

## Gemellus' Evil Eyes (*P.Mich.* VI 423–424)

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**I**N A.D. 197 a Roman and Antinoite citizen named Gemellus Horion, a landholder in Karanis, filed a series of petitions in which he describes a strange sequence of events: his neighbors Iulius and Sotas, he claims, had come onto his land and attempted to repossess it, since, he says, “they looked down on me because of my weak vision.” In response to this behavior Gemellus sent a petition to the prefect, Quintus Aemilius Saturninus, who authorized Gemellus to approach the *epi-strategos* (*P.Mich.* VI 422).<sup>1</sup> In the intervening time, perhaps a few weeks, Sotas died, and Iulius, along with his wife and a man named Zenas, came onto his land carrying a *brephos*—a fetus—so that they could “encircle (his tenant farmer) with *phthonos* (malicious envy).” After frightening Gemellus’ tenant-farmer they stole the crops that he had been harvesting. When Gemellus and two village officials approached Iulius about the incident, Iulius threw the *brephos* at Gemellus in the presence of the officials, since, according to Gemellus, they also wanted to encircle *him* with *phthonos*. Iulius retrieved the *brephos* and took the remainder of the crops. Concerning this second incident Gemellus sent a petition to the *strategos*, Hierax, asking him to make an official record of the incident so that he could report it at his upcoming hearing with the *epi-strategos*. This request dates to May 197, and is preserved in two copies, *P.Mich.* 423 and 424. All three of these papyri are private copies, and were found in a group of documents from a house and courtyard in Karanis.

<sup>1</sup> The subscription of the prefect is not preserved, nor is the precise date of the petition. There is a copy of this document as well, showing no differences from the initially published version: *SB XXII 15774*.

In content these two documents are unlike other petitions, which largely record less puzzling and more quotidian offenses, primarily theft and assault. Most scholars have shared the conclusion of the initial editors, that these papyri reflect an instance of a public assault by magic.<sup>2</sup> If this is the case, then these papyri document a type of conflict that is otherwise unparalleled in the papyrological record, despite the Roman legal system's willingness to entertain such charges. The papyrological record is undoubtedly rich in magical literature, but it is largely a private literature in which individuals communicate with non-human gods and powers. The public instances of magic are the "prayers for justice"<sup>3</sup> which are often displayed in public areas, but these are addressed to gods and generally make no mention of the malefactors, who are usually unknown or otherwise anonymous.<sup>4</sup>

<sup>2</sup> The initial publication is H. C. Youtie and O. M. Pearl, *Papyri and Ostraca from Karanis* (Ann Arbor 1944). Discussion: H. I. Bell, *JRS* 35 (1945) 140; N. Lewis, *Life in Egypt Under Roman Rule* (Oxford 1983) 78–79; J.-J. Aubert, "Threatened Wombs: Aspects of Ancient Uterine Magic," *GRBS* 30 (1989) 421–450, at 437–438; J. H. Elliott, "The Evil Eye and the Sermon on the Mount: Contours of a Pervasive Belief in Social Scientific Perspective," *Biblical Interpretation* 2 (1994) 51–84, at 56; A. T. Wilburn, *Materia Magica: The Archaeology of Magic in Roman Egypt, Cyprus, and Spain* (diss. U. Michigan 2005) 88–90. The documents generally provoke only short comment. The most important exception to this is D. Frankfurter, "Fetus Magic and Sorcery Fears in Roman Egypt," *GRBS* 46 (2006) 37–62. R. Alston, *Soldier and Society in Roman Egypt* (London 1995) 129–132, discusses the archive as a whole.

<sup>3</sup> H. S. Versnel, "Beyond Cursing: The Appeal to Justice in Judicial Prayers," in C. A. Faraone and D. Obbink (eds.), *Magika Hiera* (Oxford 1991) 60–106; H. S. Versnel, "Κόλασαι τοὺς ἡμᾶς τοιοῦτους ἠδέως βλέποντες 'Punish Those Who Rejoice in Our Misery': On Curse Texts and *Schadenfreude*," in D. R. Jordan, H. Montgomery, and E. Thomassen (eds.), *The World of Ancient Magic* (Bergen 1999) 125–162, at 125 n.2, though note C. A. Faraone and J. L. Rife, "A Greek Curse against a Thief from the Koussongila Cemetery at Roman Kenchreai," *ZPE* 160 (2007) 141–155, at 153.

<sup>4</sup> C. A. Faraone, B. Garmand, and 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 (2005) 161–186, at 173, collect curses against thieves from the Mediterranean: eleven of the sixteen preserved are certainly public.

In a recent paper David Frankfurter has revisited the second complaint and provided strong arguments in favor of the *brephos* mentioned by Gemellus being both real and human. In addition to collecting some previously unnoticed parallels from literary and magical texts, he offered a photograph of a deceased neonate found in a collapsed roof deposit in Kellis, wrapped in cord as “a magical assemblage—a clear parallel to that in the Karanis papyrus.”<sup>5</sup> In establishing these parallels, Frankfurter (52) explained the use and throwing of the *brephos* by appealing to Malinowski’s “principle of the ‘coefficient of weirdness’.” In other words, the stranger, more offensive, and more disgusting the magical object used against someone, the more potent it will be. While this makes sense, it raises further questions for interpreting this complaint: it is Gemellus himself who associates the fetus with *phthonos*. In presenting his complaint to the authorities, he engages in an act of magical interpretation. What about this act made him come to that conclusion? Why should Gemellus, or for that matter, why should *we*, link the throwing of a *brephos* with *phthonos*? Why would he include this detail (twice) in his complaint to the *strategos*?

In what follows we hope to supplement Frankfurter’s conclusions, and argue that the keys to understanding the conflict in these documents are to be found not only in the use of the fetus, but also in the accusation that Iulius and his associates were using it to encircle their victims with *phthonos*. *Phthonos* is a peculiar but telling accusation: it is a private deficiency, but one with public consequences. Specifically, *phthonos* is linked to the evil eye, or *baskanos*. The *phthoneros*, the bearer of the evil eye, is a danger to the community, but not in the same sense as a marauder or barbarian, since he is also a member of it. By a defect in character he wilts the crops that he looks upon, harms children, and sucks away the wealth and wellbeing of others. He does this not to take these things for himself—and in that he is different from a common thief or bandit—but because he fails to harmonize his behavior with the norms of the com-

<sup>5</sup> Frankfurter, *GRBS* 46 (2006) 45, *fig.* 1. Andrew Wilburn (pers. comm., Jan. 2008) is skeptical of this conclusion, and questions why such an object would be found in the context of a collapsed roof.

munity in which he lives. Furthermore, the *phthoneros* is dangerous not only because he harms peoples' interests, but also because he does so silently and in secret, and if confronted will deny that he does so.<sup>6</sup> It follows that the detection, judgment, and correction of his behavior defy customary forms of proof, knowledge, and enforcement. The exception to this, however, is the belief that the *phthoneros* can be identified by his eyes.<sup>7</sup>

This anatomical manifestation of a defective character provides the crucial link to understanding the conflict. Commentators have remarked that Gemellus places somewhat unusual emphasis on his failing eyesight—he was one-eyed (*monophthalmos*), and developing a cataract in the other eye—though they have largely dismissed his emphasis on this as *captatio benevolentiae*. We argue that this is a clue that can be profitably linked with the mention of *phthonos*. Behind Gemellus' description of the behavior of Sotas and Julius lies another narrative: the two brothers and their associates seem to have suspected or perhaps even accused Gemellus of casting the evil eye on their family and lands, and thus seem to use the *brepheos* as a means to “hem in” Gemellus' power as they enter his property and seize his produce in an act of just recompense. Thanks to the richness of the archive from which Gemellus' petition comes, we can reconstruct the social context of these events, as well as a reconciliation that apparently was in place ten years later.

The second petition, *P.Mich.* VI 423–424, reads:

To Hierax also called Nemesion, *strategos* of the division of Hierakleides of the Arsinoite nome, from Gemellus also called Horion,

<sup>6</sup> E.g., Plut. *Mor.* 537E (Περὶ φθόνου καὶ μίσους): καὶ φθονεῖν δὲ ἀνοῦνται κτλ.

<sup>7</sup> Cf. Lucian *Calumn.* 5, Phthonos ὁξὺ δεδορκώς. The basic bibliography on *phthonos* in ancient religion is collected by Versnel, in *The World of Ancient Magic* 135–139, esp. n.41, to which should be added K. Dunbabin and M. Dickie, “Invidia rumpantur pectora: The Iconography of Phthonos/Invidia in Graeco-Roman Art,” *JAC* 26 (1983) 7–37. The amount of cross-cultural material is expansive to the point of being unhelpful, but particularly useful is A. Dundes (ed.), *The Evil Eye: A Casebook* (Madison 1992). For a modern Egyptian example of the interactions between magic, envy, and prosperity, see A. Ghosh, *In an Antique Land* (New York 1994) 126–129, 181–182 (concerning Amm Taha).

son of Gaius Apolinarius, Antinoite. I appealed, my lord, by petition to the most illustrious prefect, Aemilius Saturninus, informing him of the attack made upon me by a certain Sotas, who held me in contempt because of my weak vision and wished himself to get possession of my property with violence and arrogance, and I received his sacred subscription authorizing me to appeal to his excellency the *epistrategos*. Then Sotas died and his brother Iulius, also acting with the violence characteristic of them, entered the fields that I had sown and carried away a substantial quantity of hay; not only that, but he also cut dried olive shoots and heath plants from my olive grove near the village of Kerkesoucha. When I came there at the time of the harvest, I learned that he had committed these transgressions. In addition, not content, he again trespassed with his wife and a certain Zenas, having with them a *brepfos*, intending to hem in my tenant farmer with malice so that he should abandon his labor after having harvested in part from another allotment of mine, and they themselves gathered in the crops. When this happened, I went to Iulius in the company of officials, in order that these matters might be witnessed. Again, in the same manner, they threw the same *brepfos* toward me, intending to hem me in also with malice, in the presence of Petesouchos and Ptol-las, elders of the village of Karanis who are exercising also the functions of the village secretary, and of Sokras the assistant, and while the officials were there, Iulius gathered in the remaining crops from the fields and took the *brepfos* away to his house. These acts I made matters of public record through the same officials and the collectors of grain taxes of the same village. Wherefore of necessity I submit this petition and request that it be kept on file so that I may retain the right to plead against them before his excellency the *epistrategos* concerning the outrages perpetrated by them and the public rents of the fields due to the imperial fiscus because they wrongfully did the harvesting. (2<sup>nd</sup> hand) Gemellus also called Horion, about 26 years of age, whose vision is impaired.

(3<sup>rd</sup> hand) The 5<sup>th</sup> year of Lucius Septimius Severus Pius Pertinax Augustus, Pachon 27.

(transl. Youtie and Pearl with modifications)

Several facts about Gemellus and his family are particularly important. First, Gemellus' family had come to Karanis two generations earlier. His grandfather, Gaius Iulius Niger, was a veteran of the *ala veterana Gallica*, and is first attested in A.D. 154

purchasing a house in Karanis, for the price of eight hundred silver drachmas (*P.Mich.* 428). In the intervening years the family acquired a series of parcels of land throughout the area, which marks them as relatively well-off. By the time he writes his complaint, Gemellus was heir to much of his family's property.<sup>8</sup>

Second, this relatively rapid acquisition of wealth was coupled with privileged citizenship. Gemellus was certainly a citizen of Antinoopolis, and he had been granted the right to wear the *chlamys* (χλαμυδο[φορ]εῖν), an indication that he had been an Antinoopolite ephebe, “the *sine qua non* of full citizenship.”<sup>9</sup> While it has been doubted whether he inherited the Roman citizenship of his grandfather,<sup>10</sup> Antinoopolite citizen-

<sup>8</sup> A general narrative of Gemellus and his family is given by I. Biezuńska-Małowist, “La famille du vétéran romain C. Iulius Niger de Karanis,” *Eos* 49 (1957) 155–164, and Alston, *Soldier and Society* 129–130. See also the very helpful synopsis on the Leuven Papyrus Archives Homepage: <http://www.trismegistos.org/arch/archives/pdf/90.pdf> (accessed May 2008). On landholding in Karanis see H. Geremek, *Karanis, Communauté rurale de l’Égypte romaine au II<sup>e</sup>–III<sup>e</sup> siècle* (Wrocław 1969); R. S. Bagnall, “Landholding in Late Roman Egypt: The Distribution of Wealth,” *JRS* 82 (1992) 128–149, at 132–136 on third-century Karanis.

<sup>9</sup> *P.Mich.* 426.18 (A.D. 199–200). Quotation from K. Rigsby, “An Ephebic Inscription from Egypt,” *GRBS* 19 (1978) 239–249, at 244; see also O. M. Pearl, “Varia Papyrologica,” *TAPA* 71 (1940) 372–390, at 383–390; N. Lewis, *The Compulsory Public Services of Roman Egypt*<sup>2</sup> (Florence 1997) 145–146, on the exemption from the liturgies in this document.

<sup>10</sup> Alston, *Soldier and Society* 129–132, tries to make the case that Gemellus did not enjoy Roman citizenship because his father Gaius Apolinarius Niger married an Egyptian, Tasoucharion, and as children took the status of the mother Gemellus could not have been a Roman citizen unless his father was granted the right to *conubium*. Since Gemellus does not always state that he is a Roman citizen, on the occasion on which he does in 214, Alston dismisses him as a liar. This is an argument from silence which to some extent over-reaches: the easier approach would be to take Gemellus at his word in the petition of 214, and posit one or both of the following: (1) that Tasoucharion's father was not an unknown Egyptian, but rather an unknown Roman soldier, still on duty and thus prohibited from marrying, as argued by commentators on the University of Michigan papyrology web site: <http://www.lib.umich.edu/pap/exhibits/snapshots/Niger/niger.html> (accessed May 2008); (2) that since he was an Antinoopolite citizen he had the right of *epigamia* with Egyptians, as attested in *Chrest. Wilck.* 27.16–20. For a

ship and council membership were nonetheless important privileges. Not least among the benefits it bestowed was the right to avoid expensive liturgies in the region in which his property holdings were concentrated. This ability to avoid local (that is, village-level) obligations was a source of distrust that contributed to this conflict.

Finally, from the other documents in Gemellus' archive, we can deduce that he was both a relatively active petitioner and one whose complaints often received action from the prefect. Being able to get the attention of the highest-ranking Roman magistrate in the province was no small feat, and this is perhaps why, roughly thirteen years after the dispute in question, he appears with another man petitioning the *epistrategos* on behalf of the entire village of Kekesoucha in an attempt to release the villagers from some tax payments.<sup>11</sup> In this respect, Gemellus is analogous to another individual whose papers make up an exciting collection from the same century: Ptolemaios son of Diodoros, whose father was a veteran, and whose lengthy and verbose petitions make up some of the more tantalizing documents of the period.<sup>12</sup> As scions of politically privileged individuals, both these men were treated carefully and responded

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brief discussion see E. M. Michael, *A Critical Edition of Select Michigan Papyri* (diss. U. Michigan 1966) 8.

<sup>11</sup> *SB XIV 11478* (A.D. 210/1). On subscriptions and their procedural background see U. Wilcken, "Zu den Kaiserrescripten," *Hermes* 55 (1920) 1–42, at 27–37; J. D. Thomas, "Subscriptions to Petitions to Officials in Roman Egypt," in E. Van't Dack, P. van Dessel, and W. van Gucht (eds.), *Egypt and the Hellenistic World* (Leuven 1983) 369–382. On the question of access to the prefect and the higher levels of administration see N. Lewis, "Judiciary Routines in Roman Egypt," *BASP* 37 (2000) 83–93. Gemellus' grandfather, as a veteran, likewise had no trouble doing this (*SB XXIV 16252*).

<sup>12</sup> On Ptolemaios see the summary on the Leuven Homepage of Papyrus Archives (<http://www.trismegistos.org/arch/archives/pdf/325.pdf>); on his family see the comments of Sijpesteijn on *P.Wisc.* 33 (A.D. 147), where Ptolemaios refers to himself as "one of the veterans living in the Arsinoite nome"—though he could not have been a veteran himself. See also J. E. G. Whitehorne, "P. Mich. inv. 255: A Petition to the Epistrategus P. Marcius Crispus," *ChrEg* 66 (1991) 250–256, at 251, who discusses the palaeography of Ptolemaios' petitions.

to quickly by high officials.

Like other privileged Antinoopolite citizens living outside of the city of Antinoopolis, Gemellus had a series of hostile encounters with the village-level notables, particularly concerning his liturgical responsibilities.<sup>13</sup> Shortly after the incident in question, he was nominated for a village liturgy and protested to the *epistrategos*. The syntax of the complaint becomes murky toward the middle, but his opinions on the structures of power and authority in his town come through clearly (*P.Mich.* 426.1–24, A.D. 199/200):

To his excellency Arrius Victor, *epistrategos*, from Gemellus also called Horion, son of Gaius Apolinarius Niger, who is afflicted with weak vision, landholder at Karanis in the division of Herakleides. Since your righteous judgment extends to all men, mightiest of overseers, I also, a victim of violence (*bia*), beg to partake of your justice. The situation is as follows: the elders of the village of Karanis in the same division of Herakleides, men without the least scruple, with their habitual violence and arrogance, nominated me (?) as their colleague under the name “Horus son of Apolinarius,” a fictitious name which I do not know. For this reason I do not know it, for neither did it set forth “disabled” or “infirm” or any of my other distinguishing marks, nor is it indeed permissible for me, since I am an Antinoite, to be styled otherwise, nor to perform a liturgy again except in Antinoopolis alone. Furthermore, I was granted the right to wear the *chlamys* by the citizens at a meeting of the council. Since I am not only one-eyed, but I also do not see with the eye that supposedly remains, because a cataract has appeared in its pupil and my sight is impaired, on this account I addressed a petition to his excellency the prefect, and I received his sacred rescript, a copy of which follows.

(transl. Youtie and Pearl with modifications)

We will return below to Gemellus' description of his eyes. It

<sup>13</sup> Compare, for instance, *P.Oxy.* VIII 1119 (= *Chrest. Wilck.* 397, A.D. 254), *SB V* 7601 (A.D. 135). A few petitions to the *epistrategos* seeking to get out of liturgies refer to the liturgies being assigned κατ' ἐπιτηρείαν: *P.Lond.* III 846 (= *Chrest. Wilck.* 325, A.D. 140), *P.Leit.* 5 (A.D. 180), *PSI X* 1103 (ca. A.D. 194). This is a technical term. On σκέπη and ἐπιτηρεία see Lewis, *Compulsory Services* 156–165.



is hard not to be somewhat amused by Gemellus' rhetoric in this petition. From the way he frames his complaint it is clear that he knew exactly who the "fictitious" Horus son of Apolinarius was. His other claims to liturgical exemption are similar to other contemporary petitions in which individuals ask to be released from liturgies, though for Gemellus to go so far as to call this *bia* (violence against property) is probably excessive.<sup>14</sup> But this papyrus points to an important source of underlying tension in the rural villages of Egypt: in agricultural societies in which land is alienable and rights are derived from personal status rather than property, there is a fundamental tension between individual acquisitiveness and collective responsibility. In Roman Egypt, individuals could, and did, accumulate and liquidate holdings at a relatively rapid pace. As Laurens Tacoma points out in his study of urban elites in third-century Oxyrhynchus, demographic regimes and inheritance patterns made for a cyclical, permeable elite, in which individuals could, in a few generations, come to possess sufficient wealth to gain political privilege.<sup>15</sup> While Tacoma focused on urban elites, his insight may be profitably applied to rural communities as well, which, as Gemellus' family's land acquisitions show, could also provide avenues for individual upward mobility. Yet in these communities individualism was necessarily balanced by collective responsibility, not least for the extraction of taxes, but also, if perhaps invisibly, for the day-to-day borrowing and sharing on which agricultural communities generally depend for mere survival. In such a system the challenges that acquisitive individuals present to the common good can be managed through a system of redistribution, which, in the case of Roman Egypt, came through the liturgical system.<sup>16</sup>

<sup>14</sup> *Bia*: basic definitions in R. Taubenschlag, *The Law of Greco-Roman Egypt*<sup>2</sup> (New York 1955) 442–449; cf. W. Dahlmann, *H BIA im Recht der Papyri* (Cologne 1968); A. Z. Bryen, "Visibility and Violence in Petitions from Roman Egypt," *GRBS* 48 (2008) 181–200, at 188–189.

<sup>15</sup> L. E. Tacoma, *Fragile Hierarchies: The Urban Elites of Third-Century Roman Egypt* (Leiden 2006) 159.

<sup>16</sup> Gemellus' attacker, Iulius, was of the village-level liturgical class: he is nominated for *sitologos* in *P.Col.* VIII 240.ii.39 (A.D. III?).

The problem is that Gemellus stands at a tangent to this system. He acquires, but manages to keep himself from performing local liturgies. He participates in the life of his community but has access to the distant and powerful individuals who are responsible for governing the province as a whole. In moments of crisis these individuals and their connections could be a powerful force working on behalf of their communities—as in the later case in which Gemellus and another man petition in behalf of the entire village to release them from collective tax payments (*SB XIV 11478*)—but this access creates tensions and suspicion. Resident in communities but with the power to step outside of them and receive attention from others, these men were not quite in, nor were they quite out.

The ambiguous relationship between the privileged individual and the local community as a whole creates a space in which we can profitably assess the accusation of *phthonos* and the charges of magic. Acquisitive or unusually successful persons of marginal status appear in another context in the ancient world, in a passage of the elder Pliny's *Natural History*, an anecdote set in the city of Rome:<sup>17</sup>

C. Furius Chresimus, a freedman, was greatly envied and thought to be taking other people's crops by magic, since in a very small lot of land he obtained much larger yields than his neighbors did from very large ones. For this reason he was indicted by the curule aedile Sp. Albinus. Fearing conviction when the tribes were required to enter to vote, he brought into the forum all his domestic implements, along with his slaves—who were, as Piso says, well-cared for and dressed—and his well-made iron tools, his heavy hoes and plows, and his large oxen. Then he said, "These are my magic charms, fellow citizens, but

<sup>17</sup> Pliny *HN* 18.41–43: *C. Furius Cresimus e servitute liberatus, cum in parvo admodum agello largiores multo fructus perciperet, quam ex amplissimis vicinitas, in invidia erat magna, ceu fruges alias perliceret veneficiis. quamobrem ab Spurio Albino curuli aedile die dicta metuens damnationem, cum in suffragium tribus oporteret ire, instrumentum rusticum omne in forum attulit et adduxit familiam suam validam atque, ut ait Piso, bene curatam ac vestitam, ferramenta egregie facta, graves ligones, vomeres ponderosos, boves saturos. postea dixit: Veneficia mea, Quirites, haec sunt, nec possum vobis ostendere aut in forum adducere lucubrationes meas vigiliasque et sudores. omnium sententiis absolutus itaque est.*

I cannot show you or bring to the forum my late-night labors, my sleeplessness, or my sweat.” He was acquitted by a unanimous vote.

For the present context, there are two lessons to be taken from this passage. First, Chresimus’ marginal status, coupled with his unusual success, provokes envy (*invidia*) and suspicion that he was using magic, which leads to a trial in which Chresimus is acquitted only by a bravura performance.<sup>18</sup> His case is interesting, however, in that the *invidia* that his success provoked was of a fundamentally public nature: all could see that his yields were higher than those of his neighbors, just as they could see his slaves and farm implements—his *veneficia*. One can imagine, though, that the final part of his argument would have been more risky: his nighttime labors and sleeplessness could just as easily have been imagined as something different, more sinister.<sup>19</sup> As we noted above, one of the things that characterizes *phthonos* is its secret nature. Proof that someone is or is not using magic can be obtained only by considering his larger credibility—which, in the case of Chresimus, was established by displaying his agricultural materials to contextualize his more secret labors. Second, accusations of *phthonos/invidia* necessarily go in two directions. Chresimus was accused of using invidious magic, but those who actually held invidious sentiments cast the accusation. Deciding who is the source of social disorder or whose behavior is deviant or defective is rarely simple or straightforward.<sup>20</sup>

<sup>18</sup> See the discussion in F. Graf, *Magic in the Ancient World* (Cambridge [Mass.] 1997) 61–88, esp. 62–65 on Chresimus. Graf points out that *invidia erat magna* could be understood as “he was greatly hated” or “he was greatly envied.” The same is probably not so for *phthonos* in Greek, where “hatred” might more likely be rendered by *misos*.

<sup>19</sup> For the ways in which certain actions might be interpreted as sinister, see Graf, *Magic* 61–88, on Apuleius and Chresimus.

<sup>20</sup> Similarly Apul. *Apol.* 25.5, where the charge of magic is made *ad invidiam mei*. M. Herzfeld, “Meaning and Morality: A Semiotic Approach to Evil Eye Accusations in a Greek Village,” *American Ethnologist* 8 (1981) 560–574, at 567, notes a case from modern Rhodes in which one of the inhabitants who was thought to be socially dysfunctional (a *grusuzis* in local terminology) similarly cast the accusation upon his fellow villagers.

Both of these points are relevant to the case of Gemellus and Iulius. Gemellus' petition makes the claim that Iulius is seeking to encircle or enclose him with *phthonos* (13 περικλίσαι φθόνω). *Phthonos* and related concepts are comparatively rare in the papyri, and this particular construction with a dative is, to our knowledge, unparalleled in papyrological or literary texts.<sup>21</sup> *Phthonos* appears in two other interesting contexts: in the massive petition of Dionysia, Dionysia (the weaker party) dismisses the accusations of her father Chairemon (the stronger party) that she committed violence against him as stemming from *phthonos* and *loidoria*:<sup>22</sup>

Such was his letter, but he could not indeed cite a single insult or any other act of injustice against himself with which he charged me, but *phthonos* was the root of his abuse (*loidoria*) and assertion that he had been shamefully treated by me.

*Phthonos* also appears in *P.Ryl.* II 144 (A.D. 38), a petition from a slave named Ision, complaining that the offender ἔτι δὲ καὶ ἐτόλμησεν πθόνους μοι ἐπαγαγεῖν αἰτίας τοῦ μὴ ὄντος. The syntax in this passage is puzzling, but the best explanation may be to construe the *phthonos* as the direct object, and the remainder as a genitive absolute in which the gender is confused: “And yet he dared to cast envy at me *for no reason*.” If our interpretation is correct, then there may be an additional par-

<sup>21</sup> Numerous personal letters convey greetings, especially to members of another individual's family (especially their children), with a hope that they are *abaskanta* (“untouched by the evil eye”). This is almost certainly a way of protecting them from the inappropriate curiosity of the writer, not from the evil eye in general—like the modern Greek practice of spitting on children after giving them a compliment (and cf. Ael. *VH* 1.15): e.g. *BGU* III 714 (A.D. II), *P.Oxy.* XIV 1758 (A.D. III). See also *P.Oxy.* II 292 (= *Sel.Pap.* 106, ca. A.D. 25), in which a wish for success is coupled with a denial that the writer is envious. In *O.Amst.* 18 (A.D. II) the writer appears to wish for the recipient's horse to be *abaskantos*. All fit the larger pattern of the evil eye harming things that are the sources of self-reproducing wealth. See also D. Bonneau, “L'apotropaïque Abaskantos en Egypte,” *RHR* 199 (1982) 24–36.

<sup>22</sup> *P.Oxy.* II 237.vi.20–31 (A.D. 186): ὁ μὲν ταύτην τὴν ἐπιστολὴν ἔγραψεν, οὐδὲμίαν μὲν οὔτε ὕβριν οὔτε ἄλλο ἀδίκημα εἰς αὐτὸν ἀπ' ἐμοῦ ἐφ' ᾧ μέμφεται δεῖξαι ἔχων, ἐπὶ φθόνῳ δὲ μόνῳ [λο]ιδορούμενος ὡς δεινὰ πάσχων ἀπ' ἐμοῦ (transl. Grenfell and Hunt, with modifications).

allel to the Karanis papyrus: the act of “casting forth” *phthonos* (ἐπάγειν) may perhaps evoke an image similar to throwing the *brepbos* (προσορίπτειν). Another parallel may come from a bilingual Greek/Demotic spell in *PGM* XIV.12–15 = *PDM* xiv.451–458, a spell for [Demotic] “going before a superior if he fights with you and will not speak to you.” The Greek text reads:

μή με δίωκε, ὅδε· άνοχ Παπιπετο[υ] μετουβανες. βαστάζω τήν ταφήν του Ὁσίρεως, καὶ ὑπάγω κατασ[τ]ήσαι αὐτήν εἰς Ἄβιδος, καταστήσαι εἰς Ταστας καὶ καταθέσθαι εἰς [Ἄ]λχάς. ἐάν μοι ὁ δεῖνα κόπου[ς] παράσχη, προσρέψω αὐτήν αὐτῷ.<sup>23</sup>

Do not pursue me, you, so-and-so, I am PAPIPETOU METOUBANES, I am carrying the mummy of Osiris, and I go to take it to Abydos, to take it to Tastai, and to bury it at Alkhah. If he, NN, beats me, I will throw it at him.

(transl. R. F. Hock with modifications)

It is striking that in both of the petitions cited above the expectations of social relationships are complicated, and both individuals complaining of the *phthonos* of others are marginal: Ision is a slave, yet one who is owed a debt by his attacker. Dionysia is caught between her husband and her father’s (unwanted) declaration of paternal prerogative. The speaker of the spell in the *PGM* is likewise an inferior going against a superior.

Some additional help in understanding “encircling with *phthonos*” may be found in iconographic evidence. In their study of the iconography of *phthonos* and *invidia*, Dunbabin and Dickie collect a number of images of the *phthoneros* being surrounded and attacked by wild beasts or choking himself. Similarly, they draw attention to images of the eye itself, surrounded by, and sometimes pierced by, knives and swords, such as that of the House of the Evil Eye in Antioch, which features an eye sur-

<sup>23</sup> The editor’s insertion of tau in προσ<τ>ρέψω seems to us unnecessary: in the drawing published by J. Dieleman, *Priests, Tongues, and Rites: The London-Leiden Manuscripts and Translation in Egyptian Ritual* (Leiden 2005) 128, fig. 4.3, the reading is clear, and the passage makes perfect sense without the insertion, as a bungled future of προσορίπτω. Dieleman and Hock both translate κόπους παράσχη as “causes me trouble”: we see no reason for this. For alerting us to this text we thank C. Faraone and D. Frankfurter.

rounded by a trident, pierced by a knife, and being attacked by a bird and other animals.<sup>24</sup> Dickie and Dunbabin make powerful arguments that these images of *phthonos* and *phthoneroi* are apotropaic. Indeed it would be hard to avoid this conclusion in the case of the Antioch mosaic, which also bears the inscription *καὶ σὺ*—colloquially translatable as “right back at’cha.”<sup>25</sup> But this presents a problem for the Karanis papyrus: Gemellus has represented Iulius as the attacker, suggesting in his complaint that to encircle him with *phthonos* was an aggressive act. The iconographic evidence, by contrast, points not to the encircling *with phthonos*, but the encircling *of phthonos*—one act being aggressive, the other defensive. The answer, we suggest, comes from taking account of the perspective of one side or another. Gemellus claims aggression, but Iulius’ actions could be understood as a form of defense.

There is a strong case for thinking that Gemellus is the source of dysfunction, and that Iulius is seeking to control him through the use of magic. On this reading, we argue, there is another layer to the stories behind the Karanis papyrus. Gemellus’ statement about the motivation for Iulius’ assault is the key: he claims that the conflict began with Iulius’ brother Sotas, who “looked down on me on account of my weak vision” (*καταφρονήσαντος τῆς περὶ τὴν ὄψιν μου ἀσθενείας*). In the papyri individuals complain that attackers look down on them for many reasons, including their physical defects: in a contemporaneous document from the Fayum, for instance, a man complains that his neighbors beat him and extorted money from him because “they look down on the condition of my feet.”<sup>26</sup> Another man, a local rentier, complains that in the course of a lengthy land dispute a group of neighbors would

<sup>24</sup> Dunbabin and Dickie, *JAC* 26 (1983) 32. The Antioch mosaic bears a close resemblance to another eye-attack motif discussed by R. Ritner, *The Mechanics of Ancient Egyptian Magical Practice* (Chicago 1993) 165–167, who argues for a connection to earlier Egyptian contexts.

<sup>25</sup> There are in fact a number of these warnings, of which this mosaic is but one example: see Dunbabin and Dickie, *JAC* 26 (1983) 35–36.

<sup>26</sup> *P.Lond.* II 358.11–12 (= *Chrest.Mitt.* 52, A.D. 150): *καταφρονήσαντες τῆς περὶ τοὺς πόδας μου διαθέσεως*.

not return his land to him since they “look down on me because of my inactivity and my countenance and my [-].”<sup>27</sup> It is of course wise to be skeptical when victims attribute motives to their attackers. But Gemellus makes reference to his eyes several times, both in the papyrus in question and in the papyrus cited above where he is more specific, saying that he has lost one eye and that a cataract (*leukoma*) has appeared in the other.

Gemellus could be referring to a simple cataract (though he is of a relatively young age—twenty-eight—for a senile cataract to have developed), or to another of the numerous eye problems endemic in Egypt, such as trachoma. Either of these conditions causes damage to the eyes: trachoma causes corneal scarring which can be visible across the eye; cataracts produce a milky white spot in the iris.<sup>28</sup> This obscurity of the eyes, however, is not innocent of broader social connotations. There are numerous ancient theories about eyes, coming especially from the physiognomical tradition—a tradition which claimed to “know the mind from the eyes.”<sup>29</sup> Within this tradition there are a number of claims of how to “read” the eyes of another as indicative of their true being, as portents of the future,<sup>30</sup> and as

<sup>27</sup> *P.Amh.* II 142.14 (= *Chrest.Mitt.* 65, A.D. IV): καταφρονήσαντες τῆς περὶ ἐμὲ ἀπραγμοσύνης καὶ τοῦ σχήματος καὶ τῶν [ ].

<sup>28</sup> Basic information on both conditions—along with links to photographs that properly capture their dramatic public manifestations—can be found by following the links to their respective Wikipedia entries. M. C. Karasch, “Ophthalmia (Conjunctivitis and Trachoma),” in K. J. Kiple (ed.), *The Cambridge World History of Human Disease* (Cambridge 1993) 897–906.

<sup>29</sup> ἀπ’ ὀφθαλμοῦ καὶ τὸ νόημα μαθεῖν: *Anth.Gr.* 7.661, cited in S. Swain (ed.), *Seeing the Face, Seeing the Soul: Polemon’s “Physiognomy” from Classical Antiquity to Medieval Islam* (Oxford 2007) 181, who also provides the translation. Also noteworthy is the opening of Polemon’s section on the eye: “know that the eyes are the gateway to the heart, from which arise the cares of the soul and appear the secrets of the conscience” (from the Arabic, Swain 341). See also O. Jahn, “Über den Aberglauben den bösen Blicks bei den Alten,” *SBL Leipzig* 7 (1855) 28–110, and W. B. McDaniel, “The *Pupula Duplex* and Other Tokens of the ‘Evil Eye’ in the Light of Ophthalmology,” *CP* 13 (1918) 335–346, early treatments of the evil eye in classical literature.

<sup>30</sup> Thus *HA Pertinax* 14.2: one of the signs of Pertinax’s impending doom was that the pupils of his eyes were not showing any reflection of the persons who were looking into them.

harmful weapons, to give just a few of the many and occasionally inconsistent examples.<sup>31</sup> Ancient and modern notions of the evil eye are connected to physical disabilities, specifically that the physical deformity indicates some sort of spiritual deformity.<sup>32</sup> Herzfeld's study of modern Rhodes, for instance, emphasizes how members of a community who are blind or handicapped are often thought to have powers to ruin crops, cause unproductive hunts, and generally cause disorder that affects community prosperity.<sup>33</sup> Ancient evidence seems to reflect analogous concerns. Pliny reports this story:<sup>34</sup>

In this same region of Africa Isigonus and Nymphodorus say that there are families of enchanters, whose praise causes sheep to wander off, trees to wither, and children to die. Isigonus adds that there are others of this type among the Triballi and the Illyrians, who also curse with their glance and kill those at whom they stare for a long time, especially if they use an angry glare, which evil of their adults are especially prone to suffer. It is especially noteworthy that they have double pupils in a single eye. Apollonides reports that there are also women of this kind in Scythia, who are called *bitiae*. Phylarchus says that also in Pontus there is a group of Thibii, and many others of this same type, who have a double pupil in one eye, and in the other the image of a horse.

Pliny's description of these peoples is telling: the families of

<sup>31</sup> See M. Dickie, "Heliodorus and Plutarch on the Evil Eye," *CP* 89 (1991) 17–29, and "The Fathers of the Church and the Evil Eye," in H. MacGuire (ed.), *Byzantine Magic* (Washington 1995) 9–34, for attempts to tease consistency from several of these theories.

<sup>32</sup> Especially helpful here has been the collection of material assembled from the early anthropological/folklorist tradition in Dundes, *Casebook*.

<sup>33</sup> Herzfeld, *American Ethnologist* 8 (1981) 560–574.

<sup>34</sup> *HN* 7.16: *in eadem Africa familias quasdam effascinantium Isigonus et Nymphodorus, quorum laudatione intereant probata, arescant arbores, emoriantur infantes. esse eiusdem generis in Triballis et Illyris adicit Isigonus, qui visu quoque effascinent interemantque quos diutius intueantur, iratis praecipue oculis, quod eorum malum facilius sentire puberes; notabilius esse quod pupillas binas in oculis singulis habeant. huius generis et feminas in Scythia, quae Bitiae vocantur, prodit Apollonides. Phylarchus et in Ponto Thibiorum genus multosque alios eiusdem naturae, quorum notas tradit in altero oculo geminam pupillam, in altero equi effigiem.* See Dickie, *CP* 89 (1991) 18–20, on the passage and McDaniel, *CP* 13 (1918) 335–346, on *pupillas binas*.



“enchanters” (*familias ... effascinantium*) from Africa use their eyes to do harm by praise (*laudatione*), by which they ruin sources of prosperity. The connection between praise and envy is common in societies that also have strong beliefs in the evil eye (*fascinus* is equivalent to Greek *baskanos*).<sup>35</sup> More important, however, is the geographical distribution of these peoples with harmful eyes: they are at the edges of the known world, accessible after a fashion, but only barely. They are, in other words, the most marginal members of the human community writ large, and they specialize in the use of eyes to harm sources of self-reproducing wealth.

These links between marginality, acquisitiveness, envy, and eyes are crucial for understanding the Karanis papyrus. *Phthonos* is reciprocal; it also loves to hide itself. Knowing the *phthoneros* means, as in the case of Chresimus, being able to convince others that there is reason to side with one of the parties casting the accusation. In a world obsessed with finding reliable ways to judge others at first sight (precisely because one could *not* do this on a regular basis in a cosmopolitan society with substantial social mobility), outward signs, however silly or irrational, could come to function as a means of public proof of worth and character. *Phthonos* cannot escape revealing itself through the eyes, and as such there is a means of proof, a way of determining the source of social dysfunction. The acquisitive man who occupies a problematic zone of power and access within and outside of his community, who transcends local systems of reciprocity and redistribution, is the man whose deformed eyes tell the whole story. If the eyes are the portals to the spirit, then one cannot see into Gemellus’ true self through his murky irises. The *phthonos* may hide, but in hiding it gives itself away.

The eyes are the manifestation of *phthonos*; they are also its weapon,<sup>36</sup> and as such need to be contained, or in the case of this papyrus, “enclosed / hemmed in / encircled”. Against Gemellus’ harmful eye—described in *P.Mich.* 426.21 as a κόρη—

<sup>35</sup> See also *HA Antoninus Pius* 11.8, and n.21 above on *abaskanta tekna*.

<sup>36</sup> Plut. *Mor.* 681E: τεταγμένοι τῆς ψυχῆς σπάσσαι τὴν κακίαν ὥσπερ πεφαρμαγμένα βέλη προσπίπτωσιν.

they assail him with the *brephos*, a child. What connection, if any, there is between these terms must remain speculation. But it is certainly consequential that the assault is done in public, out doors and in the presence of witnesses, since even Gemellus admits that it is not an attempt to harm by hostile magic, at least not in the way that harm is intended by burying offensive objects in other people's property.<sup>37</sup> It is rather what Maud Gleason might refer to as a "truth contest," or Chris Wickham a "probative" act.<sup>38</sup> In Wickham's words,

Where disputes were so complex and hard to pin down, as in the agrarian cases we are looking at, public actions of all kinds helped to concentrate the mind ... [F]orceful actions, as long as they were not secret, were the most rhetorically effective actions of all, for they also involved an opposing party who did not respond to the challenge, or who actively backed down ... In the complexity of some of our disputes, then, when parties were short of clear-cut documentary proof, or of a secure body of informed witnesses, or in some cases where they sought to make a particularly clear point, they frequently resorted to public acts of a variety of kinds—speech, direct action, force, ritual—to create images, signs, of a situation which observers could absorb, understand, and remember.

In a way similar to Sotas' earlier forays onto Gemellus' property, Iulius' actions are presented as taking place in public, and subsequently in the presence of the local officials. A number of other papyri from agricultural areas document public challenges to boundaries, though none involves such strange behavior as *brephos*-throwing. One petition details how a man and his son drove their mules through the petitioner's vineyard while he was tending to his vines.<sup>39</sup> A fragmentary papyrus

<sup>37</sup> Thus Libanius and the mutilated lizard: see C. Bonner, "Witchcraft in the Lecture Room of Libanius," *TAPA* 63 (1932) 34–44.

<sup>38</sup> M. Gleason, "Truth Contests and Talking Corpses," in J. Porter (ed.), *Constructions of the Classical Body* (Ann Arbor 1999) 287–313; C. Wickham, *Courts and Conflict in Twelfth-Century Tuscany* (Oxford 2003) 85.

<sup>39</sup> *P.Mich.* V 229 (A.D. 48); an analogue may be the late *P.Cair.Masp.* I 67087 (A.D. 543), on which see J. G. Keenan, "Village Shepherds and Social Tension in Byzantine Egypt," *YCS* 28 (1985) 245–259. Possibly analogous is *P.Col.* VII 171 (= *P.Coll.Youtie* II 77, A.D. 324).

from Oxyrhynchus also seems to deal with a challenge to a claim of ownership, the petitioner claiming that neighbors “moved the [-] of the ancient boundary stones.”<sup>40</sup> In another, albeit fragmentary, document from Karanis, a petitioner claims that he “caught” two men harvesting his olives on his land. They subsequently attacked him with their harvesting tools—either axes or shears, depending on how the papyrus is read.<sup>41</sup> These challenges to boundaries are fundamentally different from complaints that deal with theft, in which the perpetrators are often said to have accomplished their malice in secret (ληστροικῶ τρόπῳ: literally, “in the manner of thieves”). The very publicity of the act would make it understood that the violator was *not* stealing, but rather intervening for a different purpose—most likely, to make a claim of right.

From Gemellus’ description of Iulius’ actions we may likewise conclude that Iulius intended his actions to be a public demonstration of right. In the majority of papyri that document violent conflict, it is not uncommon to see individuals intervening in the midst of a brawl to end the violence or save its victim from a pack of assailants.<sup>42</sup> The implication in these papyri is that the aggressors, knowing that their actions were criminal, desisted from violence when others intervened. But in the document in question, the implication seems to be the opposite: though his actions, according to Gemellus, clearly violate the requirements of proper conduct and may in fact be criminal, Iulius seems convinced that he is in the right in attempting to “encircle” Gemellus, to the extent that he is willing to repeat his frightening behavior in the presence of village officials. Gemellus and the magistrates froze in fear at the *brepfos*, and allowed Iulius to continue taking his produce

<sup>40</sup> *P.Oxy.* L 3575 (A.D. 341); see also *P.Amh.* II 142 (= *Chrest.Mitt.* 65, A.D. IV), and *P.Cair.Goodsp.* 15 (A.D. 362), in which the destruction of a wall takes place in the context of a protracted dispute.

<sup>41</sup> *SB XII* 11113 (= *P.Mich.Mchl.* 11, A.D. II–III).

<sup>42</sup> *P.Stras.* VI 521 (A.D. I), *P.Cair.Isid.* 63 (A.D. 297), *P.Col.* VII 171 (= *P.Coll.Youtie*, A.D. 324), *BGU* III 909 (= *Chrest.Wilck.* 382, A.D. 359), *P.Cair.Goodsp.* 15 (A.D. 362), *P.Mich.* XVIII 793 (A.D. 381). *P.Oxy.* XXXVI 2758 (A.D. 110–112) may be an exception.

and collect the *brephos*. In other words, if this is a contest, then Iulius prevailed *because* the magic worked. Had Gemellus responded not by freezing in place but by beating Iulius senseless, then Iulius would likely have been in the wrong.

Ancient legal systems were better equipped to deal with accusations of magic than modern legal systems.<sup>43</sup> Nonetheless, it is a frustrating limitation of the evidence that we cannot tell how seriously Gemellus' complaint was taken, or which side eventually prevailed in this moment in the dispute. There is a final section, however, of this microhistory. A tax receipt of A.D. 207 shows Iulius paying taxes as a tenant farmer on Gemellus' land (*P. Mich.* VI 398). The conclusion of the initial editors was that "[t]he difficulties aired in these petitions were eventually ironed out, for in 207 A.D. Gemellus and Julius were presumably on friendly terms."<sup>44</sup> We suspect, however, that there is room for a deeper sociology of conflict in the Egyptian villages.

While ancient Greek moralists may have sought to divide the world into friends and enemies, the modern interpreter can afford to be more subtle. Personal relationships are complex and dynamic. Throughout this paper we have insisted on the importance of marginality, suspicion, and ambiguity as the factors that structure this conflict. Nonetheless, it is clear that throughout the course of the conflict Gemellus, at the very least, but probably Iulius as well, is seeking to bring to this complex relationship a certain sense of clarity. This clarity can come from an efficacious magical performance, but more commonly—in Roman Egypt at least—it comes from the decisions of magistrates. It is presented in the language of law, and enforced through threats, fines, and other institutionalized punishments. Integrating powerful third parties into the dispute is an attempt at freezing in place the complexities of these social relationships, if only temporarily. If Iulius is punished for his

<sup>43</sup> On the problem of policing and prosecuting witchcraft in a modern system, see J. Comaroff and J. Comaroff, "Policing Culture, Cultural Policing: Law and Social Order in Post-Colonial South Africa," *Law and Social Inquiry* 29 (1999) 513–541.

<sup>44</sup> Youtie and Pearl p.118.

trespass and aggression, then Gemellus is in the right. Iulius' actions sought, on our analysis, to make sense of this situation as well, freezing Gemellus and his threatening countenance in place. That Iulius sought to control his problematic behavior through the use of the *brepheos* makes this individual document unusual in the history of ancient magic, but not incomprehensible.<sup>45</sup>

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