


That Lady With the Scales Poses for Her Portraits

 [nytimes.com/2010/12/16/books/16justice.html](https://www.nytimes.com/2010/12/16/books/16justice.html)

By RANDY
KENNEDY

December 15, 2010

In ancient Egypt she was known as Maat, the goddess of harmony and order, depicted in the Book of the Dead as a kind of personified jeweler's scale, weighing a human heart against a feather to determine a soul's fate in the afterlife.

In Greece she became Themis, aunt, wife and counselor to Zeus, and the Romans then rolled her and her daughter Dike together to form Justitia, the only one of the cardinal virtues to have a signature look in ancient art. But the look of the grande dame we have come to know as Lady Justice — as interpreted by artists like Giotto, Brueghel and Reynolds — has been as changeable as a catwalk model's.

She has strode forth naked and clothed, shoeless and shod, sword wielding and weaponless. She has been accompanied by a dog (for fidelity), a snake (for hatred) and a whole menagerie of other sidekicks that would befuddle the modern courthouse visitor, including an ostrich, whose supposed ability to digest anything was seen by the ancients as a useful attribute for the machinery of justice.

As the Yale Law School professors Judith Resnik and Dennis Curtis show in an unusual new book just out, "Representing Justice" — an academic treatise on threats to the modern judiciary that doubles as an obsessive's tour of Western art through the lens of the law — Lady Justice's familiar blindfold did not become an accessory until well into the 17th century. And even then it was uncommon because of the profoundly negative connotations blindfolds carried for medieval and Renaissance audiences, who viewed them as emblems not of impartiality but of deception (hence the early use of the word hoodwink as a noun, meaning a blindfold or hood).



Raphael's Lady Justice at the Palace of the Vatican. Scala/Art Resources, NY.

"Sight was the desired state," Professors Resnik and Curtis write, "connected to insight, light and the rays of God's sun." Even in modern times the blindfold continues to fit uneasily in Lady Justice's wardrobe, used as a handy prop by political cartoonists and a symbol of dysfunction by others. "That Justice is a blind goddess/Is a thing to which we black are wise," Langston Hughes wrote in 1923. "Her bandage hides two festering sores/ That once perhaps were eyes."

It might convey some idea of the depth of Ms. Resnik and Mr. Curtis's mutual interest in the art life of Lady Justice that their examination of the history of her blindfold alone takes up one whole chapter and part of another in the book, following ideas of sight and veiling through the philosophy of Locke, Diderot and Bentham. The book traces the remarkable ubiquity of the

figure of justice around the world, from the statue at the Supreme Court of Canada in Ottawa to one presiding over a constitutional court in Azerbaijan to others in Zambia, Iraq, Brazil and Japan.

She sits atop City Hall in Manhattan and the Old Bailey in London. For a few months in 2002, on the campus of the William Mitchell College of Law in St. Paul, where Charles M. Schulz was raised, she took the shape of Lucy van Pelt, blindfolded, with sword, scales and a big smile.

“They’re all over,” said Ms. Resnik, who specializes in the United States federal court system and who along with Mr. Curtis, her husband and sometime collaborator on legal publications, grew fascinated more than two decades ago with the visual history of justice and the judiciary. It led them to write a 1987 law journal article together and to spend countless hours among the renowned stacks at the Warburg Institute at the University of London following threads of classical scholarship they hoped would lead to discoveries about the evolution of Justice in art and architecture.



Dennis Curtis and Judith Resnik. Christopher Capozziello for The New York Times

“We’ve always been working on this,” Ms. Resnik said in a recent phone interview along with Mr. Curtis, who finished her thought: “It seems like forever.”

Several years ago they began work on an ambitious academic study looking at the central role the judiciary has played in the development of democracies and warning of an increasing international movement away from public adjudication toward private dispute resolution, bureaucratic hearings and closed courts. And they saw a way to put their art leanings (“We’ve been going to museums of virtually any kind as long as we can remember,” Mr. Curtis said) to work as a means of telling that story.

The book charts how the iconography of justice has both reflected and influenced the development of courts and national governments and how that imagery is now often no longer able to carry the weight of the legal demands of the modern world. “The precepts of good democratic governance encoded and iterated in the symbolism of Justice are far too narrow,” the authors write. And along with the triumphal architecture of modern courthouses themselves, the images can end up masking the problems that lie beneath what they are supposed to represent.

“On many a day,” they write, “the austere hallways of various grand courthouses on both the national and international levels are empty.”





A new book surveys the history of Lady Justice. Above, “Lady of Justice” by Jan R. Mitchell, located outside a federal building in the U.S. Virgin Islands. Ozier Muhammad/The New York Times

As a legal tome the book is probably the only one ever to mingle Supreme Court citations with interviews with contemporary artists like Tom Otterness, and Jenny Holzer, both of whom have created permanent art installations for federal courthouses that tweak conceptions of justice. (Mr. Otterness, known for putting wickedly playful sculptures in unusual places, made Lady Justice into a fat bird perched in a tree, concealing her sword behind her back. Ms. Holzer inscribed granite paving stones with various phrases from legal history, including a wicked aperçu from Justice Felix Frankfurter: “It is a fair summary of history to say that the safeguards of liberty have frequently been forged in controversies involving not very nice people.”)

While the book includes several examples of the abstract representations of justice that modernism has bequeathed, the one prominent display of non-Lady-Justice courtroom art that Mr. Curtis and Ms. Resnik feature is one they came across six years ago on a trip to speak at a conference in Minnesota. They drove by a courthouse in Grand Marais, a small town 110 miles north of Duluth and stopped, finding a probation officer inside.

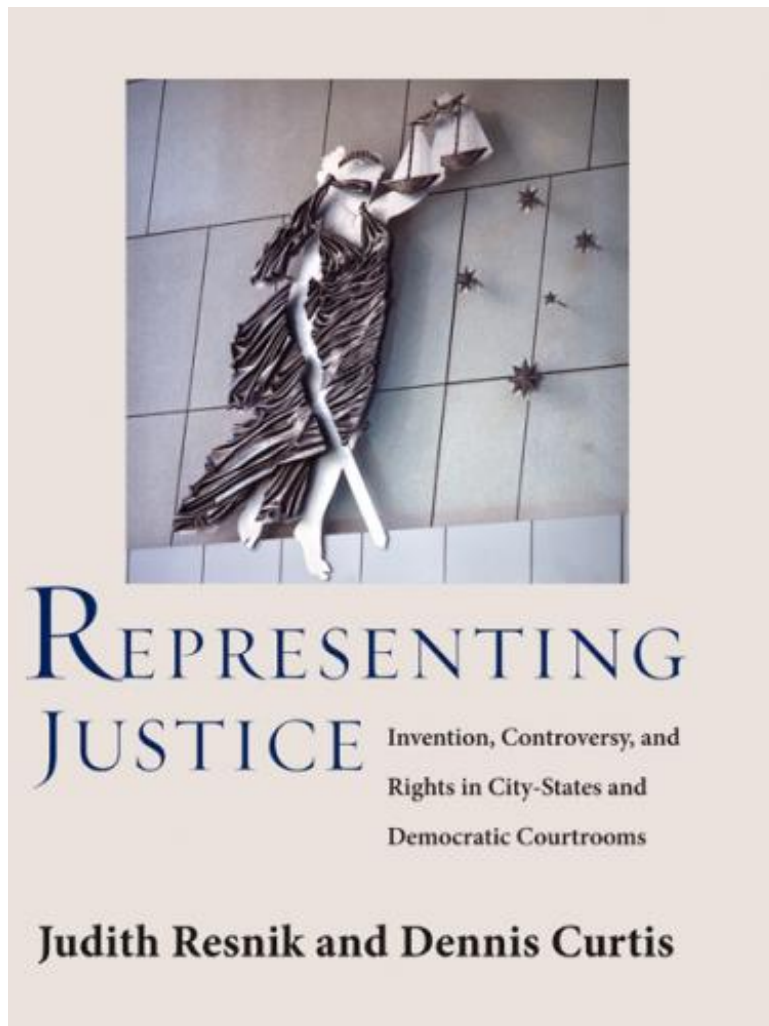
“Explaining our interest in courthouses and their iconography,” they wrote, “we asked if we might take a look around. When we inquired what (if any) icons of justice were displayed, he did not hesitate to bring us to the courtroom on the second floor, a modestly proportioned room with a judge’s bench, flags and computers.”

On one wall hung a memorial to a dedicated local lawyer, James A. Sommerness, who had worked as a public defender in the court for more than 20 years. Instead of his portrait, the court had framed the battered corduroy jacket the lawyer had always worn while arguing cases, a humble monument to the grand ideal of public justice for everyone.

“We’ve seen a lot of representations of justice over the years,” Ms. Resnik said, “but that one will always be pretty hard to top.”

Correction: December 18, 2010

An article on Thursday about the new book "Representing Justice," by Judith Resnik and Dennis Curtis, misstated the relation of Themis, who represented justice in Greek mythology, to Zeus. In addition to being his wife and counselor she was his aunt, not his sister.




January 25, 2011

By mapping the remarkable run of the icon of Justice, a woman with scales and sword, and by tracing the development of public spaces dedicated to justice—courthouses—Professors Judith Resnik and Dennis Curtis explore the evolution of adjudication into its modern form as well as the intimate relationship between the courts and democracy. The authors analyze how Renaissance “rites” of judgment turned into democratic “rights,” requiring governments to respect judicial independence, provide open and public hearings, and accord access and dignity to “every person.” With over 220 images, readers can see both the longevity of aspirations for justice and the transformation of courts, as well as understand that, while venerable, courts are also vulnerable institutions that should not be taken for granted. This website gives readers a preview to some of those images and much more.

View the online exhibit from the Yale Law Library’s Rare Book Collection: [“The Remarkable Run of a Political Icon: Justice as a Sign of the Law”](#).

September 22, 2011

September 19 – December 16, 2011
Rare Book Exhibition Gallery
Level L2, Lillian Goldman Law Library, Yale Law School



IVSTICE · RIGOVREVESE. IVSTICE · DIVINE.

DIVERSES IVSTICES.

From Cesare Ripa's, *Iconologie* (Paris, 1644), Rare Book Collection, Lillian Goldman Law Library.

The Remarkable Run of a Political Icon: Justice as a Sign of the Law

An exhibition curated by
**Judith Resnik, Dennis Curtis,
Allison Tait, & Mike Widener**

How is it that the figure of a woman, draped, holding scales and sword, has been so widely recognized as a symbol of the law for more than 500 years?

This question is at the heart of the latest exhibit from the Yale Law Library's Rare Book Collection: "The Remarkable Run of a Political Icon: Justice as a Sign of the Law." Using images from books printed between 1497 and 1788, the exhibit traces the roots of the iconography of Justice, a remnant of the Renaissance, that remains legible today. The exhibit features eleven volumes from the Law Library's Rare Book Collection, along with four emblem books on loan from Yale's Beinecke Rare Book & Manuscript Library.

The shifting attributes of Justice, displayed in the exhibit, reflect the complex relationships between judgment, sight, knowledge, and wisdom. In the 1400s and 1500s, a blindfold on Justice signified her disability; today the blindfold is commonly understood as a sign of justice's impartiality.

The exhibit is curated by Judith Resnik (Arthur Liman Professor of Law, Yale Law School), Dennis Curtis (Clinical Professor of Law Emeritus, Yale Law School), Allison Tait (Gender Equity & Policy Postdoctoral Associate, Yale Women Faculty Forum), and Mike Widener (Rare Book Librarian). The exhibit draws heavily on Resnik's & Curtis' new book, *Representing Justice: Invention, Controversy and Rights in City-States and Democratic Courtrooms* (Yale University Press, 2011).

The exhibit is on display through December 16, 2011 in the Rare Book Exhibition Gallery, located on Level L2 of the Lillian Goldman Law Library, Yale Law School, 127 Wall Street. The exhibit is open to the public, 9am-10pm daily. The exhibit will also go online here in the Yale Law Library Rare Books Blog.

MIKE WIDENER


Rare Book Librarian

Published In:

[Rare Books Blog](#)

Tags:

Justice as a Sign of the Law: Introduction

 library.law.yale.edu/exhibits/justice-sign-law/items

The image of Justice, a remnant of the Renaissance, has had a remarkable run as a political icon. We can all “read” Justice because we have been taught to do so by political leaders of every stripe. Courthouse designers, artists, and cartoonists remain confident that a woman with scales and sword will be recognized as Justice, and not as a misplaced Roman deity or a warrior princess.

This exhibit, drawn from the Yale Law Library’s Rare Book Collection, the [Beinecke Rare Book & Manuscript Library](#), and [Representing Justice: Invention, Controversy, and Rights in City-States and Democratic Courtrooms](#) (Yale University Press, 2011) by Judith Resnik and Dennis Curtis, traces the roots of Justice iconography in books published in Europe between 1497 and 1788. Through these prints, we account for Justice’s visual accessibility, making her image a part of today’s popular knowledge when other European images of Virtues (and Vices), that were once as familiar as Justice, are lost to contemporary view.

The Justices depicted in Renaissance Europe had a diverse set of attributes – cornucopias, fasces (or lictor rods), orbs and globes, books and tablets, and an odd lot of animals and birds, including dogs, snakes, ostriches, and cranes. Over time, as this exhibit documents, the depiction of Justice stabilized around a woman with scales and sword.

As this exhibit also details, pictorial representations aimed to denote something of the complex relationship between judgment, sight, knowledge, and wisdom. In the 1400s and 1500s, a blindfold on Justice signified her disability; today the blindfold is commonly valorized as both a sign of law’s particular obligation to reason within confined parameters and of justice’s impartiality and disinterest.



Image: Cesare Ripa, Iconologie (Paris: Mathieu Guillemot, 1644), Lillian Goldman Law Library.

“The Remarkable Run of a Political Icon: Justice as a Sign of the Law” is curated by Judith Resnik, Dennis Curtis, Allison Tait, and Mike Widener, and is on display Sept. 19-Dec. 16, 2011, in the Rare Book Exhibition Gallery, Level L2, Lillian Goldman Law Library, Yale Law School.

Justice as a Sign of the Law: The Fool Blindfolding Justice

library.law.yale.edu/exhibits/justice-sign-law/items

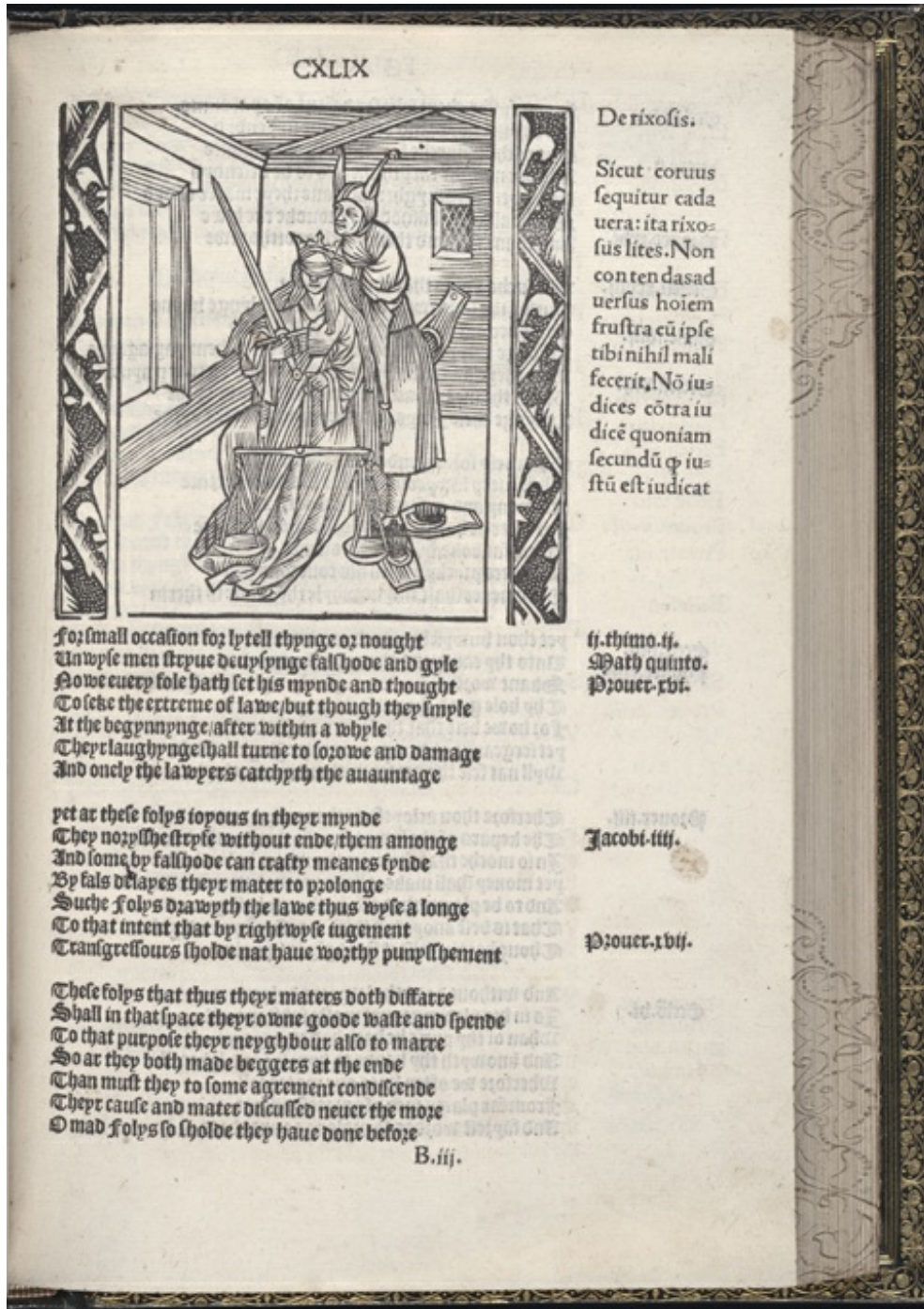
September 24, 2011

The first image, known as “The Fool Blindfolding Justice” from Sebastian Brant’s *Ship of Fools*, comes from the 1497 Basel edition and is sometimes attributed to Albrecht Dürer. The 1509 London edition offers a close copy. The woodcut was one of a hundred illustrations for this popular book, subsequently printed in many languages.

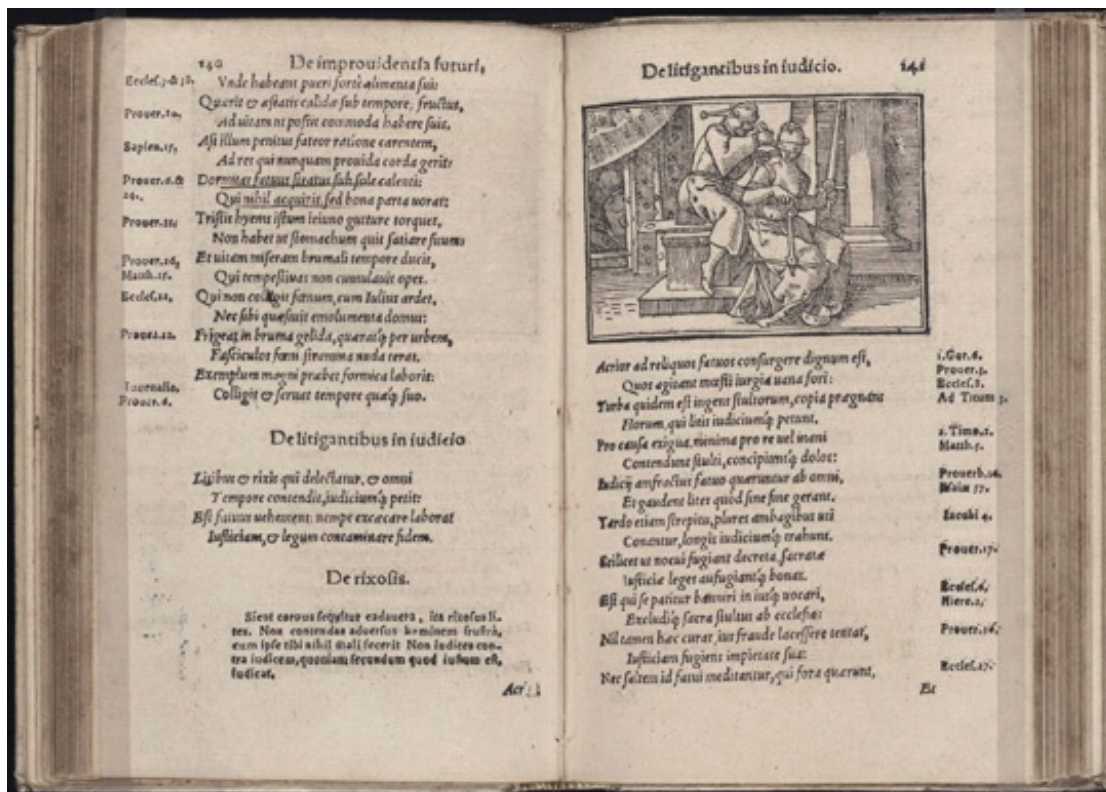
The scene is one of the earliest known to show a Justice with covered eyes. The deployment is derisive, evident not only from the fool but from the chapter that the illustration accompanied, which was entitled “Quarreling and Going to Court.” Brant, a noted lawyer and law professor, prefaced the book with a warning against “folly, blindness, error, and stupidity of all stations and kinds of men.” The 1572 version is all the more insistently negative; in this rendition, the fool has pushed Justice off her throne as he covers her eyes.



Brant, Sebastian. Stultifera navis (Basel: Johann Bergmann, de Olpe, 1497). Beinecke Rare Book & Manuscript Library.



Brant, Sebastian. This present boke named the shyp of folys of the worlde (London: Richard Pynson, 1509). Beinecke Rare Book & Manuscript Library.



Brant, Sebastian. *Stultifera navis mortalium* (Basel: Sebastian Henricpetri, 1572). Beinecke Rare Book & Manuscript Library.

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Justice as a Sign of the Law: The Tribunal of Fools

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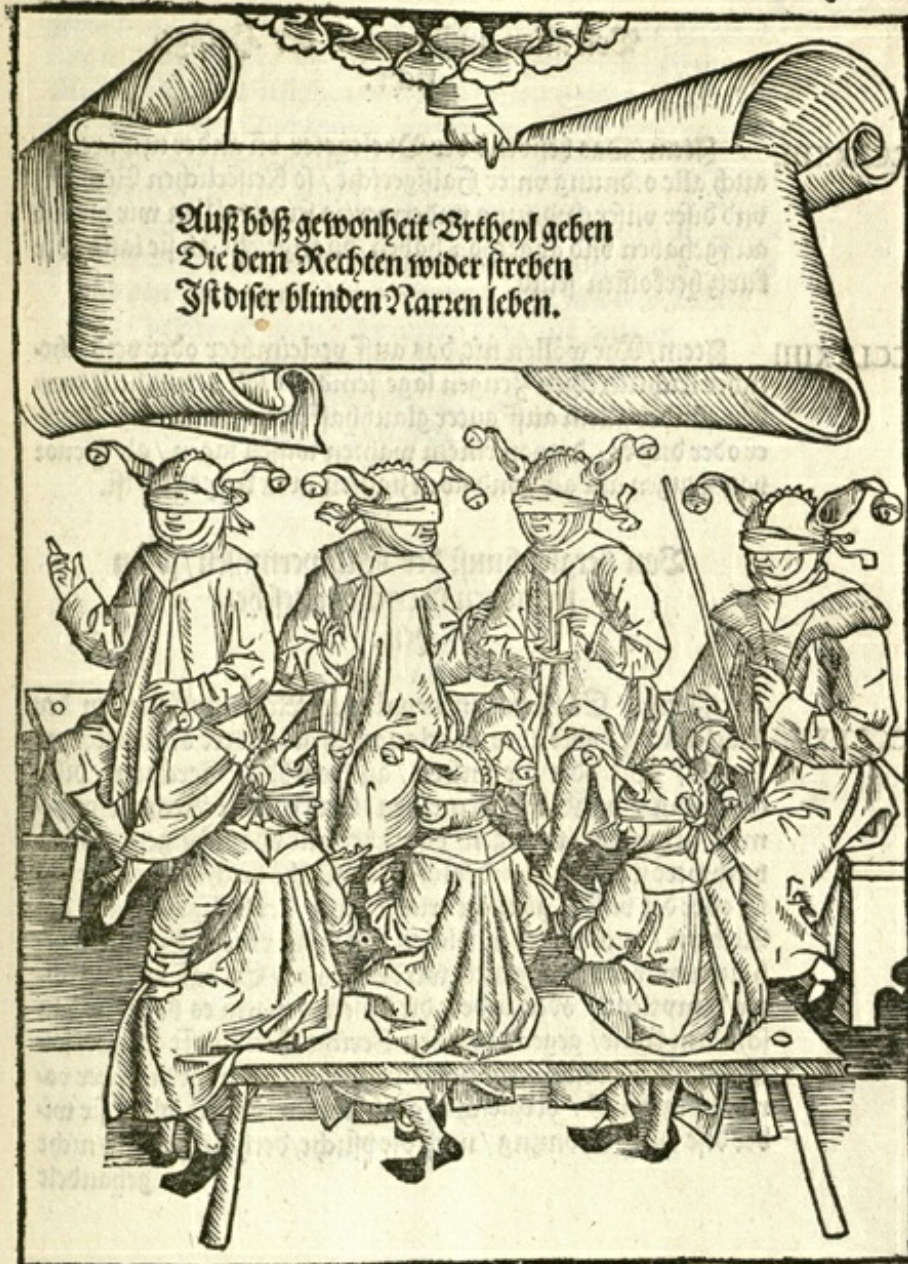
September 24, 2011

“The Fool Blindfolding Justice” was not the only image of that era deploying a blindfold as a warning against judicial error, as can be seen from the 1508 and 1580 editions of an illustrated volume, *Die Bambergische Halsgerichtsordnung*. The volume, setting forth the criminal law and municipal ordinances of the city of Bamberg, included some twenty woodcuts.

In the woodcut called “The Tribunal of Fools,” a presiding judge (marked by his rod of office, the collar of his robe, and his place of honor on the throne) sits with his four colleagues. All are blindfolded and wear jesters’ caps. The legend on the scroll above their heads reads: “Out of bad habit these blind fools spend their lives passing judgments contrary to what is right.” Once again blindness is equated with error. Blindfolds could also be found on other readily recognized Renaissance icons – Synagoga, representing the Old Testament, was bent and blindfolded (blind to the “light” of Christianity), while Ecclesia, standing ramrod straight and clear-eyed, embodied the New Testament. Similarly, Fortuna, and Eros were also shown blindfolded, exemplifying that the loss of sight leads one astray.



[Bambergische Halssgerichts Ordnung](#) (Metz: Johann Schöffler, 1508). Lillian Goldman Law Library.



Bambergische peinliche Halsgerichtsordnung (Bamberg: Johann Wagner, 1580). Lillian Goldman Law Library.

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Justice as a Sign of the Law: Ripa's Iconologie

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Two codifiers of Renaissance iconography, Cesare Ripa and Andrea Alciati, generated compendia of icons and emblems, replayed by didactic invocations in art and literature, in politics and theology, and in popular pastimes from tarot cards to the satirical press. Through these multiple forms, a host of Virtues and Vices became part of the common visual vocabulary in Europe.

Cesare Ripa's *Iconologia* marks the beginning of a shift in the meaning attributed to the blindfold. First published, without any pictures, in Rome in 1593, it was printed with images in 1603 and regularly thereafter, appearing in more than forty editions in eight languages.

Ripa detailed various kinds of Justice, each with her own set of attributes. One was Divine Justice ("Giustitia Divina") and the other six were variations on "Worldly" Justice. All were clear-sighted but one, and sight itself was specifically admired in the descriptions of various Justices. For example, Ripa's "Justice According to Aulus Gellius" – from the Padua Ripa of 1625 – is said to have "piercing eyes" and to wear a necklace where "an eye is portrayed" because "Plato said that Justice sees all and that, from ancient times, priests were called seers of all things." "Divine Justice" (from the 1698 Amsterdam edition), was similarly clear-sighted, with scale, sword, and a dove in a halo above her head to invoke the Holy Spirit.

The sole version Ripa described as blindfolded was called Justice (or sometimes Earthly Justice). As a 1611 edition explained:

This is the type of Justice that is exercised in the Tribunal of judges and secular executors. She is wearing white because judges should be without the stain of personal interest or of any other passion that might pervert Justice, and this is also why her eyes are bandaged – and thus she cannot see anything that might cause her to judge in a manner that is against reason.

IVSTICE.



IVSTICE-INVIOLE.




IVSTICE-RIGOREVSE.



IVSTICE-DIVINE.



DIVERSES IVSTICES.


 EST l'opinion de Platon, que rien ne peut eschapper aux yeux de la Iustice, & qu'à raison de cela les anciens Prestres des Egyptiens, disoient que par la force de sa veuë elle penetroit dans le fonds de toutes choses. De là vient aussi qu'Apulée jure par l'œil du Soleil & de la Iustice ensemble, pour monstret que l'un est aussi clair-voyant que l'autre. D'où il nous est enseigné pareillement quels doivent estre les Ministres de la Iustice. Car il faut qu'il y ait en eux certains rayons par le moyen desquels ils descouurent la verité en quelque lieu qu'elle soit cachée, & qu'à la façon des Vierges les plus chastes, ils soient exempts de toute sorte de passion, sans se laisser corrompre jamais ny par presens,

ny

LES QUATRE COMPLEXIONS DE L'HOMME.

LE COLERIQUE

VOUS le voyez ici représenté par un jeune Homme maigre, qui a le teint jaunâtre, le regard furieux, le Corps tout nud, & l'Epée à la main, en action d'en vouloir battre quelqu'un. En l'un de ses costez se voit un Escu, avec une grande flamme au milieu, & en l'autre un Lion irrité qui l'accompagne par tout.

Il est maigre, parce-qu'au rapport de Galien, en luy prédomine entièrement la chaleur, qui pour estre causé de la sécheresse, est représentée par la flamme de son Escu.

Il a le teint jaune, & fait voir par-là que la couleur du visage est bien souvent une marque qui manifeste l'humeur du Corps. D'où il arrive que par le teint blanc est démontré le phlegme, par le pâle ou le jaune la colère, par le rouge mêlé de blanc l'humeur sanguine, &



Ripa, Cesare. *Iconologie* (Amsterdam: Adrian Braakman, 1698). Lillian Goldman Law Library.

Estote prudentes sicut serpentes.

I libri aperti dimostrano, che il vero, & perfetto Giudice deve essere molto ben perito, circospetto, integro, & vigilante, che perciò gli si dipinge a canto l'horologio, acciò che non mai per qual si voglia accidente rimoua gli occhi dall'equità, e dal giusto, e come l'aquila posta da gli antichi per uccello di acutissima vista, eue il giudice vedere, & penetrar fino alla nascosta, & occulta verità rappresentata per la pietra del paragone, nella guida, che si è detto, laquale ne significa la cognitione del vero, & del falso.

GIVOCO DALL'ANTICO.

VN fanciullo nudo alato, con ambedue le mani distese in alto, prendendo vna

di due treccie, che pendono da vna testa di Donna, che sia posta in qualche modo alta, che il fanciullo non vi si possa arrimar a farlo. Si a questa testa ornata d'un panino, che discenda, e infino al mero di dette treccie, & vi sarà scritto . IOCVS .

Si fa alato, perche il givoco consiste nella velocità nel moto con sforzo.

GIVRISDITTIONE.

HVOMO vestito di porpora, nella destra mano tenga vno scettro, qual è vero indizio di natural giurisdictione, & nell'altra i fasci consolari, che si portauano per segno di questo modelimo.

G I V S T I T I A

Secondo che riferisce Aulo Gellio.



DONNA in forma di bella vergine, coronata, & vestita d'oro, che con honesta severità, si mostra degna di riverenza con gli oc-

chi di acutissima vista, con vn monile al collo, nel quale sia vn'occhio scolpito.

Dice Plarone, che la Giustitia veste il nudo, & che

Ripa, Cesare. Della novissima iconologia (Padua: Tozzi, 1625). Beinecke Rare Book & Manuscript Library.

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Justice as a Sign of the Law: Alciati's Emblemata

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September 24, 2011



Alciati, Andrea. Opera omnia (4 vols.; Basel: Thomas Guarinus, 1582), vol. 4. Lillian Goldman Law Library.

Where might Ripa have gotten the blindfold? One possible source is Andrea Alciati, a professor of law. His friend Erasmus called Alciati a “shining light of Learning, not only the Law.” Alciati’s 1531 treatise, *Emblemata*, an anthology of moralizing epigrams to which his publisher added illustrations, was reproduced in some 150 editions. One of the “emblems” (a term he coined) is titled “The good Prince in his Council.” The central figure is wearing a bandage obscuring part or all of his eyes, and his colleagues lack hands. The accompanying epigram reads:

These men without hands who are seated are those by whom justice is administered. They should have well-balanced sense; nothing is received from them in response to a bribe. Their prince, deprived of his sight, cannot see anybody, and he judges by due sentence according to what is said in his ear.

Both Ripa and Alciati likely knew the “Egyptian” allegory “transmitted by Plutarch and Diodorus Siculus in which the chief justice was shown eyeless in order to illustrate his impartiality, while his colleagues had no hands with which to take bribes.”

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Justice as a Sign of the Law: Damhoudere's Portrait of Worldly Justice

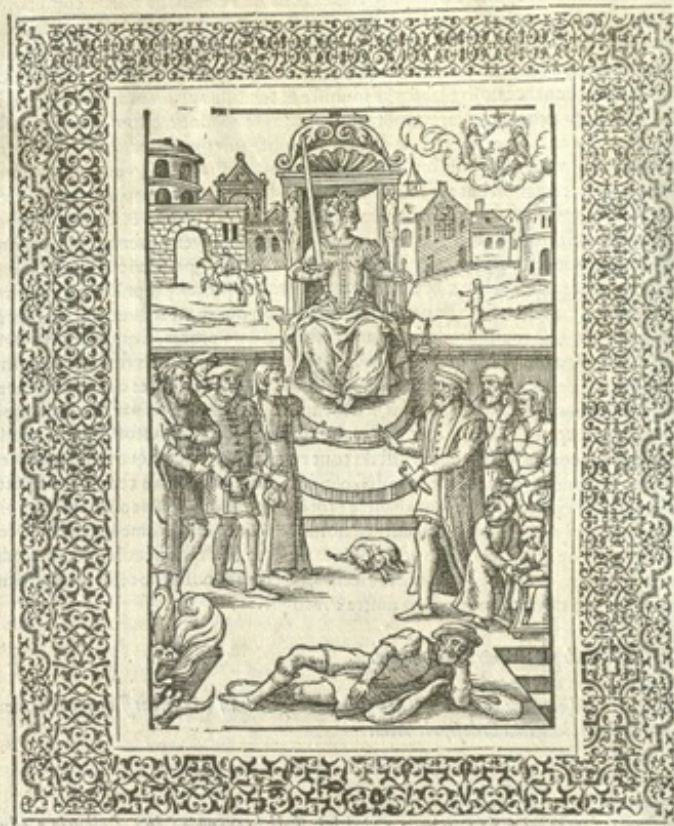
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A rare and intriguing portrayal of a two-faced Justice, titled “A Portrait of Worldly Justice,” comes from a popular sixteenth-century guide to civil procedure by the Flemish jurist Joost de Damhoudere. One face is sighted and the other has blindfolded eyes. The face of the sighted Justice looks toward her large sword, held upright in her right hand, while the face of the blindfolded Justice turns toward tipped scales in her left hand.

The sighted face has the well-to-do on its side, while the blindfolded face is turned toward the side with more needy-looking individuals, children included. Those on the sighted side of Justice personify largely negative qualities, such as the two labeled *Argentum* (Money) and *Favor* (Favor). Blindfolded Justice faces figures labeled *Despectus* (Contempt), *Miseria* (Misery), and *Paupertas* (Poverty). The legend below suggests the children (one of whom is disabled) are *Innocentia* (Innocence) and *Veritas* (Truth).

This imagery is accompanied by more than a dozen explanatory pages, beginning with a quote from Cicero: “Justice is the virtue, by which is granted to each what is his own.” Through this mélange of images and text, Damhoudere detailed his views on both divine and human justice. He explained that many turn to Justice, who is “repeatedly blind and deaf” to just causes.” Justice is “two-faced” – acting in a manner that appears even-handed but dissembling. Where she is “bound by a blindfold,” her eyes are shut to “clemency.” But the text has some ambiguity, for Damhoudere also commented that a “two-faced” Justice signified that she must “attend to each of the parties equally.”

FIGVRE DE LA IVSTICE
MQRDAINE.



Faveur, Parent,
Argent.
Practicien, Aduocat,
Tuteur, Recepueur.

Despris, Misere.
Pouureté.
Innocence, Verité.
La Vefue, Le Pupille.

Vn chafcon.
Le bas peuple, ou
Communaute.

Enfer.

Paradis.

CICERO.

IVSTICE est vertu par laquelle fe donne a chafcon ce qui est sien.

Diuifion.

Iuftice fe confidere felon la nature d'un chafcon, condition, office, Estat, & perfonne, & pourtant est il de deux fortes de Iuftice.

C'est a fcauoir {
 { Diuine, par laquelle Dieu est { Iufte Dieu.
 { { Iufte Seigneur.
 { { Iufte Iuge.
 { Humaine, f'une { Iudiciaire.
 { { Vniuerfelle.

Dieu

Beschryvinge van de Wereldtsche Justitie.



Gonst, Neef.
Zilver.
Taelman, Advocaet.
Vooght, Aemmer.

Vermaetheydt, Ellendigheydt.
Armoede.
Onnooselheydt, Waarheydt.
Widowe, Weesen.

Een yegelyck.
't Gemeene Volkken,
Gemeente.

De Hel.

Het Paradijs.

Beschryvinge van de Wereldtsche Justitie.

JUSTITIE is een deught die elck een geeft, 't geen hem toe-lymt, sijn Cicero.

Verdeeling.

Justitie wert geconsidereert na elck eens naty, conditie, aempe, staet, ende persoon, ende is daerom oock sweederley.

Te weten,	{	Goddelycke, door welke Godt is	{ Een rechtveerdigh Godt.
		Menschelycke, andere	{ Een rechtveerdigh Heer.
			Indicieel.
		Universeel.	

Een rechtveerdigh Godt.

DE Justitie Gods, namelijk, door welke hy geleydt wort een rechtveerdigh Godt te zijn, is de Godtheyt Gods selfs, die dat goet geeft dat den waren Godt toe-komt, ende dat van niemandt anders en kan ghegheven werden, namelijk, door welke hy schept ende maect 't geen niet en is, door welke hy alle 't geschapen voedt, vermeertert, regert, ende behoudt; waerom hy oock 't hooghste goet geboemt wort, om dat alles van hem komt, ende alles van hem onderhouden wort: Item, door welke den bekeerende hare sonden sijn louterre goetheyt vergeeft. Ten welken eynde geleyt wort in den 5. Psalm: Bevrijdt my Heer van myne mildaadt, Godt van myne zaligheydt, ende mijn toonge sal uwe gerechtigheydt verbreyden, dat is, uwe goetheyt ende genade, die ghy daer mede betoont, dat ghy zijt sacht, goedertieren, vreedelick, mild, goetdigh, soo wel den quaden als den goeden, langhmoedigh, ende barmhertigh voor de Sondaers, die ghy daer ghyft sonde konnen bederven, niet en beclerit, maer behoudt, ende met weldaden noodicht om op u te betrouwen.

Een rechtveerdigh Heer.

DE Justitie Gods, door welke hy een rechtveerdigh Heer is, is, door welke hy van hem selfen, ende niet door eens anders recht; heeft rechtveerdighe heerschappye, volkomen recht, ende volkomen macht tot al 't gheen by gemacht heeft, ende door eygen ende volkomen recht vry besit; soo dat hy sonder yemant ongelyck te doen lief heeft ende behoudt die hy wil, ende haet, verhaert, verkeerde sinnen geeft, ende oock beclerit die hy wil. Ende dewijl hy soo doende niemand ongelyck en doet, en kan hy oock van geen ongerechtigheydt beticht werden, die den rechtveerdighen Heere is van alle 't ghene hy besit. Want onrechtveerdigheydt en heeft gheen plaats daer gheen ongelyck en geschiedt. Soo hy lief heeft ende behoudt, soo heeft hy lief ende behoudt de syne, ende verklaert de goetheyt van sijn heerschappye. Soo hy

(c) 3

Damhoudere, Joost de. Practycke in civile sacken (Rotterdam: Pieter van Waesberghe, 1660). Lillian Goldman Law Library.

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Justice as a Sign of the Law: Justice Without Her Blindfold

 library.law.yale.edu/exhibits/justice-sign-law/items

September 24, 2011

By the sixteenth century, the blindfold had come to be seen as a potentially positive constraint on earthly Justice, seen to be at risk of corruption or of misplaced passion. But Justices without blindfolds remained commonplace, as seen in the 1669 edition of the Republic of Genoa's criminal statutes. The engraving is by Giuseppe Maria Testana (d. 1679), a printmaker and engraver whose works included allegorical images and portraits of popes, cardinals, and other public figures.



Genoa (Republic). Criminalium iurium serenissimae reipublicae Genuensis, libri duo (Genoa: Giovanni Battista Tiboldi, 1669). Lillian Goldman Law Library.

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Justice as a Sign of the Law: The Icon in the Courtroom

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The engraved title page of Bernard van Zutphen's *Practycke der nederlansche rechten van de daghelijcksche soo civile als criminele* (Dutch Law and Practice in Civil and Criminal Matters) depicts a crowded and lively courtroom scene. At the center, the presiding jurist is seated behind a table and beneath a small statue of Justice, who holds scales and a sword; her thin blindfold is dimly visible. The densely populated courtroom, with seats filled by men, includes some spectators focusing on the court proceedings and others chatting – with dogs at their feet.

With minor variations, this same image can be found in several other volumes of that era, all illustrating how seventeenth-century town halls served as public gathering places, and court proceedings were ordinary events.

Zutphen, Bernhard van. *Practycke der nederlansche rechten van de daghelijcksche soo civile als criminele questien* (Leeuwarden: G. Sijbes, 1655). Lillian Goldman Law Library.

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Justice as a Sign of the Law: Justice and Punishment

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September 24, 2011

A clear-sighted Justice is at the center of the frontispiece to a 1788 German edition of Cesare Beccaria's *On Crimes and Punishment*, first published in 1764. Beccaria was an eighteenth-century Italian jurist, philosopher, and politician. His well-known treatise, condemning torture and the death penalty, remains a foundation for theories of punishment. Beccaria's premises of reason, utility, and deterrence resulted in his rejection of executions.

Depicted is a Justice turning her eyes away, with scales, entangled with tools used in farming and industry, dangling by her side. She refuses the offering of a severed head by an executioner. Her posture enacts the position adopted today by those seeking to abolish the death penalty. The illustration was based on a sketch drawn by Beccaria himself.



Beccaria, Cesare. *Von Verbrechen und Strafen* (Breslau: Johann Friedrich Korn, 1788). Lillian Goldman Law Library.

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Justice as a Sign of the Law: Justice and Peace

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Dumont, Jean. Corps universel diplomatique du droit des gens (8 vols.; Amsterdam: P. Brunel [etc.], 1726-31), vol 1. Lillian Goldman Law Library.

Jean Dumont's Corps universel diplomatique du droit des gens (The Universal Diplomacy of the Laws of Men) is a compilation of European treaties beginning in the time of Charlemagne in the tenth century. The engraved frontispiece, entitled "Traitez de Paix" (Peace Treaties), is by Bernard Picart (1673-1733), who was considered a "magnificent engraver." In the background, the Virtues Justice and Peace (both clear-eyed half-naked women) embrace. They are seated on a pedestal and surrounded by other Virtues, all labeled and including Fortitude, Wisdom, Natural Law, and Truth.

The French text below the engraving explains that the two male figures at the center are kings "swearing an alliance" that is confirmed through a handshake above a chalice-shaped urn in which a fire burns. Each of the men bears a palm, symbolizing peace, and ministers and counselors surround each. At the bottom, War is enchaining Ambition, Discord, Fraud, and Impiety. At the top of the frame, the eye of Providence looks down from thundering clouds from which harpies emerge.

The picture of two persons clasping hands over a fire occurs often in diplomatic imagery of this era and signifies "bona fides" (good faith) or "pacta sunt servanda" (promises must be kept). The depiction's iconic weight resulted in variations being used in seventeenth-century wedding poems, with husband and wife clasping hands to symbolize their union.

A simplified version of the Picart image made its way into the logo of the Permanent Court of Arbitration ([link is external](#)), established in 1907 at the Hague. A facsimile of the logo ([link is external](#)) used by the Court until 2007 shows the artistic borrowing.

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Justice as a Sign of the Law: Conclusion

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This glimpse at the imagery of Justice makes plain the richness of its history and signification. Didactic emblems addressed fears of corruption, of irrational authority, and an absence of even-handedness. Blindfolds, double-headed Justices, and handless judges captured some of these stresses.

Yet recall that Justice iconography was once far more varied. Within a century after Ripa, his seven Justices had been distilled into one stock figure identified by scales and sword. And Ripa's mention of a blindfold as a marker of the obligation that Justice not be "tempted away from using reason" came to be an expected accoutrement.

The images in this exhibit are a testament to the normative enterprise that built public courts of law and sought to elaborate the import and obligations of law. The movement away from public adjudication is a problem for democracies because adjudication has important contributions to make to democracy. Adjudication is itself a democratic process, which reconfigures power as it obliges disputants and judges to treat each other as equals. The scales, the attribute of Justice with the longest history (dating back to Babylonia and Egypt), evoke the evenhandedness to which judges aspire today.

Our excursion into Justice iconography aims to appreciate but not to romanticize the roots of the didactic practices surrounding adjudication. While old images remain legible, courts in today's democracies are new inventions – benefits of political and social movements insistent on equality, dignity, and fairness for all. But these aspirations have yet to be realized, just as a visual vocabulary to match those ideas remains under-developed. Whether political will exists

to support both the infrastructure of courts and access for all those now eligible to use courts is in question, and hence, the ability of courts to provide active sites of public exchange before independent judges cannot be taken for granted.

Image: Decorative headpiece from Johann Stephan Pütter, [Patriotische Abbildung des heutigen Zustandes beyler höchsten Reichsgerichte](#) (Frankfurt & Leipzig, 1756). Lillian Goldman Law Library (German Law Collection of the Association of the Bar of the City of New York).

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Image: Frontispiece from [Maximae juris celebriores, deductae ex jure canonico, civili, glossa](#) (Tyrnaviae: Typis Academicis, S. Jesu, 1742). Lillian Goldman Law Library.

“The Remarkable Run of a Political Icon:

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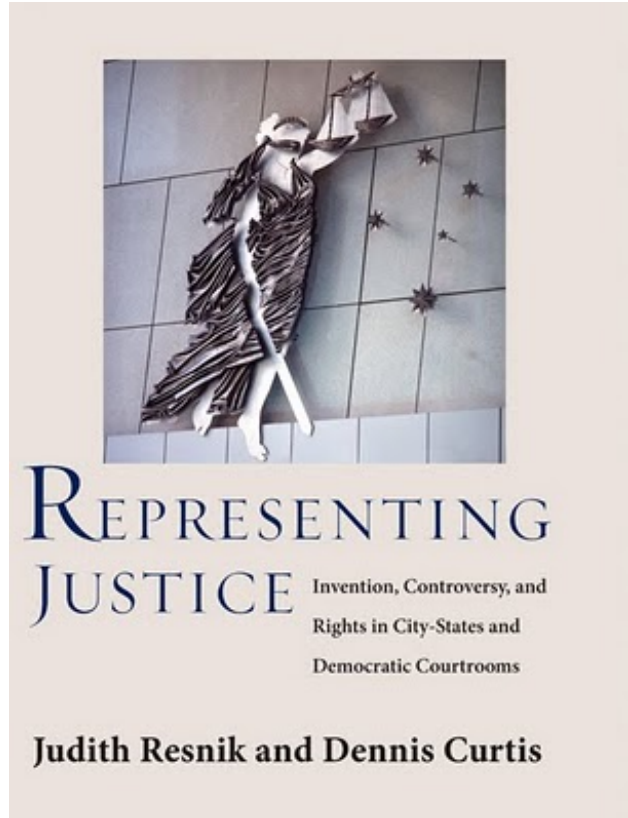


Justice as a Sign of the Law: Further Reading

library.law.yale.edu/exhibits/justice-sign-law/items

September 24, 2011

- Judith Resnik & Dennis Curtis, [Representing Justice: Invention, Controversy, and Rights in City-States and Democratic Courtrooms](#) (New Haven: Yale University Press, 2011). “By mapping the remarkable run of the icon of Justice, a woman with scales and sword, and by tracing the development of public spaces dedicated to justice—courthouses—the authors explore the evolution of adjudication into its modern form as well as the intimate relationship between the courts and democracy.” In addition, the [Representing Justice](#) page, in the Lillian Goldman Law Library’s [Document Collection Center](#), brings together image collections, articles, and videos relating to the book.
- [Fondo Antico - Immagini della Giustizia](#) ([link is external](#)), a website prepared by the library of the Università di Modena e Reggio Emilia, is a well organized and thorough examination of how the image of Justice is employed in early printed books. It includes a lengthy bibliography.
- The [Digital Collections](#) ([link is external](#)) page of the [Rechtshistorie](#) ([link is external](#)) website includes annotated lists of useful links under the headings “Databases for legal iconography” and “Thematic image collections”.
- [Rechtshistorie](#) ([link is external](#))’s editor, Otto Vervaart, also writes a companion blog, [Rechtsgeschiedenis](#) ([link is external](#)). He has written several thoughtful and informative posts on the topic of legal iconography, dealing with their importance for legal history and the challenges in locating online resources. See, for example, “[The face of justice](#) ([link is external](#))” (Dec. 19, 2010) and click the [Legal iconography](#) ([link is external](#)) tag to see the others.
- [Justitia: Iconography of Justice](#) ([link is external](#)) is a Flickr gallery that as of September 2011 contained 133 images of Justice taken from volumes in the Rare Book Collection, Lillian Goldman Law Library. See also the related gallery, [Justitia - headpieces](#) ([link is external](#)). Headpieces are ornaments used as decoration at the head of a chapter or



division of a book.

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