

## When You Make the Inside like the Outside: Pseudepigraphy and Ethos

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**Introduction** A short phrase from logion 22 of the Gospel of Thomas—"when you make the inside like the outside"—encapsulates the ideal of ethical argumentation espoused by the theorists of rhetoric in the ancient world and well beyond. The idea is that if the inside—the character of the speaker constructed within the speech—and the outside—the character of the person undertaking to compose a persuasive discourse—are brought into effective harmony, then the rhetorical equivalent of the Kingdom of Heaven will result, namely persuasion. This ideal remains unattained in many cases, the most common of which is probably rhetorical failure, but the cases I want to examine here are instances defined by the sharpness of the disjunction between the inside and the outside, those cases in which the speaker-constructed-in-the-speech stands in sharp and even compromising contrast to the composer of the discourse. Pseudepigraphy illustrates this tension most clearly.

Aristotle's explicit insistence that *ethos* be constructed wholly within the speech makes room for those instances where ethical appeals (rhetorical sense) do not coincide with an ethical author (moral sense). Aristotle recognized the power of rhetoric and his allowance for a bifurcation between the ethos of the speaker within the speech and the speaker without is a moral compromise that acknowledges rhetoric's power. It creates space,

however, for several morally problematic and critically stimulating possibilities. Three phenomena in the ancient world provide sites to examine such a disjunction. First, pseudepigraphy, where the ethos of the speaker within the speech and the ethics of the writer without may be in stark conflict, forms a site where these moral and critical problems intersect vividly. A reading of the pseudepigraphic epistle of Peter to Philip (NHL VII,2), provides the means to explore the conjunction of pseudepigraphy and ethical appeals. Second, the promise of spirit possession in forensic situations changes the moral value of authorship divorced from the enunciator of the speech. And, third, the Greco-Roman practice of commissioning *defixiones* in preparation for court oratory shifts the locus of disjunctive speech from the protagonist attempting to take advantage of the disjunction to an antagonist who is to be hindered by it. These phenomena provide a wider context for the discussion of what is within the speech, what is without, and how the two relate. They fill out the territory of disjunctive speech in relation to which the rhetorical theorists of the ancient world formulated their ideals of ethos.

**The Problem  
with Ethos**

Several papers for this conference promise a survey of ethical theory in classical and modern sources. Here I undertake only to highlight what is most relevant to my analyses and to focus on the question of the extent to which ethos is intrinsic or extrinsic to the speech itself in ancient theoretical formulations.

## **Theory and Practice of Ethical Appeals**

Prior to Aristotle's *Rhetoric* there was no significant theoretical conceptualization of ethos as an artistic appeal. Though pre-socratics like Gorgias, Protogoras, and Thrasymachus understood that logic alone was insufficient to persuasion,<sup>1</sup> they attained only the embryonic conceptualization of ethos that is implicit in their advice that the goodwill of the audience must be secured in the proem.<sup>2</sup> Plato, in the *Gorgias* and *Phaedrus*, reacted against contemporary rhetorical theory and practice, emphasizing the proper relationship of rhetorical technique to subject matter (i.e., logos) over appeals through pathos or ethos (Kennedy 1963:16, Mackin 1969:130-9).

The successful logographer Lysias--the paradigmatic sophistic orator in the *Phaedrus*--demonstrated an extraordinary grasp of practical ethos. The practice of professional speech writing (logography) was common, but Lysias was exceptionally effective in his efforts to write speeches that suited the character of the client; his speeches were successful because they made a convincing ethical appeal when delivered by the client. Although it seems that Lysias did not theorize about ethical appeals, he grasped them in a

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<sup>1</sup> Gorgias -- Murphy 1972:12, Kennedy 1963:63; Protogoras -- Murphy 1972:8; Thrasymachus -- Kennedy 1963:63,69.

<sup>2</sup> This advice is echoed in the *Rhetorica ad Alexandrum* (29 and 36) and by Theodectes; both are roughly contemporary with Aristotle.

practical way and was admired for his use of ethos by Quintilian (*Institutio Oratoria* 3.8.50-3) and other later orators.

Here, at the beginnings of rhetorical reflection in the Greek world, ethos is conjoined with what must be considered a duplicity in the speaker. Lysias wrote with an understanding of the power of character to persuade, but when an elderly Athenian invalid offered a speech composed by Lysias, was it the crippled man's character or Lysias's technique the effected persuasion?<sup>3</sup> Ideally, what Lysias wrote coincided cleanly with the moral character espousing a just cause, but ideals are rarely attained consistently. In logography itself, we have an intimation of the role of ethos in pseudepigraphy.

We are by now well acquainted with Aristotle's statement in *Rhetoric* 1.2.3-4:

Now the proofs furnished by the speech are of three kinds. The first depends upon the moral character [*ἠθῶν*] of the speaker.... The orator persuades by moral character when his speech is delivered in such a manner as to render him worthy of confidence; for we feel confidence in a greater degree and more readily in persons of worth in regard to everything in general, but where there is no certainty and there is room for doubt, our confidence is absolute. But this confidence must be due to the speech itself, not to any preconceived idea of the speaker's character; for it is not the case, as some writers of rhetorical treatises lay down in their "Art," that the worth of the orator in no way contributes to his powers of persuasion; on the contrary, moral character, so to say, constitutes the most effective means of proof.

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<sup>3</sup> See "Oration XXIV: On the Refusal of a Pension to the Invalid".

Although this is the first theoretical statement devoted to ethos that we have, it is obvious that Aristotle is reacting to previous theorists of rhetoric. The puzzling aspect of Aristotle's reaction is the statement that "this confidence must be due to the speech itself, not to any preconceived idea of the speaker's character." Ethical theory would have been much simpler if Aristotle had relegated ethos to an inartistic appeal. He insists, however, that ethos is created by technique.<sup>4</sup> What would persuade Aristotle to view ethos in this way? Certainly not a desire to help an evil rhetor to deceive the audience about his or her character. Perhaps Aristotle saw the reverse happening: a technically proficient orator failing to convince the audience of a good cause because of false reputation problems that preceded the orator, or a morally admirable speaker failing due to insufficiencies of technique (*Rhetoric* 1.1.12). Perhaps Aristotle's statement rests purely on observations of how rhetors like Lysias successfully persuaded audiences through character. His division of the character within the speech and the speaker outside the speech articulates a problematic that theorists and practitioners of rhetoric must always deal with: how porous are the boundaries of a

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<sup>4</sup> Aristotle defines the makeup of ethos in terms of *frōhhsij*, *arethē*, and *euhōiā* (good sense, virtuous excellence, and goodwill). We trust someone who has *frōhhsij* as being good at heart, someone who has *arethē* as being competent, and someone who has *euhōiā* as being intellectually good and generous. These three qualities are what the rhetor must communicate to the audience if ethos is to be an effective means of persuasion. The speaker who appears to possess these three characteristics "will necessarily convince his hearers." (*Rhetoric* 2.1.5). For many people, communicating these qualities is an act of deception even if the name is not at stake.

discourse and to what advantage or disadvantage may the porosity or impermeability redound?

When Cicero writes that the best way to persuade an audience that you are good is to be good, he notes that the "character, principles, conduct, and course of life" of litigants are extremely important to the success of an oration. He goes on to explain that it is easier to deploy these qualities if merits need only be communicated rather than fabricated (*De Oratore* 2.182). Cicero sees the inside and the outside of the speech as zones that ought to be in harmony.

Quintilian notes that the *persona* of the orator has significant influence on the success of advice, but his treatment of ethos is confusing and, I think, reflects confusion or at least hesitancy. Except for the prescription that the speaker must *be* good, it is almost impossible to extract Quintilian's treatment of ethos as a distinct means of appeal. Although he tries to distinguish ethos from pathos, they are, for him, essentially the same thing. He classifies them both as emotional appeals, offering the following attempts to distinguish them: ethos is mild and pathos is intense, ethos is continual while pathos is momentary, ethos is comedy and pathos is tragedy, etc. (*Institutio Oratoria* 6.2,9-12). These distinctions are of degree rather than nature and reveal Quintilian's difficulty in separating ethos and pathos. He sums up his thought on ethos, however, by saying that the orator must be

good (*Institutio Oratoria* 6.2.18-19). Quintilian does not, however, give counsel on how to build ethos as much as he asserts that ethos projected must match the true character of the orator. Quintilian's aversion to an artistic persuasive ethos is revealed in his discussion of artistic proofs (*Institutio Oratoria* 5.1 and 5.8). He omits any discussion of appeals to the emotions (of which he considers ethos a mild division) and hints that such appeals are not quite legitimate (*Institutio Oratoria* 5.1.1). In its relation to the rest of the *Institutio Oratoria*, the section on ethos seems to be a facet of audience and situation analysis rather than an artistic appeal.

The vagaries of Quintilian and Cicero when treating what Aristotle noted as the most powerful means of appeal (*Rhetoric* 1.2.4) are products of the moral gaps in Aristotle's clear-headed evaluation of the possible contradiction involved in persuasion through the presentation of character.

### **False Audience Problem**

In the context of a consideration of ethos and pseudepigraphy, the incongruity between the identity of the speaker-constructed-in-the-speech and the actual composer is not the only problematic tension. There is often also the problem of the false audience.<sup>5</sup> This especially evident in the epistolary pseudepigraphy that Christian writers have practiced so

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<sup>5</sup> Bauckham (1988) takes a detailed account of this problem and its intensity when pseudepigraphy takes the form of a letter. He offers a substantial, though not complete catalogue of strategies authors employ to address the problem of audience disjunction (475-78). Allison also notes the relevance of a false audience to the logic of the letter of James (2001:553-55).

extensively. The problematic is intensified in the understanding of ethos that I have advocated, namely locating the power of the appeal in the author-audience relationship rather than in the author him or herself.<sup>6</sup> The problem is one of the key ruptures in the pseudepigraphy of the pastoral epistles.

Pseudepigraphy often creates a fictional situation--Paul bidding goodbye to Titus on Crete, for example--and is often directed to a different type of audience in reality than in the rhetorical situation implied by the narrative of the letter.<sup>7</sup> This can be the apologetic function (construed in in-group or out-group terms) of the Paul Seneca correspondence or the actual congregational thrust of the pastoral epistles worked out under the fiction of leader to leader conversation.

These disjunctions in audience situations (implied versus intended audience) place upon the writers of pseudepigraphic works the burden of bridging the gap and conspicuous efforts to do so are a hallmark of pseudepigraphical writing. In the construction of ethical appeals in a pseudepigraphical document--especially when ethical appeals are

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<sup>6</sup> See Marshall (1993:359 n. 4) and Eriksson (1998:35).

<sup>7</sup> Umberto Eco writes "It is usually possible to transform a non-narrative text into a narrative one" (1979:13). Norman Petersen (1985) has taken this insight to great lengths in reconstructing the fictional situation of Philemon.

understood dialogically<sup>8</sup>--we should expect to see ethos directed not only to the implied but also the intended audience.

**Literary Pseudepigraphy:** In both its ancient *incipit* and its modern designation, *The Epistle of Peter to (not) Peter and (not) Philip* is mistitled. In the English title, only "the" can make any persuasive claim to veracity; the remainder is pure dissimulation.<sup>9</sup> The document itself is a narrative that contains an embedded letter from Peter to Philip<sup>10</sup> but this embedded letter accounts for less than one twentieth of the document as a whole. The title itself is the first rhetorical act and the false claims of genre as well as of author and audience are exertions of authority, perhaps in a context where the dialogue genre was suspect. The bulk of the document narrates apostolic conclaves and epiphanies of the father and the son reiterating or revealing the biblical-demiurgical/gnostic doctrines that characterize certain strands of second-century Christianity.

To summarise,<sup>11</sup> the letter of Peter to Philip calls Philip to an apostolic conclave exercising the authority of Peter (132.12) and claiming the

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<sup>8</sup> see note 6.

<sup>9</sup> A literal translation of the Coptic incipit--*tepistol h n petroc et aF J oous mf il ippos*--would read "the Letter of Peter which he sent to Philip" though would be no more accurate thereby. The only item that I credited in the English title, the definite article, does not stand alone in the Coptic.

<sup>10</sup> Lines 132.12-133.8. I refer to this unit as the "embedded letter" in distinction to the document as a whole.

<sup>11</sup> I have included a commented copy of the document as an appendix to this paper, strictly as a convenience to the conferees. I do not anticipate including it in any published form of this work.

authority of Jesus himself (133.7-8). Philip responds positively and the apostles gather on the Mount of Olives where, through prayer, they enter a dialogue with the heavenly voice of a risen and ascended Jesus. The response of Philip is crucial to the pseudepigraphic endeavor. In the narrative, Philip's response to the letter serves both to program the response of the audience of the document as a whole and to relieve them of the tension created by the disjunction of implied and actual audience. The travel to a sacred location, the Mount of Olives, evokes an ethos of place to complement the ethos of person and genre already deployed.

Contrary to the speculation of Meyer (1981:92-92,97), the embedded letter gives no evidence of being an independent composition around which the document as a whole grew in stages. Though the letter has an opening, it does not close in accordance with any articulated epistolary convention. Conspicuously, the authority within the embedded letter shifts unstably between Peter, Jesus Christ of whom Peter claims to be a disciple, and finally the anachronistic description of Jesus *as* God. If it were to function as a stand-alone letter within communities devoted Jesus, there would be little value in the embedded letter. Its value within the *Letter from Peter to Philip* as a whole is two fold: it sets up the narrative that follows, and it begins the ethical appeal that is so common to apostolic pseudepigrapha.<sup>12</sup>

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<sup>12</sup> Bauckham (1988) surveys pseudepigraphical letters with an eye to content based taxonomy and the question of authenticity.

The narrative which follows will be treated in due course, but the ethical appeals exerted by the embedded letter deserve elaboration. Most obvious are the authority figures mentioned above. Beyond this however, is the phenomenon of Apostolic epistles more generally even if the main rhetorical objectives of the *Letter of Peter to Philip* are addressed in the narrative which follows, the placement of the letter--at the beginning of the "speech" where Aristotle (*Rhetoric* 3.14.7) implies they will be most effective--borrows what might be called an "ethos of genre" in the authoritative form of the apostolic letter.<sup>13</sup> The kinship terms within the letter, the brethren with Peter and the brethren with Philip, are standard in apostolic and pseudo-apostolic writing, and their rhetorical effect is to call to mind the communal dimension of the setting and validation of authority. In the context of a historical inquiry, the embedded letter is not even a rhetorical unit. What would it be for a reader of the *Letter of Peter to Philip* to walk away from the embedded letter "persuaded"? Only in the fiction of the embedded letter within the narrative as a whole does the embedded letter function as rhetorical unit persuading Philip to answer Peter's summons.

The embedment of the actual piece of pseudepigraphy within a larger narrative context both avails itself of the power of ethical appeals that the

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<sup>13</sup> In addition to the transformations of discourses into letter forms (e.g. James, 1 Peter), the activity of apostolic epistolary pseudepigraphy (e.g. Pastorals etc.), the witness of the Scillitan Martyrs that they carry "letters of Paul" to their trial is a testimony to the power of such letter collections. (Musurillo 1972).

figures of the apostles offer, but also cleverly dodges the thorny problem of the false audience. There is no need for any actual audience of the *Letter of Peter to Philip* to get up and head to Jerusalem. Instead the problem of the false audience is addressed by a further act of falsification in which the reaction to the letter itself is programmed in the narrative, which in this case bears the overwhelming bulk of the rhetorical tasks taken on by the *Letter of Peter to Philip*.

The content that follows in the *Letter of Peter to Philip* is of less importance for my analysis of pseudepigraphy and ethos. The core is a heavenly dialogue on cosmogony and conflict with the archontic powers. In its outlines, the authoritative answers given in the dialogue are consonant with the cosmologies elaborated more extensively in Valentinian Christianity and seen at greater length in documents such as the *Apocryphon of John*, the *Hypostasis of the Archons*, and *On the Origin of the World*.<sup>14</sup> I want to call attention to the fact, however, that, after the literary pseudepigraphy of the embedded letter, the rhetorical program of the narrative is worked out through further instances of disjunction between author and speaking-character. An initial hierophany in response to the supplications of the apostles again precedes the rhetorical nugget--the answers to the apostles' questions--with a bald claim of authority: "Listen to my words that I may

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<sup>14</sup> See Meyer (1981:121-18).

Speak to you. Why are you asking me? I am Jesus Christ who am with you forever." (134.15-18). Clearly, Quintilian's advice about modesty does not apply directly to the divine whether imagined or experienced by followers.

After the heavenly voice declares in favour of its own authority, the disciples ask the set of questions that set up the response that follows:

"Lord, we would like to know the deficiency of the aeons and their pleroma." And: "How are we detained in this dwelling place?" Further: "How did we come to this place?" And: "In what manner shall we depart?" Again: "How do we have the authority of boldness [ἡ Τεκο]usia ἡ τὴ Παρῆσια)?" And: "Why do the powers fight against us?" (134.20-135.2)

The second to last question brings up the virtue demanded in situations of forensic oratory: *parrhsia*, the power of bold and unfettered speech.<sup>15</sup>

This quality, which is a much more widely distributed topic in early Christianity than the biblical-demiurgical speculations that most of the other questions prompt, is the first entrée into the concern for pneumatic oratory that emerges in the *Letter of Peter to Philip*.

After the major hierophany which offers the demiurgical speculation, Peter describes the character of the Lord's suffering and then a voice from heaven chimes in, "I have told you many times: it is necessary for you to suffer. It is necessary that they bring you to synagogues and governors, so that you will suffer. But he who does not suffer and does not [...] the Father [...] in order

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<sup>15</sup> See Philodemus *On Frank Criticism* (Konstan 1998) and Schlier (1967).

that he may [...]." (138.22-139.4). The mention of "synagogues and governors" is a cue to the synoptic traditions of inspired speech. The text becomes fragmentary at this point and the space at the top of page 139 of codex VIII is sufficient for an illusion to the promise of pneumatic oratory that follows the prediction of being hauled before authorities in the synoptic tradition. There is, of course, no way to be certain what these lines actually contained.<sup>16</sup> After the allusion to the forensic situation and promise of inspiration that likely accompanies it, the apostles are filled with the spirit which enables them to heal and preach; that is to say they demonstrate their ethos through healing and deploy it in preaching.

Peter, the bearer of authority in the text, is the only disciple named in the latter part of the narrative; Philip fades away. Peter consolidates in his discourse, his actions, and his claims the authority implied in the embedded letter. His actions are healing under the possession of the holy spirit (139.14; 140.9-11), his discourse is creedal (i.e. a traditional, authoritative, and locative description of the passion and resurrection of Jesus, 139.15-21), and his action is that of kinship with the disciples, intercession with Jesus and transmission of knowledge from the heavenly realm (139.21-30).

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<sup>16</sup> check note of other version Th. Baumeister, *The Letter of Peter to Philip*, CG 8,2 (together with M. Krause and G. Luttikhuisen). (CG= Catalogue général des antiquités égyptiennes du Musée du Caire.)

Standing back from this *letter* we see determined efforts both to apply the ethos of Peter and to avoid the problems that plague pseudepigraphic deployment of that ethos. Aristotle's dictum that ethos must be constructed within the speech is half true. The pseudonymous author does not draw on any of his life outside the text, but does draw extensively, though with some dissimulation, on texts, places, and most of all persons (Peter, Philip, Jesus, God) outside the text.

**Pneumatic Oratory** While the *Letter of Peter to Philip* practices one disjunction between author and speaker-constructed-in-the-speech, it preaches a different disjunction. In 138.21-139.4, the epiphany alludes to a promise of disjunctive speech that is a leitmotif of early Christian pneumatology: "It is necessary that they bring you to synagogues and governors " This setting, being hauled before synagogues and governors functions in Q and the Gospel of Mark as the locus of inspired speech.<sup>17</sup> The promise is that when the believer in Jesus is forced into a situation of forensic oratory on the issue of devotion to Jesus there will be a sort of divine pseudepigraphy, in which the believer makes the speech, but the holy spirit is the author of it. The earliest instances in Q and Mk state the promise plainly: "the Holy Spirit will teach you in that very

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<sup>17</sup> Lk 12.11-12 // Mt 10.17-20, and Mk 13.9-11 → Mt 24.9 // Lk 21.12-15. This ideal of pneumatic oratory among the followers of Jesus has its primary roots of course in the inspiring spirit of Second Temple Judaism. Levison offers a very substantial account of treatments of inspiration in writers and texts such as Philo, Josephus, Ben Sira, the Wisdom of Solomon, and Daniel (1991:28-34).

hour what you ought to say"<sup>18</sup> and "say whatever is given you in that hour, for it is not you who speak, but the Holy Spirit."<sup>19</sup> The promise is that there will be a disjunction between the apparent and actual source of the utterance. The tradition witnessed in Q and Mk, is the positive ideal of pneumatic pseudepigraphy. When all is well, the inspiration of the Holy spirit is both pseudepigraphy and authenticity. While on the one hand, it is not the believer who generates the speech, on the other hand, the insider understanding of the phenomenon asserts that the spirit dwells within the believer. In a peculiar twist of the Thomas Jesus, the outside has been made like the inside.

All, however, was not always well. The tense admixture of identity and difference between the holy spirit and the believer--a tension within which the insiders were usually happy to dwell--often led to contentious deployments of ethical appeals. Cyprian knew all too well how powerful was the ethos of those who had been hauled, or merely been scheduled for hauling, before the authorities of the great persecutions of the third century. The would-be martyrs--a mixture surely of some genuinely willing and able to stand firm unto death and some whose nerves would likely have failed at or near the height of the test--carried an authority that Cyprian struggled to

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<sup>18</sup> Lk 12.12. The reconstruction of the critical edition of Q is almost identical to the Lukan text in this instance (Robinson, Hoffmann, and Kloppenborg 2000).

<sup>19</sup> Mk 13.11.

counterbalance through by various strategies of logos (definition, priority, genealogy). It was precisely the impossibility of fully testing the grounds of their ethical appeal--for a complete demonstration of the unity of the inside and the outside resulted in the death of the subject and the cessation of his or her oratory--that made their appeal possible. Aristotle speaks of ethical appeals being persuasive in situations of uncertainty, but he refers to the subject matter at hand. The authority of the (unmartyred) martyrs thrives in the situation of uncertainty over the extrinsic circumstances that are the basis of their ethical appeal. Or, if they are indeed martyred, then their authority is exercised in the disjunction of resurrection appearances, ethopoeic speeches, and narrative paraphrase, all driven by the zeal of hagiographically inclined literary executors.

The *Didache* as well recognises that inspired speech was not a simple situation. In the instructions for testing spirits and evaluating prophecy, the *Didache* tests whether someone speaking *en pneumati* is truly a prophet of the Lord rather than whether they are genuinely inspired by a spirit (11.8). On the other hand, outright deception in the matter of inspired speech is not unknown in the ancient world. Lucian's false prophet Alexander was not above very technical means of simulating prophetic inspiration (chewing soapwort in order to foam at the mouth, *Alexander* 12) and the direct oracular voice of the God (ventriloquy via a rigged statue, *Alexander* 26). The prophetic ruse of Peregrinus also seems to imply a false pretence of

inspiration (Lucian, *Peregrinus* 11). Origen's reply to Celsus also acknowledges this deception, but locates it in the pagan world--" Since, therefore, the heathen employ modes of divination either by oracles or by omens, or by birds, or by ventriloquists" (*Contra Celsum* 1.36).<sup>20</sup> As claims of spirit inspiration enter the arena, the ethical stakes climb higher.

The disjunction between speaker-constructed-in-the-speech and the generator of an utterance is a situation known in several contexts in the ancient world and these contexts seem to lend themselves to appeals through ethos. Why, after all, flirt with the disjunction and the discredit that accompanies exposure of such a disjunction unless there is a benefit sought in the same space? The Christian ideal of pneumatic oratory reverses key elements of literary pseudepigraphy: the generator of the speech is public and in the forefront and the attributed source (faithfully or falsely) is in the shadowy background though pointed to actively rather than hidden. Any acknowledgement of the disjunction is combined with a positive valuation of it and signs of the disjunction are to be highlighted rather than hidden. All these differences are positional value judgements and beg consideration of literary phenomena that bridge the situations, such as apocalyptic literature.

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<sup>20</sup> See also Schmidt (2000) and Grafton (1990:48-49).

**Speaking with Demons** Ancients knew that the very air they breathed was full of daimons, spirits of the lower heavens sharing, serving, and striving with humans. Tertullian's remarks in his *Apology* illustrate a world teeming with demonic spirits meddling in human affairs and human understanding at every opportunity. He claims that daimons are "everywhere in a single moment; the whole world is as one place to them; all that is done over the whole extent of it, it is as easy for them to know as to report. Their swiftness of motion is taken for divinity," (22 cf chp 24). The ancient courtroom was crowded with daimons as well, and the apologists expected that these spirits would interfere with their discourse. Justin suggests that by "magical impositions" demons would divert the understanding of his (idealized) imperial audience away from his discourse (*Apology* 14). While Justin and Tertullian may seem somewhat paranoid in post-enlightenment hindsight, their view of the ancient courtroom is not at all peculiar to them, and it brings us to a third instance of the disjunction that we isolated first in the case of literary pseudepigraphy: in the same sort of forensic situations in which the Holy Spirit was expected to inspire believers, demons could bind the tongues of the unfavoured. Again, the structure under examination here is the disjunction between the generator and the enunciator of the speech.

Not only the courtroom, but the classroom as well was potentially thick with demons. And the classroom was the site of Libanius's discovery in 386<sup>21</sup> of the source of a terrible infirmity that silenced his eloquence, disabled his body, and threatened his reason. What Libanius found was a chameleon that "had been dead for several months, with its head tucked in between its hind legs, one of its front legs missing, and the other closing its mouth to silence it" (*Oration* 1.249). These deformities corresponded to Libanius's own afflictions. Assenting to the suggestions made previously by his friend, Libanius understood himself to have been bound by a curse and to be suffering its effects. Exposing the instrument of this curse relieved him of its torments.

It is not coincidental that the great orator was bound through the mechanism of a chameleon. Pliny the Elder's extensive catalogue of the manifold uses to which chameleons, or parts thereof, might be put notes that "the tongue, taken from the living animal, controls the results of cases in the courts" (*Natural History* 28.115). The chameleon is an apt figure for the phenomenon under examination here--the pseudepigrapher, the inspired orator, the possessed litigant.

Preparations for forensic situations in the Greco-Roman world included the aspects to which we're accustomed to attending as rhetorical critics--

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<sup>21</sup> 386 is R. Foerster's dating of the events of *Oration* 1.243-50. cited in Bonner (1932:36).

deployments of high rhetorical theory, applications of schoolroom habits and practices, imitation of effective oratory, consultation with experts, as well as the use of natural talent--all directed to creating a persuasive presentation. There was more, however, that amulets and curse tablets attest to. Ancient forensic oratory was also buttressed by recourse to supernatural help both to enhance the persuasiveness of the protagonist and to confute the endeavours of the opponents.<sup>22</sup> To treat the negative intervention first, the binding of the tongues of the enemy, the most compelling evidence lies in the curse-tablets themselves. Hundreds in Greek and Latin, dating from the fifth century B.C.E. to the fifth C.E. show how common supernatural precautions were when facing litigation. An Athenian *defixio* of the third century B.C.E. makes the legal context clear:

Theagenês, the cook, I bind the tongue and soul and speech that he is practicing. Purrias, I bind the hands and feet and tongue and soul and speech that he is practicing. I bind the wife of Purrias, her tongue and soul. Also Kerkiôn, the cook I bind and Dokimos the cook, the tongue and soul and speech that they are practicing. I bind Kineas, his tongue and soul and the speech that he is practicing with Theagenês. And Phereklês, I bind the tongue and soul and evidence that he gives for Theagenês. Seuthês, I bind the tongue and soul and speech that he is practicing and his feet and hands and eyes and mouth. Lamprias, I bind the tongue and soul and speech that he is practicing and his feet and hands and eyes and mouth. All of these, I bind, I hide, I bury, I nail down. If they lay any counterclaim before the arbitrator or the court, let them seem to be of no account, either in word or in deed.<sup>23</sup>

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<sup>22</sup> See Gager (1992:116-22).

<sup>23</sup> Translation in Gager 1992: no. 44, pp. 131-32. Original in Wunsch (1897: no. 10 pp. 63-64).

Presumably the commissioner of this tablet was practicing his or her speech of defence as diligently as he or she imagined Theagenês, Purrias, and the rest to be preparing their testimony. This binding spell is preliminary to any of the strategies of refutation detailed by rhetorical theorists. Seven hundred years later, a Theban ostrakon (showing some contact with Christianity and/or Judaism) undertakes the same sort of work:

A restrainer of wrath and victory charm. *Iaô Erbêl iô Pakerbêk | Abrasax pnoubouê meskoul kophemôlôl thorax. Iaô Sabaôth Adônai Abrasax,* | just as this stone is voiceless and speechless, so let also all those who are opposed to me be voiceless and speechless.<sup>24</sup>

The transfer of properties from the medium to the message ("as this stone is voiceless"), seen also in Libanius's chameleon, above, is best known in the more familiar lead examples ("as this lead is worthless and cold, so");<sup>25</sup> in each case the goal is the same: for demonic forces to interpose themselves between the generation of speech and its enunciation. Recast in literary terms, the goal of the forensic *defixio* is the pseudepigraphy of courtroom nightmares: the defendant is hauled before the authorities and demons tie his tongue preventing his persuasive speech from having its effect. What authority, what *ethos*, does a stammering litigant have who can't even get the speech out?

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<sup>24</sup> Daniel and Maltomini (1990: no. 58. vol. 2 pp. 43-46.), dated to IV C.E.

<sup>25</sup> Gager 1992: no. 40, pp. 126-27.

The positive counterpart to the binding spell against the opponents is not as well witnessed and probably not as extensively or specifically practiced.<sup>26</sup> It may be that general victory charms that do not make clear their forensic context were employed. Certainly these are well witnessed and a few of them promise oratorical gifts. PGM XII.270-350 describes directions for creating and deploying a magical ring that confers rhetorical benefits

For when you have it with you, you will always get whatever you ask from anybody. Besides it calms the angers of masters and kings. Wearing it, whatever you say to anyone, you will be believed.<sup>27</sup>

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<sup>26</sup> Though this is one topic for which I find myself hoping for help from participants in the conference! Apart from the act of composing and delivering a speech, the art of memory is also well supported in the magical tradition. See PGM III.410-23,424-66,467-78 for memory spells.

<sup>27</sup> Betz (1986:163-65), Preisendanz ([1973 2ed]:76-80).

**A Ring. A little ring for success and favor and victory.** It makes men famous and great and admired and rich as can be, or it makes possible friendships with suchlike men. The cirlet is always yours [to use] justly and successfully for all purposes. It contains a first-rate name.

Helios is to be engraved on a heliotrope stone as follows: a thickbodied snake in the shape of a wreath would be [shown] having its tail in its mouth. Inside [the circle formed by] the snake let there be a sacred scarab [beetle surrounded by] rays. On the reverse side of the stone you were to inscribe the name in hieroglyphics, as the prophets pronounce [it]. Then, having consecrated {the ring}, wear it when you are pure.

The world has nothing greater than this. For when you have it with you you will always get whatever you ask from anybody. Besides it calms the angers of masters and kings. Wearing it, whatever you say to anyone, you will be believed.

[the spell goes on in a description of powers such as exorcism and breaking chains. It describes the accompanying words that must be spoken, mainly *vores mysticae*. Finally instructions for rituals of deployment after the god has been summoned.]

The text makes no assurance concerning the quality of the discourse that the ring will enable. And there is no promise concerning what the audience will feel. Logos and pathos are not in view here. The promise of the text is ethical--the wearer will be believed.

In some cases the call for "inspiration" is more direct. An Egyptian *defixio* of the third or fourth century compels a daemon to enter a subject:

[magical symbols and *vores magicae*] you with terrible eyes, you doer of all  
[more *vores magicae*] Come, speak, enter me Alexandros, whom Didyme bore, appear to me peacefully by (your) voice, without causing fear.<sup>28</sup>

This is in some aspects the pagan counterpart of the synoptic inspiring spirit.

Though the text does not specify the forensic situation, the voice of the daimon is the only power mentioned at all.

The various evidences from the ancient world give credence to the claim that on matters of authority and character--the working territory of ethical appeals--ancient orators sought to influence the speech from outside the discourse. These techniques are "inartistic," in some strict sense, yet we can see the artistry within it, especially if we are disinclined, in the course of our analysis, to attribute to the daimons and spirits the kind of reality that the ancient binding and inspiring practices presupposed. Pliny's famous statement that "There is no one does not fear to be spellbound by curse tablets" (*Natural History* 28.4.19) should shut down any attempt to

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<sup>28</sup> Daniel and Maltomini (1990: no. 66. vol. 2 pp. 76-80).

circumscribe this phenomena or attribute it to the lower classes. Libanius, whose character and education are formidable, stands as a firm example. Like pseudepigraphers, the orators of the ancient world often sought to gain an authority they did not normally possess and to deny their opponents the authority, respect, and effectiveness that was due to them.

**Conclusion** The speech situation in the ancient world was very complex and the problem of the false generation of speech crossed literary genres and modes. The inhabitants of the Greco-Roman world also integrated their religious and rhetorical practices in ways that we do not usually attend to. This examination of pseudepigraphy, of pneumatic oratory, and of ancient binding practices focused on courtroom rhetoric, has circled around the ideal of ethos--the good man speaking well (Quintilian *Institutio Oratoria* 2.15.33-34)<sup>29</sup>--to reconnoitre the territory in which the speech is not done well (tongues bound by demons), in which the one speaking is not necessarily good (pseudepigraphy), or in which the good man is not actually the one speaking (pneumatic oratory). Aristotle's dictum that ethos must be created in the speech--"this confidence must be due to the speech itself"--makes it possible to consider these phenomena together and to see appeals through ethos working (positively or negatively) in each case. This depends

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<sup>29</sup> Quintilian's hope, expressed with the confidence of knowledge, is that only the good man is capable of speaking well (*Institutio Oratoria* 2.15.34).

on the recognition that Aristotle's claim is not a simple move to restrict the range of artistic ethos, but a tacit acknowledgement of the inside's substantial power to shape, distort, dissimulate, intensify, clarify, and very nearly create, the outside.

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**The Letter of Peter  
to Philip**

**(VIII 132.10-140.27)**

Trans. Frederick Wisse  
(*Nag Hammadi Library  
in English*, 4<sup>th</sup> ed.  
Ed. J. M. Robinson.  
Leiden: Brill, 1996)

The Letter of Peter which he sent to Philip

"Peter, the apostle of Jesus Christ, to Philip, our beloved brother and our fellow apostle, <sup>15</sup> and (to) the brethren who are with you: greetings!

Now I want you to know, our brother, that we received orders from our Lord and the Savior of the whole world that we should come together <sup>20</sup> to give instruction and preach in the salvation which was promised us by [133] our Lord Jesus Christ. But as for you, you were separate from us, and you did not desire us to come together and to know how we should organize <sup>5</sup> ourselves in order that we might tell the good news.

Therefore would it be agreeable to you, our brother, to come according to the orders of our God Jesus?"

When Philip had received these (words), and when he had read <sup>10</sup> them, he went to Peter rejoicing with gladness. Then Peter gathered the others also. They went upon the mountain which is called <sup>15</sup> "the (mount) olives," the place where they used to gather with the blessed Christ when he was in the body.

Then, when the apostles had come together, and had thrown themselves upon <sup>20</sup> their knees, they prayed thus saying, "Father, Father, Father of the light, who possesses the incorruptions, hear us just as thou hast <sup>25</sup> taken pleasure in thy holy child Jesus Christ. For he became for us an illuminator [134] in the darkness. Yea hear us!"

And they prayed again another time, saying, "Son of life, Son of <sup>5</sup> immortality, who is in the light, Son, Christ of immortality, our Redeemer, give us power, for they seek to kill us!"

Then <sup>10</sup> a great light appeared so that the mountains shone from the sight of him who had appeared. And a voice called out to them saying, <sup>15</sup> "Listen to my words that I may speak to you. Why are you asking me? I am Jesus Christ who am with you forever."

Then the apostles answered <sup>20</sup> and said, "Lord, we would like to know the deficiency of the aeons and their pleroma." And: "How are we detained in this dwelling place?" <sup>25</sup> Further: "How did we come to this place?" And: "In what manner shall we depart?" Again: "How do we have [135] the authority of boldness?" And: "Why do the powers fight against us?"

Then a voice came to them out of the light saying, <sup>5</sup> "It is you yourselves who are witnesses that I spoke all these things to you. But because of your unbelief I shall speak again. First of all concerning the deficiency of the aeons, this <sup>10</sup> is the deficiency, when the disobedience and the foolishness of the mother appeared without the commandment of the majesty of the Father. She wanted <sup>15</sup> to raise up aeons. And when she spoke, the Arrogant One followed. And when she left behind a part, the Arrogant One laid hold of it, and it became a <sup>20</sup> deficiency. This is the deficiency of the aeons. Now when the Arrogant One had taken a part, he sowed it. And he placed powers over it and authorities. <sup>25</sup> And he enclosed it in the aeons which are dead. And all the powers of the world rejoiced that they had been begotten. [136] But they do not know the pre-existent Father, since they are strangers to him. But this is the one to whom they gave power and whom they served <sup>5</sup> by praising him. But he, the Arrogant One, became proud on account of the praise of the powers. He became an envier and he wanted to make an image in the place of an image, <sup>10</sup> and a form in the place of a form. And he commissioned the powers within his authority to mold mortal bodies. And they came to be from a misrepresentation, from the <sup>15</sup> semblance which had merged."

"Next concerning the pleroma: I am the one who was sent down in the body because of the seed which had fallen away. And I came down into their mortal mold. <sup>20</sup> But they did not recognize me; they were thinking of me that I was a mortal man. And I spoke with him who belongs to me, and he harkened to me just as you too <sup>25</sup> who harkened today. And I gave him authority in order that he might enter into the inheritance of his fatherhood. And I took [137][...] they were filled [...] in his salvation. And since he was a deficiency, for this reason he became a pleroma."

"It is because of this <sup>5</sup> that you are being detained, because you belong to me. When you strip off from yourselves what is corrupted, then you will become illuminators in the midst of mortal men." <sup>10</sup>

"And this (is the reason) that you will fight against the powers, because they do not have rest like you, since they do not wish that you be saved."

Then the apostles worshiped again saying, <sup>15</sup> "Lord, tell us: In what way shall we fight against the archons, since the archons are above us?"

Then a voice called out to them from the appearance saying, <sup>20</sup> "Now you will fight against them in this way, for the archons are fighting against the inner man. And you are to fight against them in this way: Come together and teach in the world <sup>25</sup> the salvation with a promise. And you, gird yourselves with the power of my Father, and let your prayer be known. And he, the Father, will help you as he has <sup>30</sup> helped you by sending me. [138] Be not afraid, I am with you forever, as I previously said to you when I was in the body." Then there came lightning and <sup>5</sup> thunder from heaven, and what appeared to them in that place was taken up to heaven.

Then the apostles gave thanks to the Lord with every blessing. And <sup>10</sup> they returned to Jerusalem. And while coming up they spoke with each other on the road concerning the light which had come. And a remark was made concerning the Lord. It was <sup>15</sup> said, "If he, our Lord, suffered, then how much (must) we (suffer)?"

Peter answered saying, "He suffered on our behalf, and it is necessary for us too <sup>20</sup> to suffer because of our smallness."

Then a voice came to them saying, "I have told you many times: it is necessary for you to suffer. It is necessary <sup>25</sup> that they bring you to synagogues and governors, so that you will suffer. But he who does not suffer and does not [139] [...] the Father [...] in order that he may [...]."

And the apostles <sup>5</sup> rejoiced greatly and came up to Jerusalem. And they came up to the temple and gave instruction in salvation in the name of the Lord Jesus Christ. And they healed a multitude.

And Peter opened his mouth, <sup>10</sup> he said to his (fellow) disciples, "Did our Lord Jesus, when he was in the body, show us everything? For he came down. My brothers, listen to my voice." And he was filled with a holy spirit. <sup>15</sup> He spoke thus: "Our illuminator, Jesus, came down and was crucified. And he bore a crown of thorns. And he put on a purple garment. And he was crucified on a tree and he was buried in <sup>20</sup> a tomb. And he rose from the dead. My brothers, Jesus is a stranger to this suffering. But we are the ones who have suffered through the transgression of the mother. And because of this, he did everything <sup>25</sup> like us. For the Lord Jesus, the Son of the immeasurable glory of the Father, he is the author of our life. My brothers, let us therefore not obey these lawless ones <sup>30</sup> and walk in [...]."

[140] [...] Then Peter gathered together the others also, saying, "O, Lord Jesus Christ, author of our rest, <sup>5</sup> give us a spirit of understanding in order that we also may perform wonders."

Then Peter and the other apostles saw him, and they were filled with a holy spirit, <sup>10</sup> and each one performed healings. And they parted in order to preach the Lord Jesus. And they came together and greeted each other <sup>15</sup> saying, "Amen."

Then Jesus appeared saying to them, "Peace to you all and everyone who believes in my name. And when you depart, <sup>20</sup> joy be to you and grace and power. And be not afraid; behold, I am with you forever."

Then the apostles parted from each other <sup>25</sup> into four words in order to preach. And they went by a power of Jesus, in peace.