

We have already dealt fully with cases where one man injures another by poisons so that death is the result; but we have not as yet dealt fully with any of the minor cases in which willful and deliberate injury is caused by means of potions, foods, and unguents. A division in our treatment of poisoning cases is required by the fact that, following the nature of mankind, they are of two distinct types. The type that we have now expressly mentioned is that in which injury is done to bodies by bodies according to nature's laws. Distinct from this is the type which, by means of sorceries and incantations and spells (as they are called), not only convinces those who attempt to cause injury that they really can do so, but convinces also their victims that they certainly are being injured by those who possess the power of bewitchment. In respect of all such matters it is neither easy to perceive what is the real truth, nor, if one does perceive it, is it easy to convince others. And it is futile to approach the souls of men who view one another with dark suspicion if they happen to see images of moulded wax at doorways, or at points where three ways meet, or it may be at the tomb of some ancestor, to bid them make light of all such portents, when we ourselves hold no clear opinion concerning them. Consequently, we shall divide the law about poisoning under two heads, according to the modes in which the attempt is made ; ^ and, as a preliminary, we shall entreat, exhort, and advise that no one must attempt to commit such an act, or to frighten the mass of men, like children, with bogeys, and so compel the legislator and the judge to cure men of such fears, inasmuch as, first, the man who attempts poisoning knows not what he is doing either in regard to bodies (unless he be a medical expert) or in respect of sorceries (unless he be a prophet or diviner). So this statement shall stand as the law about poisoning : —Whosoever shall poison any person so as to cause an injury not fatal either to the person himself or to his employees, or so as to cause an injury fatal or not fatal to his flocks or to his hives,—if the agent be a doctor, and if he be convicted of poisoning, he shall be punished by death; but if he be a lay person, the court shall assess in his case what he shall suffer or pay. And if it be held that a man is acting like an injurer by the use of spells, incantations, or any such mode of poisoning, if he be a prophet or diviner, he shall be put to death ; but if he be ignorant of the prophetic art, he shall be dealt with in the same way as a layman convicted of poisoning,—that is to say, the court shall assess in his case also what shall seem to them right for him to suffer or pay.

Plato, Laws 11.933 Loeb's