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CHRYSI KOTSIFOU

Prayers and petitions for justice*

Despair and the ‘crossing of boundaries’¹ between religion and law

The desperation common people express when trying to find justice of whatever magnitude is an issue reflected in ancient sources over the centuries. Two groups of sources that particularly exemplify this subject are prayers for justice to various deities and petitions to civil authorities. Much has already been written on prayers for justice. Scholars have treated these in their geographic context, but have not failed to note the universal features of these curses,² and how similar ideas concerning divine justice circulated widely all around the ancient Mediterranean.³

This article concentrates for the first time solely on the prayers for justice on papyrus. It analyzes the Greek prayers together with their Demotic predecessors and Coptic successors. In examining the Demotic, Greek and Coptic texts, it first places this genre of curses in the Egyptian *milieu*, and then explores its roots in much earlier times than previously considered. Furthermore, the study of the prayers for justice on papyrus

* An earlier version of this article was developed while I was a Research Associate in Papyrology for the *Social and Cultural Construction of Emotions: The Greek Paradigm* project (dir. Angelos Chaniotis) at the University of Oxford. I am grateful to Nicole Belayche, Caroline Humfress and Günter Vittmann for their advice and suggestions in the initial preparation of this article. All abbreviations of papyri and ostraca are according to the Checklist of Editions of Greek, Latin, Demotic and Coptic Papyri, Ostraca and Tablets at http://scriptorium.lib.duke.edu/papyrus/texts/clist_papyri.html.

¹ This idea has been proposed by Angelos Chaniotis regarding confession inscriptions and prayers for justice and the crossing of boundaries between moral and religious practices. See A. Chaniotis, *Ritual Performances of Divine Justice: The Epigraphy of Confession, Atonement, and Exaltation in Roman Asia Minor*, in: H. M. Cotton et al. (eds.), *From Hellenism to Islam: Cultural and Linguistic Change in the Roman Near East*, Cambridge 2009, 142–148. It will be shown that the same applies between religious and legal practices.

² C. A. Faraone, A. Kropp, *Inversion, Adversion and Perversion as Strategies in Latin Curse-Tablets*, in: R. L. Gordon, F. M. Simón (eds.), *Magical Practice in the Latin West: Papers from the International Conference Held at the University of Zaragoza, 30 Sept. – 1 Oct. 2005*, Leiden 2010, 394f.

³ A. Chaniotis, *Under the Watchful Eyes of the Gods: Divine Justice in Hellenistic and Roman Asia Minor*, in: S. Colvin (ed.), *The Greco-Roman East* (YCISt 31), Cambridge 2004, 9 and Chaniotis, *Ritual Performances* (note 1).

renders the comparison with petitions much more credible,⁴ as the documents were executed on the same material, in the same country and the same social milieu. I shall start with a discussion of the general traits of a prayer and of a petition and proceed to state the specific sources that relate to this topic and evaluate the overlap between their respective structure, terminology, persuasion strategies and the emotions they employ. I emphasize the expression of despair, worry and helplessness, as they are the emotions mostly employed in all of these documents. To end, I shall show that the aforementioned overlaps and the expression of these specific emotions demonstrate on the one hand the similarities between the two genres and on the other the similarities in the social and cultural circumstances that produced these texts. More importantly, they pinpoint the interdependence of religion and law on a daily basis and for a variety of people.

What is a prayer? What is a petition?

Before looking at the specific and common features of prayers for justice and petitions, and their use of emotions in their persuasion strategies, it is useful to see how these two different types of documents fare upon a more general comparison. As a starting point, it should be stressed that both are letters in a formal sense.⁵ Petitions were letters sent to the king or other civil authorities requesting redress, while in the same fashion a prayer on papyrus was sent to a deity appealing for justice. Mark Depauw elaborates: “Since a letter can in principle convey any language act of spoken conversation, epistolary fiction can and has been used for other purposes than the transmission of messages between spatially separated correspondents . . . The letters to gods and oracle questions in many ways resemble ‘normal’ letters. They are written communications fulfilling a practical aim in which a human sender addresses a divine second party as if he were in his presence. In this case, however, the separation is spiritual rather than spatial ...”⁶

Furthermore, both prayers for justice and petitions were also public documents. Notably, unlike binding spells, which were usually written on lead tablets and buried or otherwise hidden, prayers for justice were often openly displayed.⁷ Henk Versnel

⁴ E. Starvrianopoulou, *τοῦ δικαίου τυχεῖν oder die Macht der Bitte*, in: C. Kuhn (ed.), *Politische Kommunikation und öffentliche Meinung in der Antike*, Stuttgart 2012, 123–149 has already suggested this for the Hellenistic period.

⁵ For the definition of a ‘letter’ I refer to Depauw, viz. “a letter is a written communication fulfilling a practical aim, in which the sender who is spatially separated from the addressee speaks as if he were in the latter’s presence.” M. Depauw, *The Demotic Letter: A Study of Epistolographic Scribal Traditions Against their Intra- and Intercultural Background*, Sommerhausen 2006, 4f.

⁶ Depauw, *The Demotic Letter* (note 5) 301.

⁷ S. Kerneis, *La question enchantée. Les jugements des dieux dans l’île de Bretagne (II^e–IV^e siècle)*, RD 88 (2010) 449–498; P. Kiernan, *Did Curse Tablets Work?*, in: B. Croxford et al. (eds.), *Proceedings of the Thirteenth Annual Theoretical Roman Archaeology Conference*, Leicester 2003, 123–134; and J. Evans Grubbs, *Stigmata Aeterna: A Husband’s Curse*, in: C. Damon et al. (eds.), *Vertis in Usum*, Leipzig 2002, 237. Also in M. Depauw, *Reading Greek Prayers*, CJAnt 16.2 (1997) 243f.

emphasizes that the emotional component determines whether prayers were uttered aloud, murmured, or were exclusively mental. Prayers were often, if not primarily, said out loud, but circumstance could make a silent prayer preferable.⁸

The structure of prayers for justice and petitions is very similar as well. Generally, the rules of the composition of the whole text of a prayer or a petition are analogous. Ptolemaic petitions, for example, are primarily addressed to the king and there were precise directions that they should be short and to the point, only concerning the gravest of matters.⁹ This attitude continued in the Roman period.¹⁰ Similarly, Menander the *rhetor* notes on the appropriate way to compose a prayer: “Prayers must be just, and therefore simple — that a certain thing should happen — and also short. They should not give information to the gods, but ask for something that the gods understand perfectly. Moreover, if you examine all the prayers and all the appeals [to citizens] made by prose-writers, you will find that they are short.”¹¹ These rules could cause ambiguity. People were never particularly sure whether their prayer was righteous. This question, coupled with the ethical problem of the realm of acceptable requests, was a recurrent topic of discussion amongst philosophers and moralists from the late archaic period onwards.¹² Finally, prayers and petitions are an act of supplication.¹³ Fred Naiden elaborates that in the first three steps of supplication, the supplicant takes the initiative. He or she approaches, gesticulates or speaks, and presents a request and perhaps an argument. In the fourth step, initiative passes to the addressee, who evaluates and responds.¹⁴

⁸ H. S. Versnel, *Religious Mentality in Ancient Prayer*, in: H. S. Versnel (ed.), *Faith Hope and Worship. Aspects of Religious Mentality in the Ancient World*, Leiden 1981, 26–28. He adds that the identification of a silent prayer with evil is a *topos*.

⁹ B. Palme, *The Range of Documentary Texts: Types and Categories*, in: R. S. Bagnall (ed.), *The Oxford Handbook of Papyrology*, Oxford 2009, 378.

¹⁰ W. Williams, *Epigraphic Texts of Imperial Subscripts: A Survey*, ZPE 66 (1986) 197f. adds that “although ‘the rescript system’ has been described as a ‘free legal advice service’, the emperors did not think that their subjects were entitled to apply to them for an explanation of the most elementary rules. [...] emperors, while perhaps feeling obliged by their subjects’ expectations about a good ruler to attend to the petitions of their humbler subjects, did not feel obliged to restrain their impatience with enquiries which wasted their time.”

¹¹ D. A. Russell, N. G. Wilson (eds.), *Menander the Rhetor*, Oxford 1981, 25–27. I am thankful to Nicole Belayche for bringing this passage to my attention.

¹² Versnel, *Religious Mentality* (note 8) 23.

¹³ Versnel suggests that “we might call the *defixio* manipulative or even coercive, the prayers for justice supplicatory”, H. S. Versnel, *Prayers for Justice, East and West: New Finds and Publications since 1990*, in: Gordon, Simón, *Magical Practice* (note 2) 323f.

¹⁴ F. S. Naiden, *Ancient Supplication*, Oxford 2006, 29. In more detail, the first three steps are: a) the supplicant must often choose between approaching a person and approaching an altar; b) announcement of the intent to supplicate either by using gestures, words or both; c) Requests and arguments: what do suppliants ask for and how important are requests? How important are legal and moral arguments as opposed to others? Cf. A. Kropp, *How Does Magical Language Work? The Spells and Formulae of the Latin defixionum tabellae*, in: Gordon, Simón, *Magical Practice* (note 2) 365f.

Admittedly, comparison between prayers for justice and petitions is valid only if the texts are contemporary and address persons of the same (divine) status. Comparison should be mainly among prayers and petitions addressed to a king, given that kings in Ptolemaic Egypt were worshipped as gods. We could argue that a comparison with Roman petitions is also valid since they indirectly address the emperor (via an official acting as deputy of the emperor). In addition, the importance of the requests as articulated in prayers and petitions should match. Prayers for justice mainly deal with commonplace mishaps, theft of livestock, clothing and so on; thus similarly-themed petitions are studied.

The sources

Prayers for Justice on Papyrus

Henk Versnel has defined prayers for justice as “pleas addressed to a god or gods to punish a (mostly unknown) person who has wronged the author (by theft, slander, false accusations or magical action), often with the additional request to redress the harm suffered by the author (e.g. by forcing a thief to return a stolen object, or by publicly confessing guilt).” He distinguishes prayers for justice from curses proper (*defixiones*) by noting that among other features the former mention the author’s name; they contain expressions of supplication (ἵκετεύω, βοήθει μοι, βοήθησον αὐτῷ); and terms and names which refer to (in)justice and punishment (e.g. πραξιδίκη, δίκη, ἐκδικέω, ἀδικέω, κολάζω, and κόλασις). Texts of this kind were written on different materials: lead or bronze tablets, stone inscriptions, ostraka and papyri.¹⁵ Versnel stresses that prayers for justice ask the gods to punish someone for a crime or abuse they have committed in the past.¹⁶ Despite Martin Dreher’s criticism of the Versnel model, there are good reasons to distinguish curses that use arguments and other means of persuasion from curses that invoke powerful names and use formulas.¹⁷

Scholars have repeatedly noted literary precedents for the prayers for justice,¹⁸ especially when it comes to the concept of justice they promote, the agent who dispenses justice, the reasons one can or should expect it and when someone is to dispense

¹⁵ H. S. Versnel, *Beyond Cursing: The Appeal to Justice in Judicial Prayers*, in: C. A. Faraone, D. Obbink (eds.), *Magica Hiera: Ancient Greek Magic & Religion*, Oxford 1991, 68. And more recently, H. S. Versnel, *Fluch und Gebet: Magische Manipulation versus religiöses Flehen? Religionsgeschichtliche und hermeneutische Betrachtungen über antike Fluchtafeln*, Berlin 2009. Cf. M. Dreher, *Gerichtsverfahren vor den Göttern? — ‘Judicial Prayers’ und die Kategorisierung der defixionum tabellae*, in: G. Thür (ed.), *Symposion 2009. Vorträge zur griechischen und hellenistischen Rechtsgeschichte (Seggau, 25.–30. August 2009)*, Vienna 2010, 301–335.

¹⁶ Versnel, *Prayers for Justice* (note 13) 323.

¹⁷ M. Dreher, *Gerichtsverfahren* (note 15) and H. S. Versnel, *Response to a Critique*, in: M. Piranomonte, F. Marco Simón (eds.), *Contesti Magici/Contextos Magicos*, Rome 2012, 21–34.

¹⁸ E. A. Meyer, *Legitimacy and Law in the Roman World: Tabulae in Roman Belief and Practice*, Cambridge 2004, 105 notes how these types of texts gradually accrue components,

it. Sappho's prayer to Aphrodite, for example, has the traditional structure of a prayer and it recalls unmistakably the customary formula of the cry for help in distress, the cry that appeals to gods and men to aid the victim of injustice.¹⁹ Canaanite²⁰ and Hittite²¹ precedents have been explored, as well as parallels with the Old and New Testaments.²²

In the Pharaonic period, one way distressed people hoped to achieve justice was by appealing to their dead family members. In these 'letters to the dead',²³ one can find such appeals to the dead for justice. Wronged men and women address their deceased relatives pleading for their intercession.²⁴

Demotic

Demotic prayers for justice,²⁵ mainly from the Hellenistic period but also from the Saite and Persian periods, present us with a direct equivalence to the well-studied Greek

making it very difficult to distinguish elements from the Greek, Roman, Egyptian and Jewish hotch-potch that is the result.

¹⁹ A. Cameron, *Sappho's Prayer to Aphrodite*, HThR 32.1 (1939) 9f. See also S. Pulleyn, *Prayer in Greek Religion*, Oxford 1997, 48, 65 and J. C. B. Petropoulos, *Sappho the Sorceress: Another Look at fr. 1 (LP)*, ZPE 97 (1993) 43–56.

²⁰ C. A. Faraone, B. Garnand, C. López-Ruiz, *Micah's Mother (Judg. 17:1–4) and a Curse from Carthage (KAI 89): Canaanite Precedents for Greek and Latin Curses against Thieves*, JNES 64.3 (2005) 161–86; J. Assmann, *When Justice Fails: Jurisdiction and Imprecation in Ancient Egypt and the Near East*, JEA 78 (1992) 157f.

²¹ R. Gordon, *Raising a Sceptre: Confession-narratives from Lydia and Phrygia*, JRA 17 (2004) 177f.

²² For Old Testament parallels, see W. Sherwood Fox, *Old Testament Parallels to tabellae defixionum*, The American Journal of Semitic Languages and Literatures 30.2 (1914) 123. For New Testament ones, W. Ameling, *Evangelium Johannis 19, 35: Ein aretalogisches Motiv*, ZPE 60 (1985) 25–34; H. S. Versnel, 'May He Not Be Able to Sacrifice ...' Concerning a Curious Formula in Greek and Latin Curses, ZPE 58 (1985) 262; and G. Björck, *Der Fluch des Christen Sabinus: Papyrus Upsaliensis 8*, Uppsala 1938, 63f.

²³ A. H. Gardiner, K. Sethe, *Egyptian Letters to the Dead Mainly from the Old and Middle Kingdoms*, London 1928, especially texts 1, 2 and 3.

²⁴ A letter from the First Intermediate period (2181–1991 BCE) is exemplary. It is from a woman to her dead brother asking him to help her daughter, who has not been given her fair share of an inheritance. The woman pleads: "It is a sister who speaks to her brother. The sole friend Nefesefkhi. A great beneficial cry of woe! Woe to him whom you had appointed as *mhm* on account of that which is being done against my daughter wrongfully, though I have done nothing against him, nor have I consumed his property. He has not given anything to my daughter who makes funerary offerings to the Spirit in return for watching over the earthly survivor. Make your reckoning with whoever does what is painful to me, since my voice is vindicated against any dead man or any dead woman who acts thus against my daughter." Gardiner, Sethe, *Egyptian Letters* (note 23).

²⁵ Demotic prayers for justice are published in K. Endreffy, *Reason for Despair: Notes on Some Demotic Letters to Thoth*, in: B. El-Sharkaway (ed.), *The Horizon: Studies in Egyptology in Honour of M. A. Nur El-Din*, Cairo 2010, 241–251; A. G. Migahid, G. Vittmann, *Zwei weitere frühdemotische Briefe an Thot*, Revue d'Égypte 54 (2003) 47–59; G. Vittmann, *Zwei demotische Briefe an den Gott Thot*, Enchoria 22 (1995) 167–181; G. R. Hughes, *On Two Demotic Egyptian 'memoranda'*, Serapis: The American Journal of Egyptology 6 (1980) 63–67; G. R. Hughes, *The*

ones. All Demotic prayers for justice are addressed to necropolis deities and were primarily found buried in cemeteries.²⁶ Once again, the suppliants request recompense for losses they have suffered at the hands of relatives, neighbours, members of the civil authorities and so on.²⁷ In speculating on the phenomenon that these letters to deities,

Cruel Father: A Demotic Papyrus in the Library of G. Michaelides, in: *Studies in Honor of John A. Wilson*, Chicago 1969, 43–54; G. R. Hughes, *A Demotic Plea to Thoth in the Library of G. Michaelides*, JEA 54 (1968) 176–182; G. R. Hughes, *A Demotic Letter to Thoth*, JNES 17.1 (1958) 1–12; A. G. Migahid, *Demotische Briefe an Götter von der Spät- bis zur Römerzeit*, vol. 2, Würzburg 1986; J. D. Ray, *Papyrus Carlsberg 67: A Healing Prayer from the Fayum*, JEA 61 (1975) 181–188; E. A. E. Reymond, *Two Demotic Memoranda*, JEA 58 (1972) 254–267; and E. Seidl, *Die Gottesentscheidungen der Saiten- und Perserzeit*, in: A. E. Samuel (ed.), *Essays in Honor of C. Bradford Welles*, New Haven 1966, 59–65.

²⁶ Hughes, *A Demotic Letter to Thoth* (note 25) 4.

²⁷ There is one exceptional letter to Thoth about injustices suffered by a demon (see Hughes, *A Demotic Plea to Thoth* [note 25]). For the term ‘hp’, ‘justice’, for which these suppliants are asking, see C. F. Nims, *The term Hp, ‘law, right,’ in Demotic*, JNES 7.4 (1948) 243–260. The following Demotic letter to the Ibis, Falcon and Baboon deities bears all the elements of an appeal to justice by employing clear and strong emotions. It is the account of the misfortunes of two children who have been abandoned by their father and who seek the intervention of the gods in order to achieve justice. “Psenhotos and one Naneferro, the two minor children whom Hoankh bore to Harpakeme — he is cruel, casting them out without being merciful to them —, are they who say to the Ibis, the Falcon, the Baboon, and the gods who rest with them in the resting place of the Ibis, the great god who dwells in Hermopolis: We are yours. [May you] favour [us] before the Council and may you [listen to] our plea: Misery by night, misfortune by day at the hands of a cruel one, an impious one — he feels no guilt; and he is called Harpakeme although his name is Sheraha son of Wenmont, and he is called our father, although he has not been merciful to us; with whom our mother spent many years. She bore us and he caused our mother’s death while we were small. He took another one into his house, and he cast us out from the day on which she died. He has not given us food, clothing or oil. He who takes pity on us, whose heart the gods fills, when he sees us hungry, he gives us a meal. He who finds us in the corners of the walls in the street at evening and takes pity on us, whose heart the god fills, he takes us to his house until morning. Although there is due our mother her dowry from him, he deprives us [of it]. We have not found anyone who will provide us protection from him except you; it you who have saved us. If he takes the oath before you, may you interrogate him and may you judge between us and this man. Many are the wrongs which he inflicts on us. If a strong man beats us in the street, he says ‘beat them’; he does not say ‘do not.’ When he sees us at the front of his house, he hurls an *oipe*-container after us. This man, he has money, grain, and goods; he is not lacking in the food which he had been giving to us. They are too numerous to write nor would papyrus receive them: the stringencies, the deprivations, the miseries and the restraints which Hor, the cruel one, our father mentioned above, inflicts on us. Misery by night, misfortune by day at the hands of this man! You shall interrogate him and you shall judge between us and him. As for the guards, the messengers, and the servants of the house, when they shall interrogate him, they shall avenge us as a result of judging between us and him. We have fallen, cause us to rise. We are restrained, make him cease. We are mistreated, cause that we be avenged. We are casting this appeal before the gods whose names are written above. As for anyone in the world who will set this document on fire to destroy it, let him not escape from our plea, let him read it from the beginning to its end. Let that man be made to read it at the south entrance, the north entrance, the west entrance, and the east entrance of the place in which the gods rest. May they curse when they listen to this

usually necropolis deities, represent, one inevitably turns to the well-known Egyptian letters to the dead from earlier times.²⁸ They perhaps indicate a lessening faith in the power of deceased relatives and a greater sense of the accessibility of the deities, as a result of which the grave of a relative — or possibly of any deceased person — became the intermediary, the place for ‘posting’ letters addressed directly to the gods themselves. Compare this demotic prayer to the following Hellenistic petition and note the similarities in the crime perpetrated, the manner the case is argued and the emotions employed.²⁹ The twins, Thauēs and Taous, with the help of the recluse Ptolemaios, petition Ptolemy VI. The petition concerns their mother and her son from a different marriage and how, by deceit, they managed to steal what the girls had collected in the temple. In this draft of the petition, Ptolemaios and the twins, in order to impress the king and arouse his sympathy, recount the suffering they have endured because of their mother Nephoris and the various ways she has wronged them. Their mother, after leaving their father attempted to kill him (he subsequently died out of grief) and threw them out of the house. In order for the twins to express the extent of their destitution, they blame their mother for neglect of marital duties and of their father’s funerary rites, and for failing to consider the needs of her daughters when she deprives them of all income and their house. They found solace in Ptolemaios, a friend of their father, who took pity on them and took them into the Serapeion. The twins are now under Ptolemaios’ care (due to the god’s orders) and thus also part of the mourning ceremonies at the temple. Their mother *still* manages to upset their lives and steal their income. The twins certainly portray themselves filled with despair, frustration, and worry.³⁰

letter.” (translated by Hughes) Late Ptolemaic period, unnumbered in Hughes, *The Cruel Father* (note 25).

²⁸ J. Baines, *Practical Religion and Piety*, JEA 73 (1987) 86–88; Hughes, *A Demotic Letter to Thoth* (note 25) 4.

²⁹ UPZ I 18, Memphis, 163 BCE: “From Thauēs and Taous, twins in the great Serapeum at Memphis. We are wronged by Nephoris, our mother. She left our father and set up house with Philippos son of Sogenes, a military man from Pyr[...]’s troop. But Philippos — for she was full of suspicion and ordered him to kill our father Hargynouti — grabbed a knife and chased after him. Our father’s house is near the river; he plunged into the river and swam until he reached the island in the stream; and a boat picked him up and set him down in Herakleopolis, and he died there of a broken heart. His brothers went to fetch him, and brought him to necropolis where they deposited him; and he is still without a grave. She took his possession and is receiving a monthly rent of 1,400 bronze drachmas. She threw us out, and we, starving, went up to Serapeum to Ptolemaios, one of those in detention. Ptolemaios was a friend of our father; he took us in and fed us. When the mourning occurred, they took us down to mourn the god. The acquaintances of our mother persuaded us to take on her son Panchrates as our attendant. We sent him to collect what was owed us for year 17 from the royal treasury. And he stole what we had in the Serapeum and the measure of oil which he collected from the treasury on our behalf; and he went off back to his mother. Ptolemaios, who is in detention in the same temple rescued us, on the god’s order ...”

³⁰ For a detailed analysis of the story and petitions of the twins, see D. J. Thompson, *Memphis Under the Ptolemies*, Princeton, Oxford ²2012, 216–228.

Greek

We have four Greek prayers for justice on papyrus and one on an ostrakon. The earliest text is the prayer of Artemisia.³¹ Artemisia prays to Oserapis and requests him to punish the father of her deceased daughter, who had robbed his own daughter of her burial gifts and tomb. She begs the divine judges of the underworld for justice and there is no coercion. Notably, the prayer was intended to be read by anyone who came to the temple of Oserapis.³² Furthermore, there is an ostrakon from Esna, which dates from the first to the second century CE that we will discuss below.³³ Then there is one papyrus from the fourth century CE.³⁴ This prayer seeks relief and redress in the face of the tyranny of a certain Theodosios.³⁵ The text was folded and used as an amulet.³⁶

³¹ UPZ I 1, Memphis, late fourth century BCE: “O lord Oserapis and the gods who sit with Oserapis, Artemisia the daughter of Amasis [directs a prayer?] to you against the father of her daughter, who has deprived her of her funeral rites and burial. So if he has not treated me and his children rightly (δίκαια), indeed has treated me and his children wrongly (ἄδικα), may Oserapis and the gods grant him that he does not receive burial from his children, and that he does not bury his own parents. While the cry for help (καταβοή) lies here, may he and what is his be destroyed evilly on land and on sea by Oserapis and the gods who sit in Poserapis, and may he not receive the favour of Oserapis or of the gods who sit with Oserapis. Artemisia has deposited this appeal (κατέθηκεν τὴν ἱκετηρίην), begging (ἱκετεύουσα) Oserapis and the gods who sit with Oserapis to give judgement (τὴν δίκην δικάσαι). While the appeal lies here, may the father of the young girl receive no favours at all from the gods. May the god inflict punishment on him ... [the text becomes fragmentary]” (translated by Versnel, in: Versnel, *Beyond Cursing* [note 15] 68–69) For further analysis, see C. Kreuzsaler, *Tote ohne Begräbnis — Die Klage der Artemisia*, in: A. Zdiarsky (ed.), *Wege zur Unsterblichkeit. Altägyptischer Totenkult und Jenseitsglaube* (Nilus 20), Vienna 2013, 45–53.

³² Evans Grubbs, *Stigmata Aeterna* (note 7) 237; and Versnel, *Beyond Cursing* (note 15) 69.

³³ *P. Worp* 6, first to second century CE, Latopolis. See also J. Gascou, *Justice d'Athéna en Égypte Romaine*, in: F. A. J. Hoogendijk, B. P. Muhs, M. J. Bakker (eds.), *Sixty-Five Papyrological Texts: Presented to Klaas A. Worp on the Occasion of his 65th Birthday*, Leiden 2008, 29–39; C. Gallazzi, *Supplica ad Atena su un ostrakon da Esna*, ZPE 61 (1985) 101–109; and J. Quaegebeur, W. Clarysse, B. Van Maele, *Athéna, Nêith and Thoëris in Greek documents*, ZPE 60 (1985) 217–232.

³⁴ M. Meyer, R. Smith, *Ancient Christian Magic: Coptic Texts of Ritual Power*, San Francisco 1994, n. 27. Also Björck, *Der Fluch des Christen Sabinus* (note 22) and PGM P16.

³⁵ “† Holy trinity, holy trinity, [holy trinity]! Through the holy martyrs [I pray to the] Lord. For [the] angel is not ignorant of our [suffering], which bears witness [that] Theodosios behaves in a [tyrannical] manner. Nothing but hostilities (τὰ ἐναντία) have I suffered from his tyrannical (τυραννικῶ) behaviour, and I have not found any help except the power of God [and] the testimony for us through the [saints]. And for these reasons I flee (προσφεύγω) for refuge [to you]; and while weeping (δακρύων) I look upon [your] holiness, that I may see your power. Such wrong (φάŷλον) has he done to me! For while groaning I have suffered [nothing but] evil [things] from him. O Lord, do not overlook (παρόρα) this and do not stand by him — as I said before, Theodosios — and do <not> neglect (ἀμελήσης) me. For there is only one Lord, [only one] God, in the Son [and] in the Father and the Holy [Spirit], forever and ever, [Amen], Amen, Amen. O Lord, Lord, Lord, [...]” (translated by Marvin Meyer).

³⁶ For the ways this practice developed and the faith practitioners had in the power of such amulets, see C. A. Faraone, *A Socratic Leaf Charm for Headache (Charmides 155b–157c), Orphic Gold Leaves, and the Ancient Greek Tradition of Leaf Amulets*, in: J. Dijkstra, J. Kroesen,

Lastly, there are two prayers with the same protagonist from the sixth century CE from Panopolis.³⁷ *P.Ups.* 8 is a prayer for justice, in both prose and hexameters, the prayer to God by the Christian Sabinus for vengeance on his daughter and a man (who was probably her husband) who had persecuted and dishonoured him. This was probably buried with Sabinus in his grave. The second papyrus begins: “this is the stele of the terrible-fated, much suffering Sabinus, who endured many evils for the sake of his only daughter.” Then follows another prayer for vengeance. Clearly this curse was intended to be inscribed on Sabinus’ tomb.³⁸

One thing immediately stands out: praying for justice to a divinity transcended time and religions. The practice continued almost unchanged between the pagan and Christian period but in the Christian milieu the Holy Trinity is invoked instead of the chthonic deities. In the Christian mind of the one who composed this prayer or used it, it was fitting that the Holy Trinity act in the same manner as Thoth and other Egyptian deities: to care for the same misfortunes that afflicted its believers and to dispense justice accordingly.³⁹ Ultimately, as Angelos Chaniotis has noted, “the principal function of a deity or deities was to remind humans to respect divine and secular laws ... The documentary material leaves no doubt that people could expect any god they invoked to inflict divine punishment.”⁴⁰ This is extensible to the Christian God.

Coptic

Finally, the Coptic prayers for justice belong to this corpus.⁴¹ Quite surprisingly, these prayers have not been incorporated in Henk Versnel’s seminal studies,⁴² and only

Y. Kuiper (eds.), *Myths, Martyrs, and Modernity: Studies in the History of Religions in Honour of Jan N. Bremmer*, Leiden 2010, 145–166.

³⁷ *P.Hamb.* 22 and *P.Ups.* 8, both from Panopolis and from the sixth century CE. Both texts are analysed in Björck, *Der Fluch des Christen Sabinus* (note 22) 6–14. Given that *P.Hamb.* 22 was originally dated to the fourth century CE, Björck’s explanation how both texts refer to the same person, the same story and are of the same palaeographical style is of special interest (ibid. 10–12). Cf. F. R. Walton, *Der Fluch des Christen Sabinus, Papyrus Upsaliensis 8*. By Gudmund Björck, CPh 35.2 (1940) 201–209.

³⁸ Evans Grubbs, *Stigmata Aeterna* (note 7) 239; and Versnel, *Beyond Cursing* (note 15) 71.

³⁹ For further similarities between the formulas of Hellenistic, Roman and Christian curses and prayers also see *PGM* I 195–222, XXIIb 1–26; P. Herrmann, H. Malay, *New Documents from Lydia* (ETAM 24), Vienna 2007, n. 51; and H. W. Pleket, *Religious History as the History of Mentality: The ‘Believer’ as Servant of the Deity in the Greek World*, in: H. S. Versnel (ed.), *Faith, Hope and Worship: Aspects of Religious Mentality in the Ancient World*, Leiden 1981, 165 and 188–192.

⁴⁰ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 11; and M. Riel, *Society and Economy of Rural Sanctuaries in Roman Lydia and Phrygia*, EA 35 (2003) 101.

⁴¹ Coptic prayers for justice can be found in the publications of Meyer, Smith, *Ancient Christian Magic* (note 34); Björck, *Der Fluch des Christen Sabinus* (note 22); W. H. Worrell, *Coptic Magical and Medical Texts*, *Orientalia* 4 (1935) 1–37, 184–194; and Crum, *Eine Verfluchung*, *ZÄS* (1896) 85–89.

⁴² Versnel, *Prayers for Justice, East and West* (note 13) 289 notes that he intentionally does not include them in his work. It should be mentioned, though, that also the works on Coptic

Caroline Humfress briefly refers to them in the context of Greek and Latin prayers for justice.⁴³ I have identified three proper Coptic prayers for justice and three ‘border area’ ones.⁴⁴ Two examples of the proper ones will suffice at this point:⁴⁵

“It is Esrmpe (daughter) of Kllauj who is complaining about Hor (son) of Tanesneou. My lord Osiris, (lord) of Hasro, I appeal to you, render justice to me and Hor (son) of Tanesneou for the things that I have done to him and the things that he has done to me. He does not consider me, I having no power, I having no champion son. I cannot help; I am a barren woman. There is no one who will appeal on my behalf before him, because of Hor ... I appeal to you ... great one, Osiris, hear my cries ... Many are the things that he has done to me. Make a way for your ... Osiris, (lord) of Abydos, Osiris ... Isis ... Wepwawet, Hathor, the nurse (of) Anubis son of Osiris, the cowherd of ... render me justice ...” (translation by Edmund Melzer)

In *Munich Coptic Papyrus* 5,⁴⁶ a widow and her children formulate a prayer against a man named Shenoute, who is oppressing them. The appeal of justice is directed to god, who in turn identifies himself as one who protects widows and orphans. The appeal employs the language of the courtroom and closes with a description of its burial with a mummy, which in turn is empowered, along with the mummies, to call out to god.

Additionally, three prayers⁴⁷ have been identified that belong to the ‘mixed curses’⁴⁸ or the ‘border-area’ prayers for justice.⁴⁹ Most of the Coptic border-area prayers for

magical papyri do not take into account the theories of Versnel and Faraone regarding prayers for justice. Meyer and Smith, for example, do not apply these theories on their Coptic material.

⁴³ C. Humfress, *Law in Practice*, in: P. Rousseau (ed.), *A Companion to Late Antiquity*, London 2009, 338.

⁴⁴ Meyer, Smith, *Ancient Christian Magic* (note 34) nos. 1, 89, and 90; ca 100 CE, seventh century CE, and fourth to fifth century CE, respectively.

⁴⁵ Old Coptic Schmidt Papyrus, ca 100 CE. Meyer, Smith, *Ancient Christian Magic* (note 34) no. 1.

⁴⁶ Meyer, Smith, *Ancient Christian Magic* (note 34) no. 89.

⁴⁷ Meyer, Smith, *Ancient Christian Magic* (note 34) nos. 91 (undated), 93 (undated) and 108 (fourth or fifth century CE). One example is: “I beg, I invoke (parakalei), I pray to you, holy martyrs, I Theodora, the injured party. I lodge this suit (libellos) against Joor and his wife, throwing myself on your goodness, so that you may do as I would with Joor and his wife. Beat them and bring them to naught. (Let) the curse, the worm, and scattering overtake them. (Let) the wrath (orgh) of god overtake Joor and his wife and all that is his. (Let there) be a great distress (qliyhs) and outcry on his house and wife. (May) you lay your hands on him; may the strong hand and the exalted arm come upon them quickly; (upon both) him and his wife. Holy martyrs may you speedily decide in my favour against them. (Send) your powers and miracles Holy martyrs, may you decide in my favour ... Koloje.” (translation by Stephen H. Skiles) Coptic papyrus, Michigan 1523, fourth or fifth century CE. Also in Meyer, Smith, *Ancient Christian Magic* (note 34) no. 108.

⁴⁸ Evans Grubbs explains that “not all curses fit neatly into one category or another. Some combine expressions of aggression against the victim with declarations of unjustified suffering and pleas for aid from divine powers.” Evans Grubbs, *Stigmata Aeterna* (note 7) 239.

⁴⁹ For the latest and most detailed study of the ‘border-area’ prayers for justice, see Versnel, *Prayers for Justice, East and West* (note 13) 327–342.

justice begin as a prayer with decorous use of legal language, supplication techniques and appeal to pity, and end with vicious, violent curses.⁵⁰ But as it has been noted, urgent wishes expressed in devout prayers do not become magical as a result of malicious aims. Further, the curse section in these texts can be seen as the scribe's own helpful contribution by way of suggesting concrete modalities of divine punishment.⁵¹

Henk Versnel has commented that the situation is slightly different when we come to the related Christian prayers for justice, "which are written on papyrus and can often provide much longer texts. In these texts there is often a detailed description of the diseases from which the guilty should perish, which recalls the prescriptions found on a number of *defixiones*."⁵² But I wonder if this is merely a bias stemming from the prayer's medium, or indeed to the general tendency of various documents such as private letters, petitions, and contracts, to use more colourful, rhetorically-infused and emotional language in Late Antiquity. The prayer of Artemisia, also on papyrus but written in the fourth century BCE (see note 31), is not as vividly and emotionally written as the Coptic or later Greek ones. So the profusion of pathos is due not to the medium but to the era in which the text was composed.⁵³

*Petitions*⁵⁴

In general, the three basic elements of a petition are a) the background; b) the petition verb; c) the desired action. These are always present, whether explicitly or implicitly. Two elaborations that frequently appear are the address and the courtesy phrase. When present, they tend to be attracted to the petition verb, occurring sometimes before

⁵⁰ Meyer, Smith, *Ancient Christian Magic* (note 34) especially nos. 91 and 93.

⁵¹ Versnel, *Prayers for Justice, East and West* (note 13) 336.

⁵² Versnel, *Beyond Cursing* (note 15) 71 and J. J. Aubert, *Threatened Wombs: Aspects of Ancient Uterine Magic*, GRBS 30.3 (1989) 440f.

⁵³ For the heightened emotionality of late antique documents, see C. Kotsifou, *Emotions and Papyri: Insights into the Theatre of Human Experience in Antiquity*, in: A. Chaniotis (ed.), *Unveiling Emotions. Sources and Methods for the Study of Emotions in the Greek World*, Stuttgart 2012, 53–56.

⁵⁴ For a book-length study of the form and structure of an official petition, see J. L. White, *The Form and Structure of the Official Petition*, Missoula, MT, 1972, and in general, Palme, *The Range of Documentary Texts* (note 9) 377–379. For Ptolemaic petitions: A. Di Bitondo, *Le petizioni al re*, *Aegyptus* 47.1–2 (1967) 5–57, and *Le petizioni ai funzionari nel periodo tolemaico*, *Aegyptus* 48.1–4 (1968) 53–107. For Roman petitions: B. Kelly, *Petitions, Litigation and Social Control in Roman Egypt*, Oxford 2011; J. Whitehorne, *Petitions to the Centurion: A Question of Locality?*, *BASP* 41 (2004) 155–169; T. Hauken, *Structure and Themes in Petitions to Roman Emperors*, in: D. Feissel, J. Gascou (eds.), *La pétition à Byzance*, Paris 2004, 11–22 and *Petition and Response: An Epigraphic Study of Petitions to Roman Emperors*, Athens 1998. For Byzantine petitions: the collection of articles in Feissel, Gascou, *loc. cit.*; M. Cohen, *Four Judaeo-Arabic Petitions of the Poor from the Cairo Geniza*, *Jerusalem Studies in Arabic and Islam* 24 (2000) 446–471; J.-L. Fournet, *Hellénisme dans l'Égypte du VI^e siècle. La bibliothèque et l'œuvre de Dioscore d'Aphrodité*, Cairo 1999; and G. Khan, *The Historical Development of the Structure of Medieval Arabic Petitions*, *Bulletin of the School of Oriental African Studies* 53.1 (1990) 8–30.

but more often after it.⁵⁵ Tor Hauken divides the parts of a petition in the address, the prologue, the narrative and the request.⁵⁶ He elaborates that the narrative must include the information needed regarding the person, event, cause, place, time and the way the injustice took place.⁵⁷ Further, Jitse Dijkstra notes that the narrative of Byzantine petitions is the least formulaic section usually with strong rhetorical language.⁵⁸

The petitions on papyrus that survive from Egypt are numerous, to say the least, and cover a wide variety of issues that need to be resolved. But as we mentioned in the beginning of this article for the purposes of this study we will restrict our comparison to prayers and petitions that deal with similar setbacks, namely commonplace mishaps, and the ways they employ despair to achieve justice. Usually, petitioners commence such petitions by stating that they know the king or member of the civil authorities is a just judge and a protector of all. They then describe the dispute, usually with great detail, assuming that more details provide more credibility to their case. They often contrast the virtues of the poor with the vices of the rich and powerful.⁵⁹ Furthermore, in order to provoke the pity of the authorities, they employ strong language such as the verb 'to despise' or make repeated references to their unfortunate children, their weak feminine nature (if the petitioner is a woman), or modest lifestyle (if the petitioner is a man). At the end of the document, some petitioners mention their continued gratitude to the official should he help them attain justice. It is as easy to demonstrate with petitions as with prayers, the similarities in structure and phraseology throughout the periods. There is always a core issue of justice and a comparable method of appealing for it.

For the very early period in Egypt we have to depend on a literary text for information about the usage of petitions. The story of the 'eloquent peasant' from the Middle Kingdom period is as an exemplary examination of ancient Egyptian concepts of justice and argumentation. Despite the fact that this story is fiction, it demonstrates that petitioning was a readily recognizable means of securing justice as early as 1800 BCE.⁶⁰ When the peasant addresses the official requesting his stolen goods back and justice rendered, he notes:

⁵⁵ T. Y. Mullins, *Petition as a Literary Form*, *Novum Testamentum* 5.1 (1962) 46f.

⁵⁶ Hauken, *Petition and Response* (note 54) 261.

⁵⁷ *Ibid.*, 269.

⁵⁸ J. H. F. Dijkstra, *A Cult of Isis at Philae after Justinian? Reconsidering P.Cair.Masp. I 67004*, *ZPE* 146 (2004) 138. For the various ways ancient rhetorical theory influenced all sections of Roman petitions, see Hauken, *Petition and Response* (note 54) 259–276.

⁵⁹ Dijkstra points out that in Late Antiquity, "petitions needed to contrast the 'good guys' (the petitioners) with the 'bad guys'. In petitions, sick people were always 'half-dead'; in petitions, petitioners were always 'miserable' or 'humble slaves'." J. H. F. Dijkstra, *A World Full of the Word. The Biblical Learning of Dioscorus*, in: A. A. MacDonald, M. W. Twomey, G. J. Reinink (eds.), *Learned Antiquity. Scholarship and Society in the Near-East, the Greco-Roman World, and the Early Medieval West*, Leuven 2003, 139. Notably, even in petitions addressed to emperors in the Roman period occasionally emotional arguments were employed. See, Hauken, *Structure and Themes* (note 54) 17f.

⁶⁰ S. Connolly, *Lives Behind the Laws: The World of the Codex Hermogenianus*, Indianapolis 2010, 5.

“For you are a father to the orphan and a husband to the widow, a brother to the divorced, an apron to the motherless. Let me make your name in this land, with every law: Leader free from selfishness! Great one free from baseness! Destroyer of Falsehood! Creator of Truth! Who comes at the voice of the caller! I speak so that you will hear.” (B1 90–99)⁶¹

We have already referred to the petition of the twins (see note 29), which is very characteristic of the Hellenistic period. The petition of Thermouthion, from Oxyrhynchus, in the second to third century CE throws light upon the formulation of Roman petitions and how they could employ emotional language as part of their rhetoric and persuasion strategies. Thermouthion petitions the strategos because her young slave girl was seriously hurt in an accident and she is angry about the incident. The petitioner explains that the girl had taken on a daughter’s role both in the affections of her mistress and in providing the practical care an elderly parent could expect from her children. She expresses her love (ἀγαπῶ) for the slave; her hope (ἐλπίς) that the girl would take care of her at her old age (γηροβοσκία); and her utmost despair (δυσθυμία) that the girl would not survive the accident. She asks the strategos to feel frustration (ἀγανακτέω) and provide justice.⁶² The petition is expressed in unusually complex language for a documentary text, and loss of clarity is sometimes the result, perhaps reflecting Thermouthion’s anxiety over the accident. Part of Thermouthion’s persuasion strategy is her insistence throughout the petition that she is helpless and alone.

As noted in the previous section, Late Antiquity saw a continuation in the use of petitions and the way they were structured but at the same time there was also a profusion of emotional appeals in them.⁶³ *P.Oxy.* XXVII 2479 encapsulates the *ethos* of

⁶¹ R. B. Parkinson (trans.), *The Tale of Sinuhe and Other Ancient Egyptian Poems, 1940–1640 BC*, Oxford 1997, 61.

⁶² “To Asclepi strategos, from Thermouthion, daughter of Ploutarchos, from the city of Oxyrhynchus. I loved (ἠγάπησα) and took care (ἐτημέλησα) of my serving girl, Peina, a home-bred slave, as though my own little daughter, in the hope (ἐλπίδι) that when she came of age I would have her to nourish me in my old age (γηροβοσκόν), since I am a woman who is helpless (ἀβοήθητον) and alone (μόνην). The incident involved crossing the city on the 19th of last month, when a certain Eucharion, freedwoman of Longinus, was escorting her to her lesson in singing and other skills, who at the moment of the departure from my house led Peina in with her right hand in bandages, and when I asked her the cause, (Eucharion) told me that the girl had been dashed down by a certain slave Polydeukes, as he was driving his donkey, so that, as a result, her whole hand (or arm?) was crushed, and most parts mutilated, while the rest was a gaping wound. And because I did not then have someone in charge of the office of strategos, I did not submit a petition about this matter, and I am unable to endure the pain (δδύνην) concerning my serving girl, because she is in danger (κινδυνεύειν) of her life and because I am sorely pressed by my despair (δυσθυμία) for her life; you too will feel frustration (ἀγανακτήσεις) when you actually see it. Of necessity, then, I have fled to you as my defender and I ask that I be helped and receive from you ...” (translation from original edition) *P.Oxy.* L 3555 (Oxyrhynchus).

⁶³ Dijkstra, *A World Full of the Word* (note 59) 136 notes that from the fourth century CE onwards documents were written in an increasingly verbose and pompous style, while especially

these later centuries. A runaway *colonus* petitions his patron, begging to be restored to his farm and to be excused the rent on the land that he has not worked during his absence.⁶⁴ Pieous makes use of very emotional language throughout his document as he emphasizes that he weeps, begs and supplicates his lord while both his children and him are literally starving. He underscores that unless his patron takes pity on him, he is helpless and hopeless.⁶⁵

The above-mentioned emotionality and rhetorical exaggeration in petitions is also due to the multi-faceted interaction between literature and document in Late Antiquity. Jean-Luc Fournet emphasises that "society came to conceive of writing as unitary: a literary text was no longer necessarily viewed as the opposite of the document, since both forms were subject to the same rules of writing and composition inspired by poetry

from the sixth century onwards, they can strike the reader as overdone, wordy, formulaic and emotional.

⁶⁴ "To my good benefactor and lord, petition (δέησις) and supplication (ἱκεσία) from Pieous your slave from the village of Kinea. Your all-glorious lordship's love of the poor and of the Christ, going out over all the land, has caused many of its people to have recourse to your lordship and they come forward and receive justice (δικαίου) and all pity (πάσης ἐλεημοσύνης). (Therefore?) I, too, the wretched (ἐλεεινός) come forward weeping (καταδακρύων) and saying of myself that I am your all-glorious lordship's registered farmer and that these three years ago my beasts died and I ran away from my farm, as I have said, three years ago and stayed away from home. And having remained away from home for that same space of three years that I might find ... food? and to be registered along with my children ... of the farm ... I beg and supplicate (παρακαλῶ καὶ ἱκετεύω) your all-glorious [lordship, if it pleases your lordship] to give orders that I am to return to the farm and not to be asked for ... I sowed that I might labour on the same farm and bring up my unhappy children (ἄθλια τέκνα). And I shall send up to the Lord Christ my prayers for the life of your all-glorious lordship. For I cannot, lord, pay on what I do not sow. Those who sow are the ones who can pay. And this too I say: that the steward came on the farm and plundered all my poor possessions for this cause. And I beg to receive your pity (παρακαλῶ τοῦ ὑμετέρου ἐλέους τυχεῖν). For I call the Lord God to witness that, inundation or drought, I have not a morsel to eat, nor my children, because of this helplessness (?) that I have mentioned before. And on this account I have recourse to your lordship, so that I may be counted among those benefited by your lordship, most all-glorious benefactor, lord, master." (translation from original edition) *P. Oxy.* XXVII 2479 (Oxyrhynchus, sixth century CE). An earlier late antique striking example in its use of emotion and exaggeration so as to convey despair is *Pap. Eleph. Engl.* D19. It is a petition from Syene dating from 425 to 450 CE sent by bishop Appion to Emperors Theodosius and Valentinianus. Appion is very anxious because his churches are being attacked by the Blemmyes, so he profusely pleads for protection. He stresses "Therefore, since the churches under me have been humbled and are unable to protect the very ones who flee to them, I prostrate myself, rolling on the ground before your divine and immaculate footsteps so that you deem it right to decree that the holy churches under me be guarded by the soldiers among us ..."

⁶⁵ Cohen rightly stresses that "the ancient Near Eastern model of petitioning for justice, which entered Christianity through the Hebrew Bible, suffused the new charity of the later Roman Empire, and also led to an "upward slippage" of the notion of the poor in Christian texts of the time." M. R. Cohen, *The Voice of the Poor in the Middle Ages: An Anthology of Documents from the Cairo Geniza*, Princeton 2005, 12.

and rhetoric.”⁶⁶ This phenomenon is exemplified in the literary and documentary production of the *scholastikos* Dioscorus of Aphrodito, a lawyer and poet.⁶⁷ Dioscorus’ work signifies a perfect paradigm of a rural elite culture in a Hellenised province of the late Roman Empire,⁶⁸ and demonstrates that he was well educated in both the classical and the Judaeo-Christian tradition.⁶⁹ Therefore, in this period one can speak of the ‘documentarisation’ of literature, as can be seen with the petition-like poems of Dioscorus and the ‘literarisation’ of the document. Lawyers and scholars, like Dioscorus, included quotations and paraphrases from works of famous authors and vocabulary derived from poetry in their petitions. They tempted to style their texts as works of literature and the literary quality of documents increased greatly, even if they sometimes fell into a convoluted sophistication.⁷⁰

I would like to conclude this section by briefly mentioning the medieval (Fatimid period) parallels that can be found in the Geniza papyri.⁷¹ A large number of the Geniza letters display the stylistic conventions of the Arabic petition, particularly the classic structure of the introduction, exposition of the case, and request clause characteristic of petitions in the Greek and Roman world and also found in the Jewish Aramaic papyri from Upper Egypt in the fifth century BCE.⁷² Besides, though, the similarities in the structure of the Byzantine, Judaeo-Arabic and Arabic petitions,⁷³ one can also notice the parallels between the vocabulary and persuasion strategies employed in the Geniza petitions by the poor in the ways they describe their desperate circumstances, their ill-

⁶⁶ J.-L. Fournet, *Between Literary Tradition and Cultural Change. The Poetic and Documentary Production of Dioscorus of Aphrodite*, in: MacDonald, Twomey, Reinink, *Learned Antiquity* (note 59) 113.

⁶⁷ For Dioscorus of Aphrodito and his petitions: Fournet, *Hellénisme dans l’Égypte* (note 54) and *Between Literary Tradition and Cultural Change* (note 66); Dijkstra, *A Cult of Isis* (note 58) and *A World Full of the Word* (note 59); A. Papatthomas, *Zwischen juristischen Formeln und künstlerischer Schöpfung: Neutestamentliche Elemente in den Urkunden des spätantiken Dichters und Notars Flavius Dioskoros von Aphrodito*, *Hermes* 128.4 (2000) 481–499; and L. S. B. MacCoull, *Dioscorus of Aphrodito. His Work and his World*, Berkeley 1989.

⁶⁸ Fournet, *Between Literary Tradition and Cultural Change* (note 66) 102.

⁶⁹ Dijkstra, *A World Full of the Word* (note 59) 137.

⁷⁰ Fournet, *Between Literary Tradition and Cultural Change* (note 66) 113. Also see, Dijkstra, *A Cult of Isis* (note 58) 139f. For an excellent example of such a literary petition, see *P.Cair.Masp.* I 67004, fully translated in Dijkstra, *A Cult of Isis* (note 58) 148. Notably, Papatthomas ascribes the literarisation of Dioscorus’ petitions and his use of biblical vocabulary and allusion in them to the influence of Coptic verbose documentary writing. Papatthomas, *Zwischen juristischen Formeln und künstlerischer Schöpfung* (note 67) 496.

⁷¹ M. R. Cohen, *Poverty and Charity in the Jewish Communities of Medieval Egypt*, Princeton 2005 and Cohen, *The Voice of the Poor* (note 65).

⁷² Cohen, *The Voice of the Poor* (note 65) 10. In a similar way to Greek petitions, Khan divides eighth-century Arabic petitions in the following parts: 1) invocation (*basmala*) 2) address 3) initial Blessing on addressee 4) exposition 5) request 6) motivation 7) final Blessing on addressee. Khan, *The Historical Development* (note 54) 8.

⁷³ Khan also notices that the expression “the slave kisses the ground” in the formulary of Arabic petitions (and court practice) reflects the influence of Byzantine and Sasanian court practice and as an extension document formulation. Khan, *The Historical Development* (note 54) 25f.

fated children and lack of any assistance other than that of the addressee⁷⁴ and the terminology utilised in the Greek petitions previously discussed.

Overlaps in terminology and persuasion strategies

First and foremost, it should be stressed that besides an overlap in terminology and persuasion strategies, these documents also have similarities in scribal traditions and practices. The common ground for both scribes in the Ptolemaic and Roman period is the temple.⁷⁵ In Egypt, the prevalence of writing was in the temples and scholars have noted that Demotic notaries in these periods were trained in temples, where they also practised their profession.⁷⁶ Petitions were composed by the personnel of such Hellenistic or Roman temples.⁷⁷ Christopher Faraone adds that scholars and practising magicians were not mutually exclusive categories.⁷⁸

⁷⁴ For example, in the following letter, a distressed widow, almost blind, has to care for her three-year-old daughter: "Happy shall you be who sow by all waters, who let loose the feet of cattle and asses. Happy are those who act justly, who do right at all times. Happy is he who is thoughtful of the wretched; in bad times may the Lord keep him from harm. May the Lord guard him and preserve him; and may he be thought happy in the land. Do not subject him to the will of the enemies. My masters the courts, may their Rock protect them, and the community, may they be blessed, are aware of the current situation and how difficult it has been for those with means, all the more so the weak and poor. I am a woman with poor sight. I cannot distinguish night from day and cannot find my way since my husband left me and fled to Alexandria and left me a widow during his lifetime. In my charge is an infant girl three years old. We are starving, naked, and lacking strength. Were it not for God the exalted and the elder Abu Ali, may his Rock protect him, who remembers us occasionally, we would not be in any shape. I call out concerning our situation to God and the community, may they be blessed, to look into my situation before I die of starvation and hopefully put together something that I can cover myself with, and may your reward from heaven be doubled. May your welfare increase for ever. The wife of Ma'ani who has fled." Eleventh to thirteenth century CE, Cohen, *The Voice of the Poor* (note 65) 87f.

⁷⁵ D. Frankfurter, *The Magic of Writing and the Writing of Magic: The Power of the Word in Egyptian and Greek Traditions*, *Helios* 21.2 (1994) 192–194.

⁷⁶ W. J. Tait, *Some Notes on Demotic Scribal Training in the Roman Period*, in: A. Bülow-Jacobsen (ed.), *Proceedings of the 20th International Congress of Papyrologists. Copenhagen, 23–29 August, 1992*, Copenhagen 1994, 188–192; S. P. Vleeming, *Some Notes on Demotic Scribal Training in the Ptolemaic Period*, in: Bülow-Jacobsen, *Proceedings*, loc. cit. 185–187.

⁷⁷ The scribe Ptolemaios, whom we met earlier in the petition of the twins, is a prime example of this phenomenon. From his archive we know that at the temple of Sarapis in Memphis he drafted petitions but was also involved in divination and the recording and explanation of dreams. J. Rowlandson, *Women and Society in Greek and Roman Egypt: A Sourcebook*, Cambridge 1998, 98–105; for his activities regarding dreams, see W. V. Harris, *Dreams and Experience in Classical Antiquity*, Cambridge, MA, 2009, 102, 105 and 169.

⁷⁸ C. A. Faraone, *Handbooks and Anthologies: The Collection of Greek and Egyptian Incantations in Late Hellenistic Egypt*, ARG 2.2 (2000) 210f. Meyer also reminds us that magicians and priests could not be easily distinguished. She adds that curses were probably not only intended to be written on tablets and recited, but the action could parallel that of prayers, with the magician playing the role of dictating priest: Meyer, *Legitimacy and Law in the Roman World* (note 18) 79.

Furthermore, the role and education of scribes of prayers for justice was also initiated and defined within the Egyptian temple *milieu*. The use of legal terms in the prayers for justice not only reflects the legal background of the respective cases, but it also shows that the authors of the texts (often the priests) were familiar with the contemporary legal practices and institutions of Greek and Roman law. In Egypt, this role of local priests was institutionalized.⁷⁹ The surviving magical handbooks from Egypt, unique from the Mediterranean world, offer us crucial insight about the role of scribes and their books and models.⁸⁰ Notably, there are similar handbooks and formulae in the composition of petition as in the composition of prayers for justice.⁸¹

Terminology

The similarities between the phraseology of petitions and prayers for justice are striking and have been noted often before.⁸² Scholars have elaborated that specific legal terminology is employed by the scribes of prayers for justice in order to assimilate these documents with official petitions and stress their importance. There is thus a very close parallel between an Old Kingdom text recording the verdict of a court over an inheritance and a contemporary letter to the dead.⁸³ The use of legal vocabulary creates the impression of a law suit.⁸⁴ Many of the prayers are actually defined by the composer of the text as a petition or other such legal documents: Demotic prayers make use of the term *mkmk* (= Greek ὑπόμνημα). The legal connotation of the word refers to written evidence used in supporting a petition to the authorities. It is therefore surprising to see the word employed in its present context. Yet the writer clearly regards his or her plea as a plea for a judgement a *wpy*,⁸⁵ another thought-provoking term, which could be

⁷⁹ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 32. For a downplay of the role of the priests, see A. Rostad, *Confession or Reconciliation? The Narrative Structure of the Lydian and Phrygian 'confession inscriptions'*, SO 77.1 (2002) 147–149. Interestingly, still in twelfth-century Catalonia priests acted as the scribes who composed the petitions of their downtrodden congregation (T. N. Bisson, *Tormented Voices: Power, Crisis, and Humanity in Rural Catalonia 1140–1200*, Cambridge, MA, 1998, 12).

⁸⁰ Faraone, *Handbooks and Anthologies* (note 78) 204f.; and Frankfurter's discussion in Meyer, Smith *Ancient Christian Magic* (note 34) 259–262.

⁸¹ Faraone, Kropp, *Inversion, Adversion and Perversion* (note 2) 395–397. Also see, Hauken, *Petition and Response* (note 54) 287 for the use of rhetorical handbooks for the composition of petitions addressed to Roman emperors.

⁸² Meyer, *Legitimacy and Law in the Roman World* (note 18) 106; Riel, *Society and Economy* (note 40) 101; A. Chaniotis, *Tempeljustiz im kaiserzeitlichen Kleinasien: Rechtliche Aspekte der Sühneinschriften Lydiens und Phrygiens*, in: G. Thür, J. Velissaropoulos-Karakostas (eds.), *Symposion 1995. Vorträge zur Griechischen und Hellenistischen Rechtsgeschichte Korfu, 1.–5. September 1995*, Vienna 1997, 353–384; Versnel, *Religious Mentality in Ancient Prayer* (note 8) 22; and Björck, *Der Fluch des Christen Sabinus* (note 22) 61f.

⁸³ Baines, *Practical Religion and Piety* (note 28) 86.

⁸⁴ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 29. A list of all legal terminology employed in confession inscriptions can be found in A. Chaniotis, *Tempeljustiz* (note 82) 353–384.

⁸⁵ Ray, *Papyrus Carlsberg* 67 (note 90) 186f; Reymond, *Two Demotic Memoranda* (note 25) 254.

interpreted either as a plea or a memorandum.⁸⁶ Additionally, in the prayer of Artemisia, the author claims to deposit an *ικετηρία*, a term also frequently used in petitions, while in Coptic prayers, scribes employ the expression to ‘submit a *libellus*’.⁸⁷

The words used in Greek prayers for justice that relate to issues of justice and are also emotionally charged are: *ἀγνοέω*, *ἄδικος*, *ἀμελέω*, *βῆμα*, *βοήθεια*, *δάκρυον*, *δίκαια*, *δικάζω*, *δίκη*, *δύναμις*, *ἐκδίκησις*, *ἐκδικέω*, *ἐπίηρος*, *ικετηρία*, *ικετεύω*, *ἵλαος*, *κατατίθημι*, *καταδιώκω*, *κακουργία*, *κλαίω*, *μαρτυρία*, *πατάσσω*, *προσφεύγω*, *ταχέως*, *τυραννικός*, *φαῦλος*. In the Coptic prayers, we can find the Greek terms: *ἡδύς*, *θλίψις*, *καλῶς*, *λίβελλος*, *παρακαλέω*, *πατάσσω*, *σωτήρ*, *ταλαίπωρος*, *ταχέως*, *χάρτης*.⁸⁸ It should be noted that this legal vocabulary could be used metaphorically.⁸⁹ Demotic prayers for justice, therefore, were often less varied in form or less precise than the pleas from surviving court cases. They instead sound like sometimes impassionate cries for help, prayers in extremity, which did not even formulate the specific solution sought.⁹⁰ As John Ray explains, it may be possible to regard the entire text of the prayer of Tshenesi as legal, with the notion of sickness used as a sustained metaphor for injustice, but the plea in lines 9–12 seems too literal for this. It is easier to regard the *mkmk* as the metaphor, and to assume that the writer has applied legal terminology to right something that he considers abnormal, something in conflict with the principle of *maat* (justice).⁹¹ This example further strengthens Angelos Chaniotis’ statement that “a person’s appeal was thought to be more effective if he or she presented legal and moral justifications.”⁹²

⁸⁶ M. E. Fitzpatrick, *Sh3 or Hrw?*, JEA 69 (1983) 163–165.

⁸⁷ As in the case of Meyer, Smith, *Ancient Christian Magic* (note 34) no. 108. Cf. Worrell, *Coptic Magical and Medical* (note 41) Texts 3–4.

⁸⁸ The fact that scribes of Coptic prayers for justice used such Greek terms could point to a knowledge of the Greek prayers for justice and to Greek petitions but also to a belief that the Greek terms could convey better the despair and urgency of the supplicant. Notably, also Coptic legal documents make very widely use of Greek terms.

⁸⁹ The same metaphorical use has been noted in the confession inscriptions: Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 6.

⁹⁰ Hughes, *On Two Demotic Egyptian ‘Memoranda’* (note 25) 44. *P. Carlsb.* I 67, a healing prayer from 5 BCE, is a telling example: “The voice of the servant Tshenesi before her master Sebek lord of Tebtunis. Ja It happened that she was [.]b.. [. judgement (to) the lord of .. [. retribution [(to) the] lord of [.]. Misfortune (by) night, misery (by) day, plaint (at) every hour! An appeal (at the) hour (of) offering incense, a cry (of) retribution 5 (at the) hour (of) assembling (?)e [the lord (?) of] from Tshenesi daughter of Hor [.]f wrong to (?) seize her [.] corruption (?) She has [.]. I shall give you this document for you are to effect my justice (and) my judgement swiftly and not delay; you are to drive out the corruption (?) 10 from her bones (and) the disease from her limbs night as well as day.’ Translation by John Ray in: J. D. Ray, *Papyrus Carlsberg 67: A Healing-Prayer from the Fayûm*, JEA 61 (1975) 183.

⁹¹ *Ibid.* 184f.

⁹² Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 8.

Persuasion strategies and Emotions

Besides the terminology and the structure of these documents, the overlap between prayers and petitions also rests on the persuasion strategies they employ and the emotions displayed in them.⁹³ Henk Versnel stresses that in contrast to *defixiones*, prayers for justice have a tone that is often remarkably emotional.⁹⁴ Supplicants and petitioners had similar circumstances, may even have been the same persons, and they used similar argumentation in order to justify their pleas and to achieve justice. Conflict management theorists explain that each side omits, or chooses to ignore, some potentially important aspect of the incident in question, and that both sides struggle to redefine facts consistently in the direction that best establishes their competing claims about the incident. These struggles over facts, definitions and interpretations become the hard substance for judgment.⁹⁵ As a result, quite understandably, these strategies have been viewed with scepticism. Jill Harries notes that petitions by supposedly wronged individuals addressed to people of authority are highly suspect as evidence for the nature of disputes. “However,” she continues, “they are richly informative as to the strategies adopted by the petitioner at the stage when the petition was sent. Among the strategies is a second reason for caution — the exploitation of highly coloured rhetorical language and stereotypes by the petitioner (or petitioner’s advocate) to further his or her cause and blacken the reputation of his/her opponent.”⁹⁶

Nevertheless, even if we see petitions as fiction, these life stories had to be credible to be effective.⁹⁷ Angelos Chaniotis observes that persuasion strategies in prayers for justice were constructed by the prayer calling the attention of a divinity to an act of injustice. Petitioners do not force a divinity to harm another person by using magic, but instead present arguments to motivate a divinity to act. They report the act of injustice and they request satisfaction.⁹⁸ The same approach can be seen with the equivalent petitions to civil authorities. Kata Endreffy specifies that what Demotic and Greek prayers have in common is much more of a psychological nature — a similar coping strategy expressed in similarly desperate situations.⁹⁹

One of the most common features of these strategies, and quite possibly one of the most effective, was the manner in which they addressed a king or civil authorities as a deity. It should be noted, though, that at the same time we have documents where the

⁹³ For a further study on petitions, persuasion strategies and emotions, see C. Kotsifou, *A Glimpse into the World of Petitions: The Case of Aurelia Artemis and Her Orphaned Children*, in: Chaniotis, *Unveiling Emotions* (note 53) 317–327.

⁹⁴ Versnel, *Prayers for Justice, East and West* (note 13) 280 and 307.

⁹⁵ M. M. Bontty, *Conflict Management in Ancient Egypt: Law as a Social Phenomenon*, Los Angeles 1997, 184.

⁹⁶ J. Harries, *Law and Empire in Late Antiquity*, Cambridge 1999, 184f.

⁹⁷ L. H. van Voss, *Introduction*, in: L. H. van Voss (ed.), *Petitions in History*, Cambridge 2001, 9. Also Quint. *Inst.* 4.2.31 notes that the exposition of a petition has to be short, lucid and probable, cf. Hauken, *Petition and Response* (note 54) 269.

⁹⁸ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 8.

⁹⁹ Endreffy, *Reason for Despair* (note 25) 251.

deities are treated like superior Roman officials,¹⁰⁰ or designated as ‘kings’ and rulers.¹⁰¹ Gods were expected to bestow justice; kings were either considered deities themselves or the representatives of gods on earth. In both cases people anticipated their rulers to be just and ready to act against crimes that were brought to their attention.¹⁰² If the deity or the earthly ruler delivered what the supplicant requested, he was promised widespread exaltation of his benevolence or was offered it in the form of a confession inscription, which was very likely the fulfilment of a prayer for justice.¹⁰³

In Late Antiquity and in the petitions created by Christians in this time, the same attitude towards the authorities called upon is still evident. Arkady Kovelman explains that in this period petitioners had to use analogy and allegory in order to argue their case successfully: “just like sinners in hell awaiting the advent of Christ, the petitioners await the favours of the Duke of the Thebaid. The same is true for the future. For the petitioner, the historic terminus was the advent (παρουσία) of the Duke of the Thebaid or some other official. The elders of the village of Omboi openly declare to the Duke that they have tied their ‘hope and a path to salvation’ to his ‘glorious advent,’ for ‘if not for Your Excellency, the business would not be saved and redeemed’. His Excellency, Fl. Marianos, is declared a saviour and redeemer. It is precisely a comparison to the world before the arrival of Christ.”¹⁰⁴

¹⁰⁰ R. Tomlin, *Cursing a Thief in Iberia and Britain*, in: Gordon, Simón, *Magical Practice* (note 2) 246. He offers the example of Abbinaeus who commanded a late-Roman fort in Egypt. He received statements of the offence committed followed by the formula ‘wherefore I request and beg your philanthropy to apprehend this man and compel him to restore to me what he has wickedly seized.’ Cf. *P.Abin.* 44 (Theadelphia, 29 March 342 CE).

¹⁰¹ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 31.

¹⁰² M. Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East*, Jerusalem 1995, 45. Millar adds that “it is not surprising that the analogy between divine and imperial pronouncements was quite frequently expressed, and not least in the context of personal petitions.” F. Millar, *The Emperor in the Roman World*, London 1977, 468. Cohen, *Poverty and Charity* (note 71) 13 rightly stresses that “when praise and exhortation overflow, they reflect social expectations.” Therefore, opening references to injustice are standard in petitions. Cf. White, *The Form and Structure of the Official Petition* (note 54) 28f.

¹⁰³ Official petitions often conclude by noting that “if you grant my request, I will tell everyone of your kindness ...” In the Hellenistic petitions of Ptolemaios on behalf of the twins, for example, we find that Ptolemaios besides using flattery and suggesting to Sarapion that it is his inherited inclination which guides him in his dealing with the twins, he adds that if Sarapion treats the twins justly, he will have the approval of both the king and the native gods of Egypt. See, Thompson, *Memphis Under the Ptolemies* (note 30) 226–227. Further, the following confession inscription contains both these elements: “Great are the gods who rule Nea Kome. In the year 231. Because Menophila was hated by her son Polychronios, and she prayed the gods to do justice to her, and when he (viz. the son) was punished and had reconciled the gods, they (viz. the gods) demanded her to write down the powers of the gods on a stele.” G. Petzl, *Die Beichtinschriften Westkleinasiens*, Bonn 1994, 47, transl. Rostad, *Confession or Reconciliation?* (note 79) 156.

¹⁰⁴ A. B. Kovelman, *From Logos to Myth: Egyptians Petitions of the 5th–7th Centuries*, BASP 28 (1991) 138 with references to *P.Cair.Masp.* I 67002; 67004; 67009; and *P.Lond.* V 1675. Also on these papyri, J.-L. Fournet, J. Gascou, *Liste des pétitions sur papyrus des V^e–VII^e siècles*, in: Feissel, Gascou, *La pétition* (note 54) 145–147, 149–150 and 169; and Dijkstra, *A Cult of Isis* (note 58) 142–148.

For the purpose of this contribution, though, what is even more important is the manipulation of the emotions of the civic authorities and the manipulation of the emotions of deities in these documents.¹⁰⁵ People used different methods to assure the gods' interest in human affairs and their intervention on behalf of the injured party.¹⁰⁶ The use and display of emotions, especially despair, in these prayers and petitions seems to be the most prevalent one. Besides attracting the god's and the king's personal interest in the affair, the petitioner or supplicant often employed much flattery as well.¹⁰⁷ The Old Coptic Schmidt papyrus from around 100 CE is a good example. Esmpe prays to Osiris and stresses that "I have no power, I having no champion son. I cannot help; I am a barren woman. There is no one who will appeal on my behalf before him."¹⁰⁸ The same formula is found in countless petitions. Additionally, the same 'pathetic' language, one that emphasizes widowhood, old age, and childlessness¹⁰⁹ characterizes both prayers and petitions.¹¹⁰ Peter Brown remarks "in the Near East model of society, the 'poor' were a judicial, not an economic, category. They were plaintiffs, not beggars. To give 'justice' to the 'poor' was a sign of royal energy — whether this was the energy of a king or of a god ... Hence the importance, in representation of royal justice, of the appeal of widows and orphans. They were a class of the 'weak' who, in normal circumstances, would have depended on the protection of their immediate kin and locality ... In order to obtain such justice from above, the petitioner had to adopt the position of the 'poor' — that is of a person with no other protector than the king. This did not mean that he or she was economically destitute. Rather, the 'poor' person was the person of any status who waited, humbly but insistently, for the answer of the great. To be poor was to have a claim."¹¹¹

¹⁰⁵ Similarly in inscriptions, A. Chaniotis, *Dynamic of Emotions and Dynamic of Rituals: Do Emotions Change Ritual Norms?*, in: C. Brosius, U. Husken (eds.), *Ritual Matters: Dynamic Dimensions in Practice*, London, New York 2010, 213.

¹⁰⁶ As also attested in inscriptions, Riel, *Society and Economy* (note 40) 69.

¹⁰⁷ Chaniotis, *Dynamic of Emotions* (note 105) 214.

¹⁰⁸ Meyer, Smith, *Ancient Christian Magic* (note 34) no. 1. H. Satzinger, *The Old Coptic Schmidt Papyrus*, JARCE 12 (1975) 46f. notes that the language of this document is a mingling of prayer and magic with a considerable sobriety of speech. The same argumentation can also be found in a Demotic memorandum, in: Hughes, *On Two Demotic Egyptian 'Memoranda'* (note 25) 65: a Demotic prayer for justice to Thoth, in: Hughes, *A Demotic Letter to Thoth* (note 25); and in a fourth century BCE lead tablet from Pella in Macedonia. The tablet contains an erotic spell by a woman who wants to prevent the marriage of Dionysophon to a particular woman, and it ends with an emotional appeal to the powers of the dead to whom the spell is addressed to "have pity for [Phila?], dear *daimones*, [for I am indeed bereft?] of all dear ones and abandoned." (Evans Grubbs, *Stigmata Aeterna* [note 7] 239).

¹⁰⁹ Or too many children! Millar notes the exaggerations and lies about the number of children petitioners have. Millar, *The Emperor in the Roman World* (note 102) 549.

¹¹⁰ For the same pathetic language used in inscriptions, see the inscription about some orphans cheated out of their inheritance in 210–211 CE, in Petzl, *Beichtinschriften* (note 103) no. 35.

¹¹¹ P. Brown, *Poverty and Leadership in the Later Roman Empire*, Hanover, NH, 2002, 69f. Cohen also notes that petitions allowed the unfortunates to retain their dignity, in Cohen, *Four Judaeo-Arabic Petitions* (note 54) 465.

Consequently, some emotions are explicit, others implied. The scribes explicitly display suffering, despair,¹¹² disdain and pity. In order for the supplicant to fully express his despair, he carefully unravels his story of suffering, describes himself as wretched (ταλαίπωρος),¹¹³ explains that he has been repeatedly treated with disdain (καταφρονέω),¹¹⁴ and pleads that the king, deity or God takes up his cause and vindicate him.¹¹⁵ The latter part was thought more easily achieved if the prayer or petition could instil pity in the addressee.¹¹⁶ Notably, the supplicant's anger in prayers for justice is always implied, just as in petitions. Anger and revenge is inextricable from high status and power.¹¹⁷ As we have already seen, petitioners do not portray themselves as such. Further, the display of anger is also associated with the seriousness of the crime. In those instances, no pathetic or begging language is deemed necessary.¹¹⁸

¹¹² Cf. Migahid, Vittmann, *Zwei weitere frühdemotische Briefe an Thot* (note 25) 53f.; B. Anagnostou-Canas, 'Justice' oraculaire dans l'Égypte hellénistique et romaine, *Revue Historique de Droit Français et Étranger* 76.1 (1998) 8; and Vittmann, *Zwei demotische Briefe an den Gott Thot* (note 25) 170f. For despair in petitions specifically, see R. L. B. Morris, *Reflections of Citizen Attitudes in Petitions from Late Roman and Byzantine Oxyrhynchus*, in: B. Kramer et al. (eds.), *Akten des 21. Internationalen Papyrologenkongresses. Berlin, 13.–19.8. 1995*, Leipzig 1997, 747.

¹¹³ For the description on the supplicant as 'wretched', see H. S. Versnel, *ΚΟΛΑΣΑΙ ΤΟΥΣ ΗΜΑΣ ΤΟΙΟΥΤΟΥΣ ΗΛΕΩΣ ΒΑΕΠΙΟΝΤΕΣ*: "Punish Those Who Rejoice in Our Misery": On Curse Texts and Schadenfreude, in: D. R. Jordan, H. Montgomery, E. Thomassen (eds.), *The World of Ancient Magic: Papers from the First International Samson Eitrem Seminar at the Norwegian Institute at Athens, 4–8 May 1997*, Bergen 1999, 140.

¹¹⁴ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 20f; and Versnel, *Punish Those Who Rejoice* (note 113) 140.

¹¹⁵ The verb used here is ἐκδικέω. Its force is not "to avenge" but is instead judicial. Among others, it means to give someone legal aid, to punish a crime or to act as a legal assistant. Cf. Versnel, *Beyond Cursing* (note 15) 72.

¹¹⁶ For the use of pity to achieve justice in petitions, for the Hellenistic period, see Di Bitondo, *Le petizioni al re* (note 54) 49f. and *Le petizioni ai funzionari* (note 54) 99f.; and for Late Antiquity, Morris, *Reflections of Citizens Attitudes* (note 112) 747.

¹¹⁷ See Kotsifou, *Emotions and Papyri* (note 53) 71f.

¹¹⁸ The following petition shows how different in tone it is than the ones we have considered before "To Aurelius Harpocraton, *strategos* of the Oxyrhynchus nome, from Aurelius Aphynchis son of Sarapas, of Oxyrhynchus. This very day, being told Achilleus the pastry-cook had attacked Sarapias, a slave of my son (who is a minor), and indeed had wounded her on the lip — when I went off to him forthwith and remonstrated with him about his insolence, he attacked me too, and used violence and abused me — nay more, he even hurled a stone at my head. So I hand in the petitions and request you to order him to be brought before you and to proceed against his outrages, so that the girl can receive redress and treatment. Year of Emperor Caesar Marcus Aurelius Antoninus Pius Felix Augustus, Phaophi. I, Aurelius Aphynchis, have handed in (the petitions)." *P.Oxy.* XXXII 2672 (Oxyrhynchus, 218 CE). Cf. *P.Enteux.* 82 (Trikomia, Arsinoite nome, 221 BCE) where a woman petitions the *strategos* to have a bath attendant punished because he intentionally scalded her. Her petition is filled with anger, contempt and vengeance.

Most important in the expression of emotion is the use of language of urgency. Very often they close these documents by emphasizing that the deity, God or the civil authorities should act quickly. In prayers, they ask for things to happen ἐν τάχει or ταχύ, ταχύ, ταχύ. This repetition is meant to add force to the utterance¹¹⁹ but it also stresses the anxiety, frustration and despair the supplicant or petitioner wanted to convey. In petitions, the addressee could ask the authorities not to overlook or neglect (ὑπεροράω, περιοράω) their case and to dispense justice immediately.¹²⁰ Another way of conveying this urgency is by having an elaborate ‘begging formula’ in the beginning of the prayers as is customary with the Coptic texts.¹²¹ We have already seen that Theodora opens her prayer “I beg, I invoke, I pray to you, holy martyrs, I Theodora, the injured party”,¹²² and Jacob “I beseech, I beg, I adore, I prostrate myself in my plea and my entreaty”.¹²³

Social and cultural milieu of prayers for justice on papyrus

It goes without saying that all of these parallels between the two genres — in their form, themes, vocabulary and expression and use of emotion — ultimately reflect situations that the petitioners had to face on a daily basis. They recount socially constructed events and record conflict between humans. They also reflect a practical communication between religious, legal and social discourse. Both prayers and petitions illuminate the worry and often despair people faced in their efforts to achieve justice or what they considered just. Both prayers and petitions describe mainly people of low to middle status who could only argue or supplicate for their mishaps via expressing despair and worry and not anger.¹²⁴

The interdependence between religion and law in these cases is unquestionable: people came to a widely-respected sanctuary in order to solve legal problems. The priests of sanctuaries occasionally arbitrated in legal disputes of the rural population based not only on the power of their gods, but also on their personal experience and authority.¹²⁵ In Egypt specifically, civil and priestly authorities judged at the same

¹¹⁹ Pulleyn, *Prayer in Greek Religion* (note 19) 134.

¹²⁰ *P. Enteux*. 26 (Magdola, 221 BCE) and *UPZ I 2* (Memphis, 163 BCE). Further mentioning the existence of a dying relative who requires immediate assistance could be used in order to urge a benefactor to expedite his response. See, Cohen, *Four Judaeo-Arabic Petitions* (note 54) 455.

¹²¹ S. T. Richter, *Magical Intertextuality: Shared Textual Traits of Magical and Other Coptic Texts*, paper presented at the *Ninth International Congress of Coptic Studies*, 15–20 September 2008.

¹²² Meyer, Smith, *Ancient Christian Magic* (note 34) no. 108.

¹²³ *Ibid.*, no. 91; and Crum, *Eine Verfluchung* (note 41). It is noteworthy that a Hebrew petition from the Geniza documents composed several centuries later than Jacob’s prayers stresses “I prostrate myself with a request, petition, and supplication before Him who dwells in the heavenly habitation and before our lord, the Nasi of the community ...” see Cohen, *The Voice of the Poor* (note 65) 18, n. 13.

¹²⁴ As described above, anger is an emotion that reflects either the high status of an addressee or the severity of a crime.

¹²⁵ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 26–34.

temple space, namely the gate of the temple.¹²⁶ This is where criminals were judged and punished. Additionally, it is certain that temples of the imperial cult and statues of the emperors could function as courts of appeal, especially from the third century CE in connection with liturgies. Deposing a petition at the feet of the statue of the emperor was the normal procedure in cases of appeal.¹²⁷ In Late Antiquity, there is also a practical interchange of justice dispensed both by religious and civic authorities. This is found at the bishops' courts.¹²⁸ Notably in fourth century Lycopolis, bishop Plousianos presided over and judged a case of stolen books at the gateway of his church.¹²⁹

Why did people seek justice with the gods and not the authorities?¹³⁰ The reasons throughout the centuries remained relatively similar. Cases from the sixth century BCE to the sixth century CE underscore certain continuing challenges for people from the middle and low classes. More specifically, the issues of status of a petitioner, the prohibitive cost of a court case, and the possible belief in the inefficacy of law were important.¹³¹ Jan Assmann quite rightly reminds us that, generally, the distinction

¹²⁶ The story of the 'eloquent peasant' throws light on this practice, in Parkinson, *The Tale of Sinuhe* (note 61) 67f. and 82; for a Ptolemaic document that records a dispute judged at the gate of a temple by priests who act as judges, see O. El-Aguizy, *A Ptolemaic Judicial Document from Hwt-nsw*, BIFAO 88 (1988) 51–62; cf. J. Quagebeur, *La justice à la porte des temples et le toponyme permit*, in: C. Cannuyer, J.-M. Kruchten (eds.), *Individu, Société et Spiritualité dans l'Égypte Pharaonique et Copte. Mélanges égyptologiques offerts au Professeur Aristide Théodoridès*, Athens, Brussels 1995, 216f. and 220; H. Willems, *Crime, Cult and Capital Punishment (Mo'alla Inscription 8)*, JEA 76 (1990) 42f. L. Capponi, *Spaces of Justice in Roman Egypt*, in: F. de Angelis (ed.), *Spaces of Justice in the Roman World*, Leiden 2010, 272 stresses that "the continuity with the Pharaonic, Ptolemaic and Roman tradition of open-air justice in the forecourt of temples is striking." For parallel evidence from the inscriptions of Asia Minor: N. Belayche, *Les stèles dites des confession: une religiosité originale dans Anatolie impériale?*, in: L. de Blois, P. Funke, J. Hahn (eds.), *The Impact of Imperial Rome on Religions, Rituals and Religious Life in the Roman Empire*, Leiden 2006, 71f.; A. Busine, *The Officials of Oracular Sanctuaries in Roman Asia Minor*, ARG 8 (2006) 275–316; Gordon, *Raising a Sceptre* (note 21) 178; Anagnostou-Canas, *'Justice' oraculaire* (note 112) 10–14; Riel, *Society and Economy* (note 40) 100–101; Baines, *Practical Religion and Piety* (note 28) 88–93; and Björck, *Der Fluch des Christen Sabinus* (note 22) 61f. For a twentieth century case where a judge equates his courtroom with a chapel, see R. Herz, *The Art of Justice: The Judge's Perspective*, London 2012, 49–51.

¹²⁷ Capponi, *Spaces of Justice* (note 126) 271f.

¹²⁸ Brown, *Poverty and Leadership* (note 111) 68.

¹²⁹ *P.Lips.* I 43.

¹³⁰ The 'eloquent peasant', for example, after his repeated petitions to the official, finally declares "look, I am pleading to you, and you do not hear — I will go and plead about you to Anubis." (B2 115; Parkinson, *The Tale of Sinuhe* [note 61] 74) This practice continued through the Hellenistic and Roman periods into Late Antiquity, and for these later years Simonsohn rightly notes that the choice to bring one's suit before more than one judicial institution "reflects not only the subordination of litigants to a multiplicity of judicial authorities but also their affiliation with a multiplicity of social circles": U. I. Simonsohn, *A Common Justice: The Legal Allegiances of Christians and Jews Under Early Islam*, Philadelphia 2011, 26.

¹³¹ Therefore, as we will see, all these reasons could have made Hauken's comment that petitions in the Roman period were a right and not a privilege more of a hypothesis than a reality. Hauken, *Petition and Response* (note 54) 286.

between laws and curses, jurisdiction and imprecation, is not that the one expresses certainty and the other “vague hopes or expectation.” Rather, the former refers to the agency of social institutions and the latter to the intervention of divine, or demoniac — in any case transcendent — powers.¹³²

Further, Caroline Humfress explains that in theory when the civil status of even the most poor and destitute citizens was challenged, they were to be given their day in court. But we should not assume that the higher courts of the empire resounded in practice with pleas on behalf of beleaguered poor persons of indeterminate legal status.¹³³ Different status meant different means of petitioning the emperor¹³⁴ and different ways of using the law.¹³⁵ It was considered a gross impertinence for people of low status to send an epistle to the emperor and even if they did, we see that subscripts to petitioners of humble status are brief and harsh, unlike those of epistles to high officials.¹³⁶ In the end, for members of the imperial elite, the system offered an advantage, as they brought their lawsuits before a state court operated and used by their peers.¹³⁷ Nonetheless we can expect that there would have been selected cases when an individual or community was fortunate enough to benefit from the patronage of an educated, upper-class person who could and would petition the civil administration or the emperor on their behalf. Dioscorus and the petitions he took to Constantinople for the inhabitants of Aphroditō between 548 to 551 CE is such a case.¹³⁸ But as Jean-Luc Fournet notes even in these

¹³² Assmann, *When Justice Fails* (note 20) 150.

¹³³ C. Humfress, *Poverty and Roman Law*, in: M. Atkins, R. Osborne (eds.), *Poverty in the Roman World*, Cambridge 2006, 190. Kelly, *Petitions, Litigation* (note 54) 124 also points out that there is little evidence to suggest that members of the very poorest strata of society engaged in petitioning.

¹³⁴ W. Williams, *The Libellus Procedure and the Severan Papyri*, JRS 64 (1974) 87f.

¹³⁵ Connolly, *Lives Behind the Laws* (note 60) 100.

¹³⁶ Williams, *Epigraphic Texts of Imperial Subscripts* (note 10) 189 and 197f. Millar, *The Emperor in the Roman World* (note 102) 469 and 472 stresses the anxiety petitioners felt depending on the emperor's mood and how social standing and wealth were important in approaching him. For the low status of the supplicants of prayers for justice in inscriptions, see Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 31f., and Riel, *Society and Economy* (note 40), and M. Riel, *The Appeal to Divine Justice in Lydian Confession-Inscriptions*, in: E. Schwertheim (ed.), *Forschungen in Lydien*, Bonn 1995, 69. Nonetheless, Gordon, *Raising a Sceptre* (note 21) 181 still cautions that although some of the people who composed prayers for justice came from rural and village communities, they were still propertied people. Additionally, Kelly, *Petitions, Litigation* (note 54) 124 underlines that a significant number of petitioners came from the middling strata of village and metropoleis society. He elaborates that this middling strata “owned some urban real estate or agricultural land, although usually not in large quantities; they engaged in relatively complex transactions, either in relation to land or to other economic activities or interests; or they had a range of other engagements with the state beyond the inevitable need to pay taxes.” Finally, Cohen, *Four Judaeo-Arabic Petitions* (note 54) 455 refers to the petitioners of the Fatimid Judaeo-Arabic petitions as the ‘working poor.’

¹³⁷ Simonsohn, *A Common Justice* (note 130) 28.

¹³⁸ MacCoull, *Dioscorus of Aphroditō* (note 67) 9–15.

instances the prolonged stays in the capital were demanding and legal success was not guaranteed or achieved, thus, Dioscorus refrained from repeating such a trip.¹³⁹

The high cost of court cases was not inconsequential. The routine administration of justice by local officials was primarily accessed by, and typically favoured, men of property.¹⁴⁰ For those with little cash to spare, these costs could threaten their livelihood, even the roof over their head.¹⁴¹ It is noteworthy that in Late Antiquity, for example, bishops acted as judges of cases (not relating to criminal law) and did not encourage people to appeal to the civil authorities.¹⁴²

As a consequence, mistrust towards civil jurisdiction and the efficacy of law could have arisen.¹⁴³ As noted before, prayers for justice to the dead show that people who felt that they had suffered injustice could turn to the dead for assistance, probably after mundane attempts had failed or where they had little chance of success.¹⁴⁴ George

¹³⁹ J.-L. Fournet, *Les Tribulations d'un Petitionnaire Égyptien à Constantinople. Révision de P.Cair.Masp. III 67352*, in: T. Gagos (ed.), *Proceedings of the Twenty-Fifth International Congress of Papyrology, Ann Arbor 2007*, Ann Arbor 2010, 247–249. Fournet adds that Dioscorus' experience in Constantinople was so unpleasant that when the occasion arose again fifteen years later to go back and petition the emperor for a different problem that the village of Aphrodito was facing, he chose this time to stay in Egypt and repeatedly plead their case to the Duke of Antinoopolis, instead. For similar complications in submitting petitions in the Roman period, see Hauken, *Petition and Response* (note 54) 278 and *Structure and Themes* (note 54) 12.

¹⁴⁰ Humfress, *Law in Practice* (note 43) 390. Cf. Simonsohn, *A Common Justice* (note 130) 29.

¹⁴¹ Connolly, *Lives Behind the Laws* (note 60) 18–20. Harries, *Law and Empire* (note 96) 184 has also remarked that “a declared willingness to go to law might act as a form of pressure to bring the other side to negotiate, rather than litigate, and thus conclude the dispute by informal means, sooner than incur the expense and risk of a legal hearing.” For the Roman period, Kelly, *Petitions, Litigation* (note 54) 160f. remarks that one possible restraint on the very poor using petitions was the cost of the process but then he cautions us on overstating the financial burden involved.

¹⁴² Humfress, *Law in Practice* (note 43) 385f. Cf. Simonsohn, *A Common Justice* (note 130) 30–32. This ‘competition’ between earthly and divine authorities and the issue of high costs are further evident when it came to curing an illness and whether a person chose or was able to go to a doctor or a deity for healing. Going to a doctor first and then to a god if the former was unsuccessful could incur the anger of the god; see Versnel, *Prayers for Justice, East and West* (note 13) 340f. and A. Chaniotis, *Illness and Cures in the Greek Propitiatory Inscriptions and Dedications of Lydia and Phrygia*, in: Ph. J. van der Eijk, H. F. J. Horstmanshoff, P. H. Schrijvers (eds.), *Ancient Medicine in its Socio-Cultural Context. Papers Read at the Congress held at Leiden University 13–15 April 1992*, Amsterdam 1995, 331f. Similarly in the second or third century CE, a woman is punished because she brings Roman soldiers into a sanctuary to defend it instead of putting her faith in sanctuary's deity: Petzl, *Beichtinschriften* (note 103) 114.

¹⁴³ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 40; Riçl, *Society and Economy* (note 40) 100f.; Anagnostou-Canas, ‘Justice’ oraculaire (note 112) 4; Assmann, *When Justice Falls* (note 20) 149; and D. R. Jordan, *Curses from the Waters of Sulis*, JRA 3 (1990) 437.

¹⁴⁴ Baines, *Practical Religion and Piety* (note 28) 86. Walton, *Der Fluch des Christen Sabinus* (note 22) 208 also supports that prayers for justice were used when human justice had proved inadequate. A Demotic prayer to Thoth from 502 BCE is revealing “A communication of the humble servant Efo son of Harnufe-Chebe unto Thoth, Twice Great, Lord of Hermopolis: ‘My great Lord; oh, may he live as long as Prec. From year 11, the month of Mecheir, to this day

Hughes, while analysing the prayer of Efou, remarks that “No hint is given as to why Psentehe was in a position to do these things¹⁴⁵ or why Efou submitted to the treatment for three years before going even so far as to write his letter of supplication to Thoth for protection. There is no hint, either, that he had tried to find or had even thought of seeking the protection of civil authorities or redress in court. At the end of three years of this treatment he wrote to Thoth because he had no human master to whom to look for help.”¹⁴⁶ Efou’s attitude reflects a low-class distrust of law courts and civil authorities.¹⁴⁷ Similarly for the Late Antique period, it has been customarily argued that both the civil and Church authorities were rather ineffective,¹⁴⁸ but Bernhard Palme has convincingly shown that the effectiveness and use of the courts in late antique Egypt did not diminish despite the rising evidence we have regarding the use of arbitration and petitions.¹⁴⁹

I have been doing the work of The Ibis. I left my (former) work, (and) even though I like the work for which I came to The Ibis, I (now) have no human master. If the heart be stout, one will be protected in the presence of Thoth, Twice Great, Lord of Hermopolis! I pray because of Psentehe son of Mont-hotep. He is not accustomed to do any work for The Ibis except to eat its food, nor does he even have a guard kept over it. He has been doing me violence since year 17. He has stolen my money and my wheat. He has had my servants slain. He has stolen for himself everything that I possessed. His heart ... If the heart be stout, one will be protected in the presence of Thoth, Twice Great, Lord of Hermopolis! Psentehe, son of Mont-hotep, he has stolen from my life (for) he has cast me out of my stipend, which he has made over to himself by law. Many things depart into his hand, although they come to The Ibis. Let me be protected from Psentehe son of Mont-hotep.’ Written by the humble servant Efou son of Harnufe-Chebe in year 20, the month of Phamenoth.” In: Hughes, *A Demotic Letter to Thoth* (note 25). Other examples in Vittmann, *Zwei demotische Briefe* (note 25).

¹⁴⁵ That Efou points out towards the end of his prayer that Psentehe was able to take away his stipend and make it his “by law” most probably indicates that Psentehe was of a higher status than Efou or knew the right people in order to manipulate the civil justice to his advantage.

¹⁴⁶ Hughes, *A Demotic Letter to Thoth* (note 25) 2.

¹⁴⁷ Hughes offers *P.Ryl.Dem.* I 9 as a contemporary parallel. It is the petition of Peteesi dating from 513 BCE, which shows how persons who tried to obtain their rights could become the victims of chicanery and double-dealing on the part of officials and priests and of violence on the part of their enemies, and that over a matter of stipends for religious posts: Hughes, *A Demotic Letter to Thoth* (note 25) 2.

¹⁴⁸ Morris, *Reflections of Citizen Attitudes* (note 112) 744f. and 748f.

¹⁴⁹ B. Palme, *Law and Courts in Late Antique Egypt*, in: B. Sirks (ed.), *Aspects of Law in Late Antiquity. Dedicated to A. M. Honoré on the Occasion of his Sixtieth Year of his Teaching in Oxford*, Oxford 2008, 72–76. Private arbitration was another wide spread practice of seeking justice in Late Antiquity, especially for the unprivileged classes, see T. Gagos, P. van Minnen, *Settling a Dispute. Toward a Legal Anthropology of Late Antique Egypt*, Ann Arbor 1995. Private arbitration in this period illustrates another aspect of interface between religion and justice, when we take into consideration the role of bishops and monks as arbitrators and mediators, respectively. For bishops and arbitration, see G. Schmelz, *Clerics as Arbiters in Christian Egypt*, in: J. G. Keenan, J. G. Manning, U. Yiftach-Firanko (eds.), *Law and Legal Practice in Egypt from Alexander to the Arab Conquest*, Cambridge 2014, 517–529; for monks and mediation, see C. Kotsifou, *Monks as Mediators in Christian Egypt*, in: Keenan, Manning, Yiftach-Firanko, *Law and Legal Practice*, loc. cit. 530–540.

We should consider though that people prayed for justice not because of the ineffectiveness of the whole civil jurisdiction but due to the ineffectiveness of petitions specifically.¹⁵⁰ The archive of Gemellus clearly demonstrates how frustrating it was if one had to repeatedly petition without being heard. In 197 CE, Gemellus writes in his petition: “but now Julius and Sotas, both sons of Eudas, wrongfully, with violence and arrogance, entered my fields after I had sown them, and hindered me therein through the power which they exercise in the locality, contemptuous of me on account of my weak vision”;¹⁵¹ then in 198 CE in a different petition, he writes “I appeal, my lord, against Kastor, ... this person, who held me in contempt because of my infirmity — for I have only one eye and I do not see with it although it seems to have sight, so that I am utterly worthless in both — victimized me, having first publicly abused me and my mother ...”;¹⁵² and then in 199 to 200 CE, he elaborates “... from Gemellus also called Horion, son of Gaius Apolinarius Niger, who is afflicted with weak vision ...”, “Since not only am I one-eyed, but also I do not see with the eye that supposedly remains, because a cataract has appeared in its pupil and my sight is impaired ...”¹⁵³ It is telling that the more desperate Gemellus became, the more he emphasized his infirmity and provided the authorities with extra details¹⁵⁴ about it, hoping to provoke their interest and pity and achieve the justice he was seeking.¹⁵⁵

¹⁵⁰ It is noteworthy that the ‘eloquent peasant’ petitioned nine times to the official. Similarly, between 163 and 160 BCE, Ptolemaios petitioned the king twelve times on behalf of the twins he was in charge of regarding their oil and bread rations but his petitions met with little success, see Thompson, *Memphis Under the Ptolemies* (note 30) 222–223; and the petitioner of *P.Col. X* 266 stresses that “I petitioned the former epistrategos Valens through an abundance of petitions asking to be heard ...” (Arsinoites, 179–181 CE). Ultimately, the pursuit of conflict and litigation was also time consuming. Cf. Bontty, *Conflict Management in Ancient Egypt* (note 95) 121 and 126f. In general, van Voss, *Introduction* (note 97) 5 notes that throughout the centuries “usually, when other forms of voicing workers’ demands became accepted, petitions became less important in this respect.”

¹⁵¹ *P.Mich.* VI 422 (Karanis).

¹⁵² *P.Mich.* VI 425 (Karanis).

¹⁵³ *P.Mich.* VI 426 (Karanis).

¹⁵⁴ Cohen notes the same phenomenon of adding details in a petition in order to strengthen one’s case in Fatimid petitions. Cohen, *Four Judaeo-Arabic Petitions* (note 54) 464.

¹⁵⁵ For more cases of people petitioning repeatedly to no avail, see *P.Sarap.* I 84a (Alexandria, 90–133 CE), *P.Oxy.* XXII 2342 (Oxyrhynchus, 102 CE) and *P.Wisc.* II 48 (154–159 CE). Cf. Capponi, *Spaces of Justice* (note 126) 267. Whitehorne, *Petitions to the Centurion* (note 54) 158–160 also remarks that when the administrative burden placed on the strategi in the Arsinoite became excessive in the Roman period, people started petitioning the centurions of this area hoping for a solution to their predicaments, despite the fact that centurions had no defined role in the local administration. Finally, Hauken, *Petitions and Response* (note 54) 267, 280 and *Structure and Themes* (note 54) 17 underlines the importance of mentioning in the petitions to Roman emperors earlier approaches to authorities. He claims that “to refer to previous visits to the provincial authorities was important for several reasons. Partly it was embedded in the procedure whereby one was supposed to use the administrative ladder, partly it signalled trust in the administration, and partly it provided information about previous decisions.” I wonder, though, if these references to earlier approaches to authorities could be used in the petitions to emperors

Another consideration is that civil justice was slow while divine justice was fast. But the evidence indicates that as people petitioned repeatedly civil authorities for justice, they prayed repeatedly to gods regarding the same matter.¹⁵⁶ The suppliants of the Esna ostrakon clearly state that they have “often appealed” to Athena for justice but the injustice that afflicts still continues, so now they pray again but they also let the goddess know that they have already asked Ammon for help as well. These statements signify the frustration and despair the suppliants felt.¹⁵⁷ Additionally, we should bear in mind that if divine justice were fast, people would not need to ask repeatedly in their prayers for quick punishment; petitions and prayers only grant one the right to be heard and not a favourable outcome.¹⁵⁸

Nonetheless, we should keep in mind that an appeal to divine justice may well have been supplementary to a report to the local authorities.¹⁵⁹ Suppliants had recourse to different strategies, sequentially or simultaneously.¹⁶⁰ After all, the pettiness of issues

to stress not so much ‘trust in the administration’ but how the previous petitions repeatedly did not work and also pinpoint a certain amount of desperation, instead.

¹⁵⁶ For repeated prayers for justice regarding the same topic or person in inscriptions, see Versnel, *Prayers for Justice, East and West* (note 13) 337f. and J. B. Curbera, *Venusta and Her Owner in Four Curse Tablets from Morgantina, Sicily*, ZPE 110 (1996) 295–297. This point is amply illustrated by the fourth Greek prayer for justice to which we referred earlier, namely the ostrakon from Esna dating from the first to the second century CE: “Claudius Silvanus and his brothers to mistress Athena against Longinus Marcus. Since Longinus — against whom we have often appealed (ἐντυγχάνομεν) to you because he was after our lives while we did no wrong (μηδὲν ἀδικήσασι), poor (πτωχοῖς) as we are — while he wins nothing with this, he still continues to be malicious (πονηρῶς) against us, we beg you to do justice (παρακαλοῦμεν ἐκδικῆσαι). We have already asked (ἐνετύχομεν) Ammon for help as well.” O.Cair.J.E.38622: Greek text in Gallazzi, *Supplica ad Atena* (note 33), translation in Versnel, *Beyond Cursing* (note 15) 72.

¹⁵⁷ H. S. Versnel, *Coping with the Gods: Wayward Readings in Greek Theology*, Leiden 2011, 399 rightly notes that “first, not every god is equally good in knowing and seeing. You have to seek out the experts. Secondly, even those who are generally deemed to be the best—indeed ‘capable of seeing everything’—may prove deficient. We find that many of the Hebrew psalms contain protests and criticism of God for his inaction. ‘How long, o Lord, will you utterly forsake me?’, ‘Bestir yourself, awake to do me right’ and ‘Rouse yourself, o Lord, why do you sleep?’ Cf. D. Nicholls, *Addressing God as Ruler: Prayer and Petition*, British Journal of Sociology 44.1 (1993) 133.

¹⁵⁸ W. L. Adams, *Macedonian Kingship and the Right to Petition*, Ancient Macedonia 4 (1986) 47. He adds that hearing petitions was part of being a king and the subjects were entitled to say so. By petitioning repeatedly, they demonstrate their entitlement. Repeated prayers perhaps similarly reveal a sentiment of entitlement. Regarding petitions, Bonnty cautions that the ability to pronounce a verdict should not be confused with the ability to enforce a decision. Bonnty, *Conflict Management in Ancient Egypt* (note 95) 118.

¹⁵⁹ Chanotis, *Under the Watchful Eyes of the Gods* (note 3) 40. Notably, in the Fatimid Judaeo-Arabic petitions, the petitioners often humble themselves before God and benefactor: Cohen, *Four Judaeo-Arabic Petitions* (note 54) 454.

¹⁶⁰ Versnel, *Prayers for Justice, East and West* (note 13) 340f. Simonsohn, describing the legal pluralism of Late Antique Egypt, notes that “admittedly, the people of the period did not possess such a schematic and all-encompassing perception of their institutions and most likely did not draw clear-cut distinctions between what is later described as ‘central versus provincial’,

under consideration and disputed has already been noted.¹⁶¹ Any serious case, such as murder, would always been addressed to civil authorities and courts.¹⁶² Consequently, I believe that the common denominators in both these prayers and petitions are the pettiness of the crime and the desperation that the authors of the texts express. Kata Endreffy identifies these people as “life’s eternal losers”.¹⁶³ This statement is an exaggeration but rightly emphasizes both the low status of the supplicants and the despair they express.

We have seen that magic and religion in antiquity were two spheres that essentially differed only with respect to the materials used. It would be wrong, therefore, in the context of ancient Greece and Egypt to regard magic and religion as two opposed and incompatible systems of belief and technology.¹⁶⁴ In turn, religious language could also be rooted in contemporary social-legal reality,¹⁶⁵ while courts could be responsive to indigenous law or the Church.¹⁶⁶

‘Law in practice’ borrowing from the language of prayers for justice

From the beginning of this article, I have stressed the interaction of magic and religion, as well as the interaction between law and religion. As previously mentioned,

‘secular versus religious,’ or ‘formal versus informal’ institutions.” Simonsohn, *A Common Justice* (note 130) 26. Cf. *P.Sakaon* 31, 36, 37, 40 and 41, Theadelphia, end of third and beginning of fourth centuries CE. Further we find that in the Fatimid period needy, desperate people petitioned either the head of the Jewish community or the Fatimid authorities in similar circumstances depending on where they thought they had better chances of achieving justice, cf. Cohen, *Four Judaeo-Arabic Petitions* (note 54) 458.

¹⁶¹ I. Salvo, *Sweet Revenge: Emotional Factors in Prayers for Justice*, in: Chanotis, *Unveiling Emotions* (note 53) 251–259; Endreffy, *Reason for Despair* (note 25) 241.

¹⁶² Chanotis, *Under the Watchful Eyes of the Gods* (note 3) 41f.; Gordon, *Raising a Sceptre* (note 21) 187.

¹⁶³ Endreffy, *Reason for Despair* (note 25) 246.

¹⁶⁴ Petropoulos, *Sappho the Sorceress* (note 19) 54. Cf. Baines, *Practical Religion and Piety* (note 28) 84 and Meyer, *Legitimacy and Law* (note 18) 294. This compatibility existed even under Christianity (D. Frankfurter, *Ament Demons and Christian Syncretism*, *Archiv für Religionsgeschichte* 14 [2013] 83–102 and idem, *Curses, Blessings, and Ritual Authority: Egyptian Magic in Comparative Perspective*, *Journal of Ancient Near Eastern Religions* 5 [2006] 157–185). D. Hammond, *Magic: A Problem in Semantics*, *American Anthropologist* 72.6 (1970) 1349–1356 also shows that twentieth-century anthropological studies support that magic is not an entity distinct from religion but a form of ritual behaviour and thus an element of religion.

¹⁶⁵ Weinfeld, *Social Justice in Ancient Israel and the Ancient Near East* (note 102) 231–247.

¹⁶⁶ Millar, *The Emperor in the Roman World* (note 102) 547 notes that “ordinarily the petitions concerned urgent matters of family or property, and thus exhibit as clearly as any other evidence the role of the emperor in redressing the rigour of the law, making allowances for ignorance of it and giving guidance on procedure ... Like other rescripts they may also reveal that the interested parties have in fact been acting in accordance with customs other than those of Roman law, and are thus primary evidence both for the imposition of Roman law and its modification in the face of prevailing local law, especially, but not only, Greek law.” Cf. M. Galanter, *Justice in Many Rooms: Courts, Private Ordering, and Indigenous Law*, *Journal of Legal Pluralism* 19 (1981) 1–47.

scholars so far have noted how prayers for justice borrow from the language of Roman law and petitions. In this section, I would like to consider the possibility that things also worked the other way around. Namely, that it was the law, and as a natural extension petitions, that borrowed from the religious discourse. Judging by what has already been discussed about the very early precedents to the Greek prayers for justice, the common scribal training of notaries and priests, the institutional co-existence of civic and religious authorities and that in most cases the issues dealt with in the relevant petitions and prayers are of such mundane nature that we cannot posit an imperial need for mandating solutions (i.e., need for high legal discourse), I believe there is some justice in making this claim.

Nevertheless, two issues should be raised at this point: to what extent is the juridical context of each different geographical area crucial, and could petitions be a right handed down to people by the king while prayers for justice are a prerogative established by the people themselves? Regarding the first, Uriel Simonsohn has shown that, at least concerning Late Antiquity, the model of Egypt could very well be applied to the rest of the Empire.¹⁶⁷ Concerning the second, petitions, similarly to prayers, were a prerogative very much manipulated by the greater public. This notion is confirmed from the Macedonian model¹⁶⁸ of petitioning down to Late Antiquity when public opinion and pressure not only assured that petitions reached the king or emperor but also affected the formation of legislation.¹⁶⁹

In sum, legal discourse borrows from social communications and we cannot disassociate it from that. Caroline Humfress stresses not only that emperors tapped into divine discourse but also that the wide-spread and continuous existence of spells and curses that were specifically commissioned to interact with formal late Roman forensic proceedings. Traditionally, curse tablets could be commissioned to silence and bind the tongues of opponents in legal disputes. There are also curse tablets aimed at cutting off disputes before they have had a chance to develop.¹⁷⁰ The study of how curse tablets were used in the Republic reveals that the ordering of state, religion, magic, legal procedure, and some legal acts all shared an ancient and ceremonial protocol in which writing on *tabulae* played an important part.¹⁷¹ Furthermore, in fourth-century Oxyrhynchus, local administrators were commuting frantically from temple to account office to another temple, changing locations of justice up to five times on the same day, a procedure that may well have existed in earlier times as well, when the prefects of Egypt received petitioners first in the sacred Laurel Grove, and then in the *praetorium*.¹⁷²

¹⁶⁷ Simonsohn, *A Common Justice* (note 130) 32f. Consider, though, that in borrowing and importation, any society will transform what is borrowed into something locally comprehensible: Meyer, *Legitimacy and Law* (note 18) 105.

¹⁶⁸ Van Voss, *Introduction* (note 97) 6 and Adams, *Macedonian Kingship* (note 158) 47–52.

¹⁶⁹ Humfress, *Law in Practice* (note 43) 381f.

¹⁷⁰ *Ibid.*, 389.

¹⁷¹ Meyer, *Legitimacy and Law* (note 18) 4.

¹⁷² Capponi, *Spaces of Justice* (note 126) 275f.

Elizabeth Meyer rightly stresses that the more ways in which legal acts followed widely accepted, formalised techniques of transfer, request, promise, or compulsion, the more likely their users were to believe in their efficacy and, therefore, the more believable and efficacious legal practice in general would be.¹⁷³ This phenomenon continued far past Late Antiquity, and David Nicholls writes that in fourteenth-century England, petitions had become fixed in a liturgical form,¹⁷⁴ while Carl Schmitt takes it a step further: “all significant concepts of the modern theory of state are secularized theological concepts not only because of their historical development — in which they were transferred from theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent lawgiver — but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts.”¹⁷⁵

Conclusion

The importance of the way in which the narrative of prayers of justice and petitions was constructed and of the faith people placed in its effectiveness should never be underestimated.¹⁷⁶ The importance of faith, in general, should not be taken too lightly.¹⁷⁷ Did prayers work? Of course, but not through divine agency.¹⁷⁸ Henk Versnel quotes Epicurus: “if God were to grant all wishes and prayers, mankind would soon disappear from the face of the earth, so much evil are men for ever wishing on one another.” A glance at *defixio* magic and prayers of revenge confirms the accuracy of this statement.¹⁷⁹

¹⁷³ Meyer, *Legitimacy and Law* (note 18) 295.

¹⁷⁴ Nicholls, *Addressing God as Ruler* (note 157) 129. He adds that “by 1305, 120 of the 133 petitions presented began with the words ‘A nostre segneur le roy’. Again in the middle Ages there was no common ending to petitions, but by the beginning of the seventeenth century petitions normally concluded with the words ‘and your petitioners shall (ever) pray etc.’ From Richard II’s time onwards, however, petitions had become more elaborate with adjectives such as ‘sage’, ‘haut’, or ‘puissant’, applied to the persons addressed and ‘humble’, ‘pover’ or ‘obeisant’, employed with respect to the petitioners themselves.”

¹⁷⁵ C. Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, Cambridge, MA 1985, 36. Cf. Nicholls, *Addressing God as Ruler* (note 157) 126.

¹⁷⁶ Chaniotis, *Under the Watchful Eyes of the Gods* (note 3) 22.

¹⁷⁷ Anagnostou-Canas, ‘Justice’ *oraculaire* (note 112) 8; and Hughes, *The Cruel Father* (note 25) 44.

¹⁷⁸ D. Odgen, *Binding Spells: Curse Tablets and Voodoo Dolls in the Greek and Roman worlds*, in: V. Flint et al. (eds.), *Witchcraft and Magic in Europe: Ancient Greece and Rome*, London 1990, 1–90; and J. G. Gager, *Curse Tablets and Binding Spells from the Ancient World*, Oxford 1992, 22f.

¹⁷⁹ H. Usener, *Epicurea*, Leipzig 1887, frag. 388, 259. Versnel, *Religious Mentality in Ancient Prayer* (note 8) 25.

The effectiveness of these narratives was thought to be enhanced by the correct use of emotions¹⁸⁰ and by the fact that the content of the prayers of justice could be known to the persons accused.¹⁸¹ Our petitioners were people belonging to the ‘middle and low classes;’ the majority of their cases concerned petty crimes; and more importantly in most cases they were pleading in circumstances that they depicted as totally hopeless. Therefore, expressing, displaying and using despair in their narrative and persuasion strategies was crucial. At the end of the day, people for their trials and tribulations had recourse to civil justice (petitions), divine justice (prayers) and magic (*defixiones*). They could choose either according to their needs and emergency of situation or go for all three of them. Regardless, their appeals were always loaded with emotion in various degrees.

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¹⁸⁰ Emotion cannot be disassociated from these documents, since both prayers for justice and petitions describe conflict; emotions are always involved with conflict. Cf. Bontty, *Conflict Management in Ancient Egypt* (note 95) 140.

¹⁸¹ The existence of counter-spells or curses that request the removal of an existing curse suggest that some curse victims did know that they had been cursed. Further, if the victims of curses knew themselves to have been cursed, this knowledge might have function as a traumatic event or an emotional conflict that causes psychosomatic illness. See Kiernan, *Did Curse Tablets Work?* (note 7).