprecation formulas are meant to direct and to determine this reception. They are "metamonumental," in the same sense as the curses in Deuteronomy are metatextual.

### *Egyptian Tombs*

The most ancient and common kind of monuments are tombs. It is in this context that the earliest imprecatory inscriptions occur. I would like to give a very brief outline of this history, limiting myself to Egypt.<sup>20</sup> The interest of this genre lies in the insights it gives not only into the concept of the person of the addressee, whose personality they are meant to destroy, but also into the concept of the addresser. Who is entitled to cursing and blessing?

The earliest imprecation formulas occur in tombs of the fourth dynasty, around 2,600 B.C.E. They are brief and violent. The gods are not yet involved in the persecution of the trespasser; beasts appear in the role of "metaphysical agents":

gardera et conservera [le tombeau] qu'il reçoive les meilleures choses, qu'il soit loué parmi tout le peuple, que sa maison abonde en enfants et qu'il jouisse des fruits."

<sup>20</sup> For Mesopotamia and the ancient Mediterranean, see Parrot.

the crocodile against him in the water,  
the snake against him on earth,  
who will do anything against "this."<sup>21</sup>

A little later, the imprecations become more elaborate. Now, the monument is to be protected not only from material damage, but also from profanation by impurity: "As for any person who will enter this my tomb in his state of impurity after having eaten what a spirit abominates..." For the persecution of the trespasser, neither crocodile or snake is invoked, but the deceased presents himself as a source of terror and violence. "I shall grab his neck like a bird's, I will spread in him the terror that I inspire, in order that the living on earth may see, so that they will fear a potent spirit who has passed on to the West."<sup>22</sup> Some texts go even further. "I shall exterminate their offspring, I shall prevent their farmsteads from being inhabited."<sup>23</sup> But these texts would not correspond to Egyptian convictions if the deceased were to act on his own arbitrary decision. Before using violence he must get the authority for revenge by a formal verdict. Therefore, the imprecations start with the menace of accusing the criminal before the "tribunal of the Great God": "there will be judgment against him in the West in the tribunal of the Great God" or "he will be judged on account of it by the Great God."<sup>24</sup> In case of a verdict in his favor, the deceased himself will be turned into a metaphysical agent of justice (what in Egyptian is called *ma'a-kheru*, "justified").

During the First Intermediate Period and the Early Middle Kingdom, the art of cursing flourishes, and imprecations develop into texts

<sup>21</sup> K. Sethe, *Urkunden des ägyptischen Altertums*, vol. 1: *Urkunden des Alten Reichs*, 2nd ed. (Leipzig, 1933) 23.11-16. In a later inscription from the Middle Kingdom, crocodile and snake appear as avatars of the deceased himself: "I shall be against him as a crocodile in the water, as a snake on the earth, and as an enemy in the necropolis" (Heqaib Stela no. 9; H. Willems, "Crime, Cult and Capital Punishment (Mo'al-la Inscription 8)," *Journal of Egyptian Archaeology* 76 [1990] 34). The most comprehensive collection of ancient Egyptian "monument-curses" is H. Sottas, *La préservation de la propriété funéraire* (Paris, 1913).

<sup>22</sup> From the inscription of Khentika, T. G. H. James, *The Mastaba of Khentika called Ikhekhi* (London, 1953), pl. 5.

<sup>23</sup> Sethe, *Urkunden* I.256.

<sup>24</sup> E. Edel, "Untersuchungen zur Phraseologie der ägyptischen Inschriften des Alten Reichs," *Mitteilungen des Deutschen Archäologischen Institut Abteilung Kairo* 13 (1944) 5-15. See also G. Fecht, *Der Vorwurf an Gott in den Mahnworten des Ipuwer*, Abhandlung der Heidelberger Akademie der Wissenschaften (1972) 136f, who comments



of considerable length. They even increase in violence and cruelty, though the deceased himself appears less often as an active agent of revenge:

Further, as regards the one who commits unjust acts against this stela, he is judged, and his neck is cut off like a bird's.<sup>25</sup>

As for any governor, any wab-priest, any ka-priest, any scribe or any nobleman, who takes it [the offering] away from my statue, his arm will be cut off like an ox and his neck will be severed like a bird; his position will no longer exist; the position of his son will no longer exist; his house in the Nubian nome will no longer exist; his tomb in the necropolis will no longer exist; and his god will not accept his white bread. He is destined to the fire, and his children to the flame, his corpse being destined to "smelling the earth." I shall be against him as a crocodile in the water, as a snake on the earth, and as an enemy in the necropolis.<sup>26</sup>

As regards any nome governor, any son of a man, any nobleman, or any civilian who fails to protect this tomb and its contents, his god will not accept his white bread, he will not be buried in the West, and his flesh will burn together with that of the criminals, having been turned into one who does not exist.<sup>27</sup>

As for any rebel who rebels and who plans in his heart to commit blasphemy against this tomb and what it contains, who destroys the inscriptions and damages the statues in the tombs of the ancestors in the necropolis of Siut and the temple of the lord of Raqert without being afraid of the tribunal which is therein, he shall not be glorified in the necropolis, the seat of the glorified spirits, his property shall not exist in the necropolis, his children shall be expelled from their tombs, he shall be an enemy of the glorified spirits, whom the lord of the necropolis does not know, his name shall not be called among the spirits, his memory shall not be among those living on earth, water shall not be poured in libation for him, offerings shall not be given to him, on the Wag feast and any other beautiful feast of the necropolis.

on the particular "Gewalttätigkeit" and "Selbstherrlichkeit" of these formulas, which express an unmistakable "Unabhängigkeitsdrang" and "Unabhängigkeitsbewusstsein."

<sup>25</sup> Cairo CG 1651, Willems 35.

<sup>26</sup> Heqaib Stela no. 9, Willems 34.

<sup>27</sup> E. Edel, *Die Inschriften der Grabfronten der Siut-Gräber* (Opladen, 1984) fig. 5, pp. 25-37.

He shall be delivered to the tribunal,  
his city-god shall abominate him,  
his relatives shall abominate him,  
his farm shall fall to fire,  
his house to the devouring flame.  
Everything that comes forth from his mouth  
the gods of the necropolis shall pervert.<sup>28</sup>

As for any rebel and any adversary  
who commits destruction in spite of what he has heard,  
his name shall not exist,  
he shall not be buried in the desert,  
he shall be cooked together with the criminals,  
whom god has cursed;  
his city-god shall abominate him,  
his fellow-citizen shall abominate him.<sup>29</sup>

As for anybody who will not recite this,  
he shall fall to the anger of his city-god,  
and to the slaughter of the king.  
He shall not be remembered among the spirits  
and nevermore shall his name be mentioned on earth,  
he shall not be buried in the West,  
he shall be burned together with the criminals,  
since Thoth has condemned him;  
his face shall be spat at.<sup>30</sup>

As for anybody who displaces this stela from the tomb that I have built,  
he will not stand before Thoth and Ma'at shall not judge him.<sup>31</sup>

In Egypt also, cursing is not an act of legislation. It seems to me mistaken to assume that what these texts depict as the consequences of an act of profanation or violation corresponded to legal penalties.<sup>32</sup>

<sup>28</sup> Edel, fig. 7, pp. 37-66.

<sup>29</sup> Siut IV, lines 79-80, Edel 120-27.

<sup>30</sup> Tomb of Hasaya, Edel 190f.

<sup>31</sup> Louvre C 108; Pierret, *Rec. d. inscr.* II.1; Sottas 55f, G. Möller, *Das Dekret für Amenophis Sohn des Hapu*, *Sitzungsberichte der Preussischen Akademie der Wissenschaften* (1910) 932-48, appendix 4, p. 943.

<sup>32</sup> The inscription of Ankhtifi of Mo'alla, which Willems, "Crime," takes as his starting point, might be a borderline case. In this inscription, he "who commits an evil act against this coffin, and against any part of this tomb, his arm will be cut off for Hemen at his procession from the district" (several other processions are then mentioned as occasions for the cutting off of the arm). Because the potential culprit is not threatened with total destruction but with a mutilation that seems to be an adequate penalty, Willems interprets this text (and after this model all the other texts)



The execution of legal punishments belongs to the state and its juridical institutions. The execution of curses, however, belongs to deities and demons in the hereafter, and — this is typically Egyptian — to that world's juridical institutions. Many spells of what Egyptologists call "funerary literature" deal with these lawsuits and executions and enjoy to the full all kinds of destructive fantasies (especially *CT* spell 149).<sup>33</sup> Along with the idea of a prolongation of connective justice into the other world, there appears the concept of hell. The so-called "Books of the Netherworld" depict the infernal punishments.<sup>34</sup> All this pertains to the history of hell, not that of jurisdiction.

During the New Kingdom, imprecation formulas seem almost to disappear from tombs. Perhaps this period was a safer and more civilized, and perhaps also a more enlightened, age. Perhaps the necropolis police were strong enough to protect the tombs and the juridical institutions were strong enough to do without metaphysical agents. Or is it possible that, on the other hand, belief in metaphysical agency was on the decline? That this was not the case is shown by strong imprecations that now appear in other contexts, above all in inscriptions documenting royal and private donations. Very typical is this curse, in which divine vengeance is apportioned to a triad of gods: "As for anyone who is deaf to this decree, Osiris shall be after him, Isis after his wife, and Horus after his children, and the great ones, the lords of the holy land, will make their reckoning with him."<sup>35</sup> "As for anyone who speaks against it, Amon-Re, king of the gods, shall

as decrees naming penalties laid down by law, and not as curses evoking destruction by drawing on the imaginary. But the inscription of Ankhtifi goes on to say, "Hemen will not accept any of his meals; and his heir will not inherit from him," which looks more like imprecation.

But in later antiquity there are clear cases where an act of imprecation is combined with an act of legislation (perhaps out of mistrust in the efficiency of the metaphysical agents, which take care of curses, as compared to political institutions, which take care of penalties). This is especially common among the Nabataeans, e.g.: "que Dushara maudisse quiconque... vendra ce tombeau...; et quiconque agira autrement que ce qui est dessus écrit, devra être imposé... du prix total de mille drachmes" (Parrot 80f; many similar examples are on 78ff).

<sup>33</sup> A. de Buck, *The Egyptian Coffin Texts*, 7 vols. (Chicago, 1935-1961).

<sup>34</sup> E. Hornung, *Altägyptische Höllenvorstellungen*, Abhandlungen der Sächsischen Akademie der Wissenschaften (1968).

<sup>35</sup> After Wilson, in *ANET* (1955) 328 (h); see S. Schott, Kanais, *Der Tempel Sethos' I. im Wādi Mīa*, Nachrichten der Göttinger Akademie der Wissenschaften (1961) 158f. Similar curses appear in Theban inscriptions belonging to expressions of popular

be after him to destroy him, Mut shall be after his wife, and Khonsu after his child, so that he shall hunger, he shall thirst, he shall become weak, and he shall suffer."<sup>36</sup>

With the multiplication of donations in the Third Intermediate Period, curses become very common. I limit myself to quoting only one example: an inscription pretending to be the copy of a foundation document of the funerary temple of the sage Amenhotep, son of Hapu.

As for the general or military scribe who follows after me and who finds the ka-chapel falling into ruin together with its male and female servants who are cultivating the fields for my endowment, and takes away a man therefrom in order to put him to any business of Pharaoh or any commission on his own behalf, or if another trespasses on them and does not answer on their behalf: he shall be exposed to the destruction of Amun,... he shall not let them enjoy their office of royal scribe of the army, which they got on my behalf. He shall deliver them to the fire of the king on the day of his anger. His Uraeus shall spit fire on their heads, annihilating their bodies and devouring their flesh, they becoming like Apopis on the morning of New Year. They shall capsize in the ocean that it may hide their corpses. They shall not receive the dignity of the righteous; they shall not eat the offering cakes of the "cavern-dwellers" [the deceased in their tombs]; one shall not pour for them libations of water from the river; their sons shall not be installed in their place; their wives shall be raped while their eyes watch; the superiors shall not set foot [ts] in their houses as long as they are upon earth; the leaders of the two sides shall not introduce them, nor shall they hear the words of the king in the hour of gladness. They shall belong to the sword on the day of destruction; they shall be called enemies; their bodies shall be consumed; they shall hunger without bread; and their bodies shall die. If the vizier, overseer of the treasury, chief overseer of the estate, superintendent of the granary, high priests, divine fathers, and priests of Amun, to whom has been read this edict, issued for the ka-chapel of... Amenhotep, do not show solicitude for his ka-chapel, the edict shall touch them, and them especially. But if they shall show solicitude for the ka-chapel, with the male and female servants who are cultivating the fields for my endowment, then all favor shall be shown them. Amon-Re, king of gods, shall reward them with prosperous life. The king of your day shall reward you as he

religion; see A. I. Sadek, *Popular Religion in Egypt during the New Kingdom*, Hildesheimer Ägyptologische Beiträge 27 (Hildesheim, 1987) 242-44.

<sup>36</sup> G. Steindorff, *Aniba* (Glückstadt, 1937), pl. 101.



rewards... There shall be doubled for you office upon office, ye shall receive from son to son and heir to heir. They shall be sent on as messengers, and the king of their day will reward them. Their bodies shall rest in the West after 110 years, doubled to you shall be the mortuary oblations likewise.<sup>37</sup>

Near the end of the New Kingdom, obscene curses appear among these formulas. In the decree for Amenhotep occurs the idea that the trespasser will see his wife raped before his eyes. Even more common in this genre of literature (especially in donation stelae) is the strange idea that the trespasser himself, together with his wife, will be sexually abused by a donkey, which must have been considered a particularly destructive blow against the personality of the culprit:

As for whoever makes this endure, his sons shall endure in his place, one after the other, his name shall not perish in eternity. But as for whoever removes it, the power of Neith will be against him in all eternity, his son shall not remain in his place, the donkey shall abuse him, his wife, and his children.<sup>38</sup> He shall go to the fire from the mouth of Sakhmet and to the... of the lord of all and all the gods; whoever destroys this donation for Neith, his property will be destroyed, his tomb will burn and not receive his children. Beware of Neith.<sup>39</sup>

Let us resume. Our theme is cursing as a genre of *Writing, Ecriture, Schrift*. Cursing, both oral and literate, refers to the future. It institutes consequences that will befall future generations.<sup>40</sup> Curses

<sup>37</sup> C. Robichon and A. Varille, *Le temple du scribe royal Amenhotep fils de Hapou*, Fouilles de l'Institut Français d'Archéologie Orientale 11 (Cairo, 1936) 3-4; Breasted, *Ancient Records of Egypt* II, 925f; G. Möller, *Das Dekret für Amenophis Sohn des Hapu*, SPAW (1910) 932-48.

<sup>38</sup> That is, they will be raped by a donkey; see W. Spiegelberg, "Die Tefnakhtos-stele des Museums von Athen," in *Recueil des Travaux* 25 (1903) 190ff. Spiegelberg adduces more examples of this formula, which appears to be fairly common in dynasties 22 to 24. The earliest example, however, is a Ramesside graffito from Deir el Bahri; see Sadek, *Popular Religion* 244. See also Sottas, *Préservation* 149-50, 153, 165-68; A. H. Gardiner, "Adoption Extraordinary," in *Journal of Egyptian Archaeology* 26 (1940) 23-29 (hereafter abbreviated *JEA*); J. G. Griffiths and A. A. Barb, "Seth or Anubis?" in *Journal of the Warburg and Courtauld Institutes* 22 (1959) 367-71. A. Leahy has drawn my attention to the examples discussed by J. J. Janssen, *JEA* 54 (1968) 171f, and K. A. Kitchen, *Journal of the American Research Center in Egypt* 8 (1969-1970) 60f.

<sup>39</sup> Stela of Tefnakhte in Athens, Spiegelberg 190f.

<sup>40</sup> In late antiquity, imprecation formulas therefore degenerate into the abbreviation *tekna teknon*, children's children, *Kindeskinder*. The mere mention of "children's

are long-range weapons. In this far-reaching prospective intentionality, I see the affinity of cursing to a specific kind of writing, namely, monumental writing, inscriptions on monuments. Monuments are meant to address posterity; they lay claims to the future. They cannot expect to be respected and their inscriptions to be read without exerting a certain amount of coercion and persuasion. This is what the curses and the blessings are meant for. Monuments are ambivalent: they mean a blessing for those who respect and read them, and a curse for those who neglect and destroy them. In this ambivalence resides their contractual character. Monuments pretend to form a contract with posterity, a treaty of alliance, promising the reader certain blessings and threatening him with utmost destruction. They not only address the reader but they shape him. The less they can be sure of being properly received and respected, the stronger must be the shaping force and coercion they exert on the reader.

Plato, in a famous passage in the *Phaedrus*, depicts in lively colors the miserable destiny of a written speech: "Once a thing is put in writing, it rolls about all over the place, falling into the hands of those who have no concern with it just as easily as under the notice of those who comprehend; it has no notion of whom to address or whom to avoid. And when it is ill-treated or abused as illegitimate, it always needs its father to help it, being quite unable to protect or help itself."<sup>41</sup> All writing faces this problem. Certain kinds of texts, however, traditionally do not resign themselves to this state of affairs, among them treaties, boundary stelae, foundation stelae, and tombs. They try to influence, to train and shape the reader, to force him into the way of reception and reaction they want. They entangle him, by the very act of reading, in a kind of contract, where he will automatically be exposed to a bivious situation and to the consequences as specified by the blessings and curses. This is what I call inscriptional violence. Inscriptional violence is a compensation or substitute for what Plato calls paternal support. It occurs only where the intervention of the "father" or "author" of the text is categorically excluded, that is, where the father is emphatically absent. This is the case with monuments, which always stand for something or somebody dead, abstract, or at any rate belonging to another world. Monuments are alone,

children" was deemed sufficient to evoke the whole spectrum of unrelenting persecution and destruction.

<sup>41</sup> Plato, *Phaedrus*, tr. W. C. Helmbold and W. G. Rabinowitz (Indianapolis: Bobbs-Merrill, 1977) 69-70.



solitary, exposed because they are put into a realm of eternal duration, where their mortal father cannot accompany them. Never, as a rule, does the author of an inscription threaten to intervene in person on behalf of his monument. Where in some early Egyptian inscriptions the deceased speaks of "grabbing his [the trespasser's] neck like a bird's," he always makes sure he is entitled to this activity by a divine law court. Regularly, the author or "father" of the text must leave persecution of the trespasser to metaphysical agency. This invocation of metaphysical agency, together with the violence that it is bound to use against the trespasser, makes up for, and points to the inherent weakness of, writing.

In closing, I would like to venture a rather bold guess: could it not be possible that this particular speech act, or rather, writing act — the written curse as a potential performative — shows us like a magnifying glass some elements of ambivalence and coercive violence that are intrinsic, albeit in a very attenuated form, to every use of writing that makes similar claims to eternity? Seen in this light, both treaty and monument, with their accompanying curses, can be interpreted as an "allegory of reading." A first step in this direction of generalization was already taken by Mesopotamian scribes when they inserted blessings and curses into the colophons of literary texts in order to prevent not only material damage of the tablet but also willful alteration of the text: "Neither add nor subtract!"<sup>42</sup> This custom survives well into the Hellenistic age. "Then, following their custom, he ordered a solemn curse laid on whoever might mistreat the text by adding something to what was written, or altering it, or subtracting from it," we read in the *Letter of Aristeas* about the translation of the Hebrew Bible into Greek. Not reading and misreading, perhaps, but in any event copying and miscopying, that is, tradition and transmission, are here treated in contractual categories. If writing is meant to establish not only a contact but a *contract* between author and reader, it will try to put the reader in an ambivalent situation, where reading means bliss and ignoring means loss. Thus, for example, the *Instruction of Ptahhotep*, the most ancient and important of Egyptian wisdom texts, presents itself as "beneficent for him who will hear, but

<sup>42</sup> G. Offner, "A propos de la sauvegarde des tablettes en Assyro-Babylonie," *Revue d'Assyriologie et d'Archéologie* 44 (1950) 135-43. The famous formula warning the reader "neither to add nor to subtract" from the written version is found in the Erra epic; see M. Fishbane, "Varia Deuteronomica," *ZAW* 84 (1985) 350-52.

woe to him who would neglect it."<sup>43</sup> I would classify this form of addressing a reader as "inscriptional violence," extending the contractual character of monuments, testaments, and treaties into the sphere of literary discourse. Treaty and contract function as "allegories of reading," oath and curse as protection against misreading. Thus we read toward the end of one of the Nag Hammadi texts, the Hermetical treatise "The Ogdoad Reveals the Ennead," dating from the fourth or fifth century A.D., when the divine teacher Hermes bids his disciple Tat to write the dialogue down "in hieroglyphic characters on stelae of turquoise for the temple at Diospolis": "Write an oath in the book, lest those who read the book bring the language into abuse, or oppose the acts of fate."<sup>44</sup>

<sup>43</sup> Ptahhotep Dév. 49-50; M. Lichtheim, *Ancient Egyptian Literature* (Berkeley, 1973) 1:63. Similarly in *Amenemope*: "It profits to put them in your heart, but woe to him who neglects them!" (III.11.12), Lichtheim, *Ancient Egyptian Literature* (Berkeley, 1976) 2:149.

<sup>44</sup> NHC VI.6.62.22-63.14; see G. Fowden, *The Egyptian Hermes: A Historical Approach to the Late Pagan Mind* (Cambridge, 1986) 97.