

 NATIONAL
GEOGRAPHIC

HISTORY

JESSE JAMES

RISE OF AN
AMERICAN
OUTLAW

EGYPTIAN JUSTICE
CRIME AND PUNISHMENT IN
THE NEW KINGDOM

KILLING
CICERO
DEATH OF THE
ROMAN REPUBLIC

PRINCE OF
THIEVES
HUNTING DOWN
THE REAL ROBIN HOOD

PLUS:

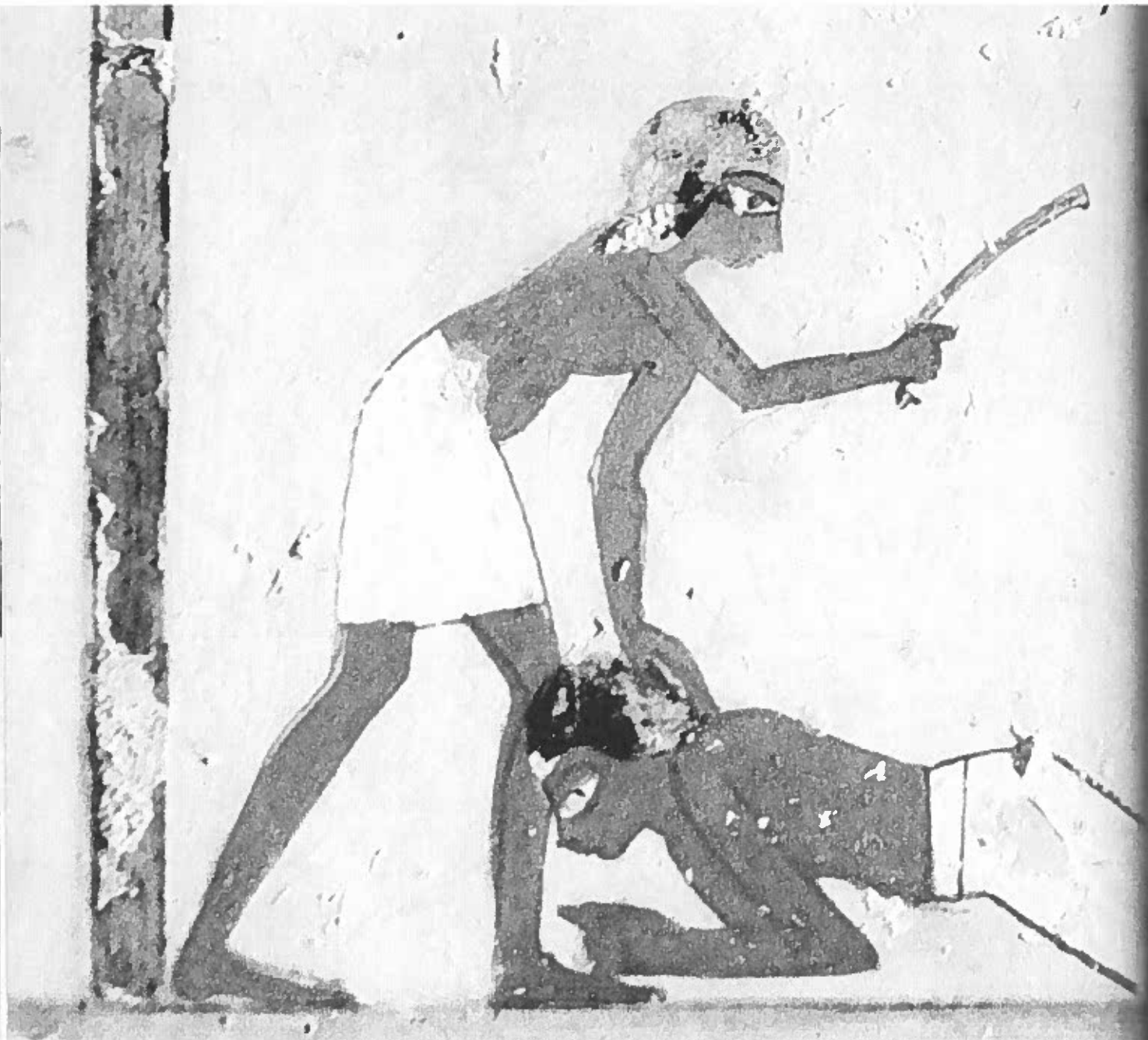
Birth of the Big Screen
The Cinématographe

JANUARY/FEBRUARY 2019

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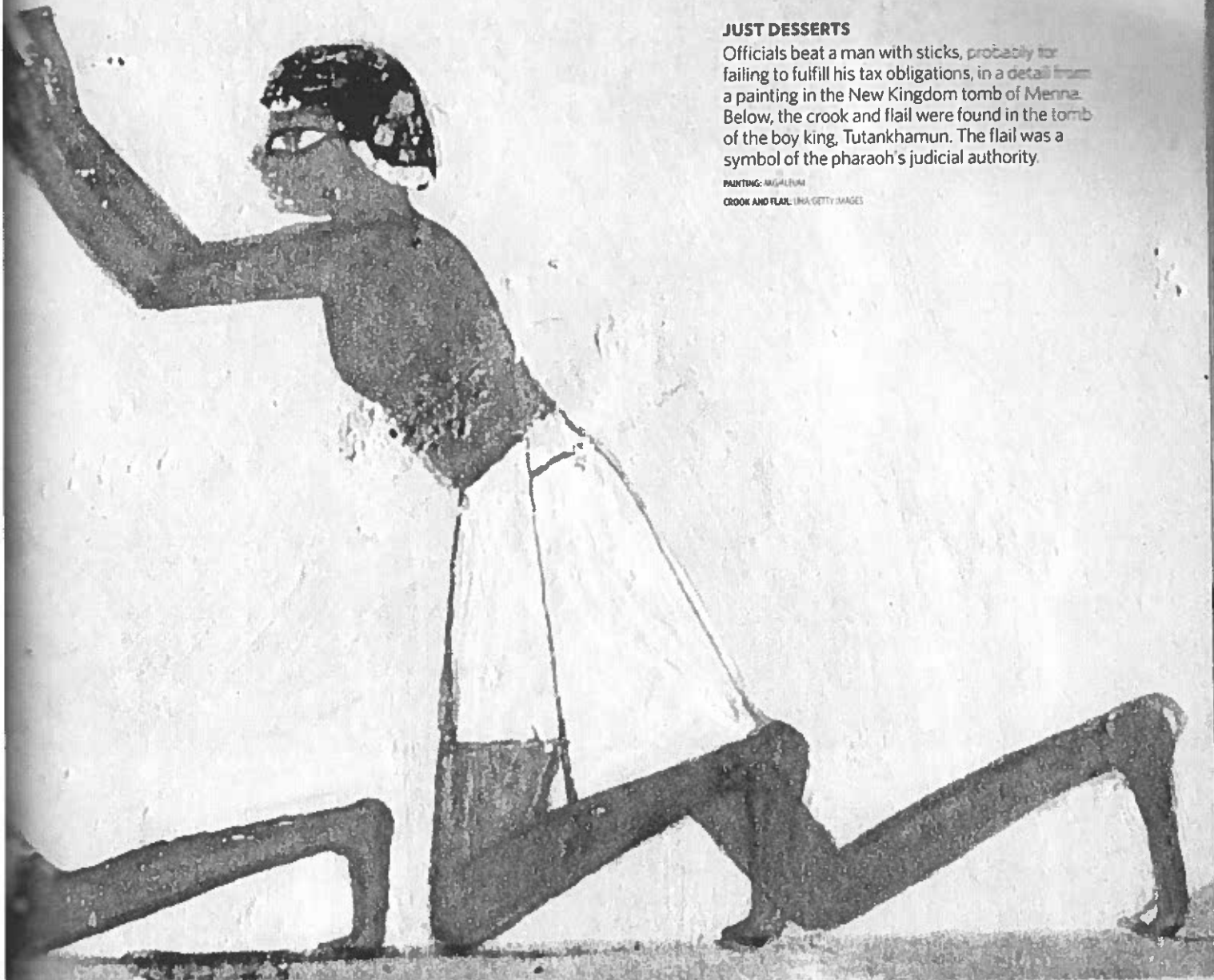


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Justice and the Pharaohs

LAW AND ORDER IN THE NEW KINGDOM



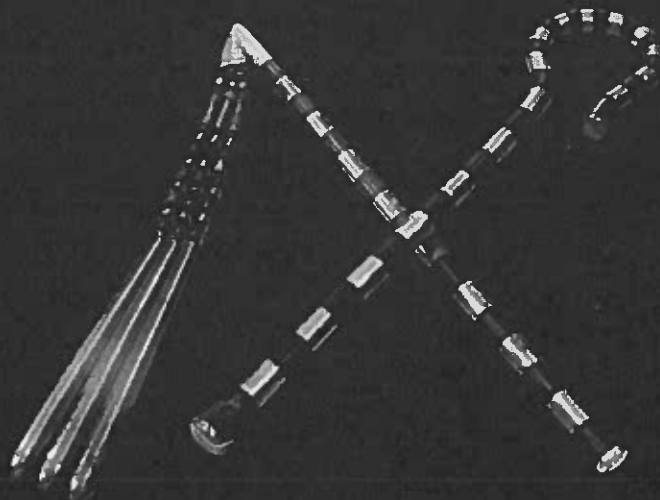
JUST DESSERTS

Officials beat a man with sticks, probably for failing to fulfill his tax obligations, in a detail from a painting in the New Kingdom tomb of Menna. Below, the crook and flail were found in the tomb of the boy king, Tutankhamun. The flail was a symbol of the pharaoh's judicial authority.

PAINTING: MAGALIANA
CROOK AND FLAIL: LINA GETTY IMAGES

Reflecting the order of the cosmos, a pharaoh's duty was to instill justice on earth. He created laws as the need arose, even pronouncing judgment after death, through the mouth of oracular statues.

IRENE CORDÓN





MAAT'S SACRED BALANCE

AT THE APEX OF THE EGYPTIAN STATE, often represented as a social pyramid, was the pharaoh, who was expected to rule the country in perfect balance and harmony. This balance matched the concept of Maat. For the ancient Egyptians, the term Maat signified order, truth, and justice. Maat was personified as a goddess who wore a very distinctive headdress, an ostrich feather. According to Egyptian theology,

in the underworld the god Osiris would weigh the heart of a deceased person against Maat's ostrich feather to determine how virtuous their lives had been. Egyptian writings emphasize that the king, as the intermediary between the gods and humankind, had a duty to ensure Maat in Egypt: "Ra has placed the king in the land of the living forever

and ever to judge mankind, to satisfy the gods, to guarantee Maat and to wipe out Isfet [chaos and injustice]," says a theological treaty written in the time of Queen Hatshepsut (1490–1468 B.C.). The vizier, Egypt's supreme legal authority, held the title Priest of Maat, and often wore amulets featuring emblems of the goddess.

SYMBOLS OF JUSTICE

A bas-relief from the New Kingdom shows Maat (above), the goddess of order and justice, wearing her distinctive ostrich feather headdress. Archaeological Museum, Florence

SCALA, FLORENCE

Egypt's first laws emerged when the Upper and Lower kingdoms were unified, according to tradition, under King Menes around 2950 B.C. From then on, different pharaohs would bring their own approaches to law and order. Although rulers would change, the unifying principle of the monarch's sovereignty did not. Pharaohs held supreme authority in settling disputes, but they often delegated these powers to other officials such as governors, viziers, and magistrates, who could conduct investigations, hold trials, and issue punishments. Unlike the legal Code of Hammurabi, developed in the 18th century B.C.

in Mesopotamia, ancient Egyptian law was not set in stone, and although power always flowed from the pharaoh, Egypt's laws were rather like the Nile: fluid, organic, and changing with the times.

In Egyptian cosmology, the goddess Maat embodied the concepts of order, truth, and justice. Viziers often wore a pendant in the form of the goddess, who is often shown with an ostrich feather on her head. Egyptians believed that living according to her precepts—honesty, loyalty, and obedience to the king—would keep chaos at bay. Egyptian kings were not exempt from living by Maat's principles. They too were expected to

JUSTICE IN A NEW KINGDOM

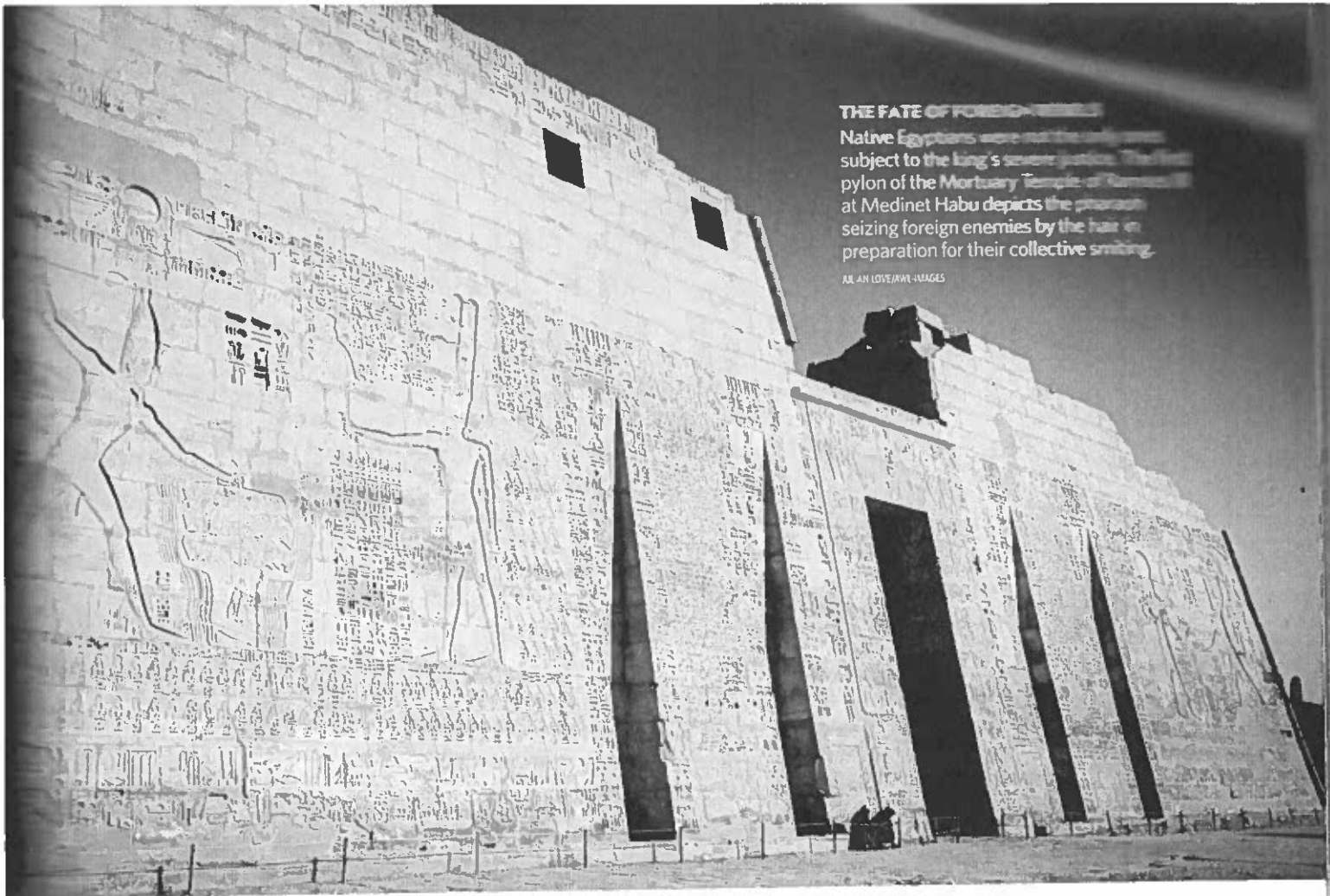
Stability is restored under the New Kingdom. Kingship and the law become more entwined. The posthumous oracle of Amenhotep I is consulted to settle legal cases.



TERRA-COTTA SEAL OF PHARAOH AMENHOTEP I, LOUVRE MUSEUM, PARIS

SCALA, FLORENCE

Deir el Medina, housing the builders of the Valley of the Kings, is founded. Records found there shed light on the workings of Egyptian justice across a broad swath of the New Kingdom period.



THE FATE OF FOREIGNERS
 Native Egyptians were not the only ones subject to the king's severe justice. The central pylon of the Mortuary Temple of Ramesses III at Medinet Habu depicts the pharaoh seizing foreign enemies by the hair in preparation for their collective smiting.

ALL-AN LOVE/ARND BRONKHORST

uphold order through wise rule, just decisions, and humility before the gods. This belief united commoners and kings in the responsibility for maintaining balance and harmony in society, which may have led to fewer periods of civil unrest in Egypt's long history.

Crimes in ancient Egypt tended to be divided into two categories: crimes against the state and crimes against individuals. Desertion, treason, and slandering the pharaoh fell into the first, while acts such as homicide, injury, robbery, and theft fell into the second. Much of what is known about ancient Egypt's legal system comes from the New Kingdom period (ca 1539-1075 B.C.) and

the archaeological site of Deir el Medina, across the Nile from Thebes. Located there was a village of artisans and workers, who labored in the Valley of the Kings and the Valley of the Queens, building tombs for pharaohs and their families. Digs at Deir el Medina have yielded more than 250 papyri and some ostraca (fragments of stone and potsherds) containing detailed accounts of legal matters at all levels of society.

Divine Justice

The texts reveal the different ways that people could seek justice. One of the most popular was the use of divine oracles. In and around Thebes



CIRCA 1286 B.C.

A land dispute document details the workings of New Kingdom courts, known as *kenbets*. Local *kenbets* passed serious cases to a higher *kenbet*. Heading up the system was the vizier, second only to the pharaoh.

CIRCA 1190 B.C.

An early 20th-dynasty document, the Papyrus Salt 124, presents the charges against a corrupt Deir el Medina worker to the vizier, revealing the power wielded by the pharaoh's deputy.

1156 B.C.

The Judicial Papyrus details a trial of conspirators targeting Ramses III. Despite the harsh justice meted out, the plot is part of a series of succession crises heralding the decline of the New Kingdom.

A PALETTE BELONGING TO A ROYAL SCRIBE OF THE NEW KINGDOM

ONATON KURIM



DIVINE PUNISHMENT

THE SNAKE GODDESS Meretseger was revered and feared by the people of Thebes who built the Valley of the Kings. The name Meretseger means "she who loves silence," and she watched over the tombs in the Theban necropolis. Workers also referred to her as "Peak of the West," a nod to the pyramid-shaped mountaintop (known today as Al Qurn) above the Valley of the Kings, where she dwelled. The goddess's appearance varies

across different works of art, but snakes feature heavily in her iconography, often she is shown as a coiled cobra with a woman's head. Meretseger protected tombs from desecration and robbers, and unlike most Egyptian deities, she would strike down criminals. The workers of Thebes believed that the goddess punished criminals and oath breakers with blindness and venomous snakebites. Feared for her wrath, Meretseger could also show mercy. Truly repentant transgressors could pray for forgiveness and a cure. The goddess remained a local deity, sacred to the tomb builders. When the Valley of the Kings fell out of favor with the pharaohs, worship of Meretseger faded as well.

CAUGHT IN HER COILS

A sandstone statue of the cobra goddess Meretseger (above) depicts the fearsome deity who punished wrongdoers and guarded the craftsmen's village near Deir el Medina during the New Kingdom. Brooklyn Museum, New York

BRONKHORST/RETNA

the oracular voice was attributed to a deceased pharaoh, Amenhotep I, the focus of an important Theban cult. The second king of the 18th dynasty, Amenhotep I consolidated Egyptian power following his father's expulsion of the Hyksos invaders from Lower Egypt. Although his own tomb has not been found, Amenhotep I is believed to have started the tradition of rulers being buried in the Valley of the Kings. He and his mother, Ahmose Nefertari, are also credited with founding the village at Deir el Medina and were worshipped as patron gods there.

Although it was common for especially renowned pharaohs to become the center of cults after their death, Amenhotep's is among the most popular and enduring. Egyptians believed that his spirit resided in his oracular statue and proper ceremonies could summon it. Residents often turned to the statue to settle legal disputes.

Bearing Amenhotep I's statue on their shoulders, priests would carry it out of the temple during processions and on feast days. A crowd would gather around it, and litigants would present their cases to the statue. Each side would

present its case or question, either verbally or in writing. The god's answers were interpreted by its swaying movements.

The workers consulted the statue for centuries. One fragment from the Deir el Medina site dates to the 20th dynasty. It records the request of a workman, Nekhemmut, who asked the statue to reveal the identity of a person who was stealing from him. From the records found among the ostraca, most inquiries were similar, mundane matters, centering on real estate and personal property.

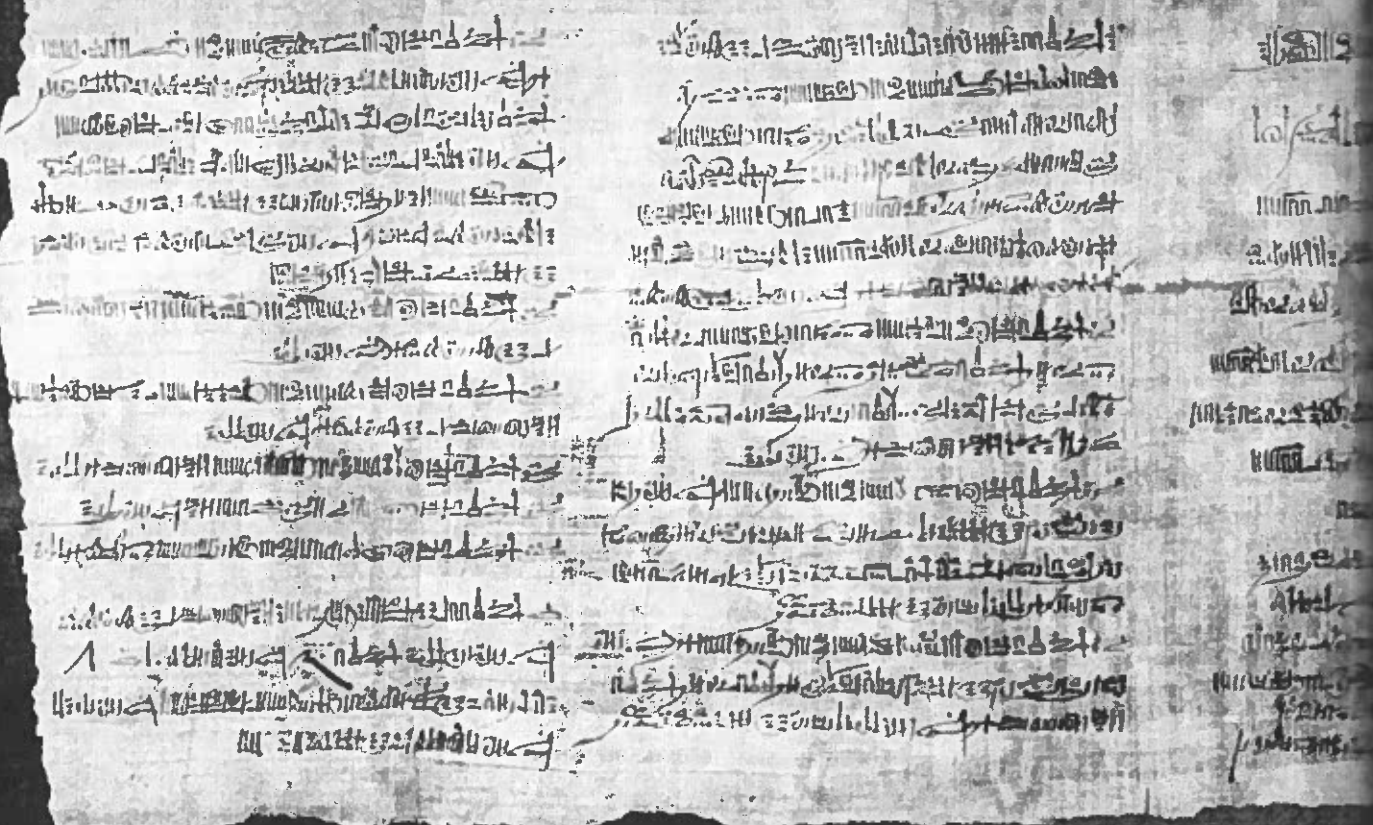
Oracular statues were also consulted in other parts of Egypt during the New Kingdom. Located close to Thebes, a statue of the god Amun was also consulted on legal matters. Sometimes, those accused by an oracle would protest against the verdict, and ask for the matter to be put before another oracular statue for a second opinion. Inscribed during the reign of Ramses III, papyrus 10335 (now in the British Museum) recounts the theft of five dyed tunics from a temple storehouse. The crime was brought before an oracle. The statue's answers fingered one suspect from



JUDGE AND PHAROAH

A lintel from the Temple of Amun-Re at Karnak depicts Amenhotep I, the second ruler of the 18th dynasty. This warrior king expanded the borders of his realm and was deified after his death. His cult consulted his statue on questions of justice.

REUTERS IMAGES



CRIME RING

FORCED CONFESSIONS

Investigations of serious crimes often involved interrogations by court officials, and in ancient Egypt, these interviews could turn brutal. Confessions were often elicited under torture, but ancient Egyptians were frank about using physical pain to extract information. Texts, like the Abbott Papyrus, describe how officials tortured suspects when questioning them. At this time, toward the end of the 20th

dynasty, looting royal tombs had become an increasing concern to local officials. In the 16th year of the rule of Ramses IX (around 1100 B.C.), a well-organized network of criminals in Thebes was uncovered. They were known for looting tombs, some of them belonging to eminent government officials and royalty. During their interrogations, the accused were beaten with a stick and their

hands and feet were twisted. They confessed to breaking into tombs, including a royal burial, and stealing objects. When the tombs were examined, several had been disturbed, but many were still intact.

THE ABBOTT PAPYRUS (ABOVE), HELD BY THE BRITISH MUSEUM, IS ONE OF SEVERAL PAPYRI CONTAINING DETAILS ABOUT INVESTIGATIONS OF A SERIES OF TOMB ROBBERIES IN THE THEBAN NECROPOLIS, THE VALLEY OF THE QUEENS, AND THE VALLEY OF THE KINGS.

BRITISH MUSEUM, SCALA FERRERIS

a list of names as the guilty party. The accused vociferously denied the charge and requested a second and then a third opinion. After his last request, the patience of the gods, and the crowd, ran out. He was found guilty, beaten on the spot as punishment, and forced to restore the stolen goods to the temple.

Trial by Jury

In addition to the oracles, there was another, more formal method of resolving legal disputes during the New Kingdom. The *kenbet* (secular court) most closely resembles the approach of modern trials by jury. Two major *kenbets* were located in Memphis and Thebes and functioned like a high court. The major *kenbet* juries consisted of higher-ranking members of society, such as scribes of the vizier of Thebes or police chiefs. There is evidence that access to the *kenbet* service was surprisingly democratic, and that petitioners of higher social status were not given preferential treatment.

The *kenbet* typically handled civil issues such as nonpayment for goods or services, disputes



OFFICIALS PUNISH A WRONGDOER. THIRD-MILLENNIUM B.C. RELIEF ON THE TOMB OF MERERUA IN THE NECROPOLIS OF SAQQARA

and quarrels between neighbors, theft, injuries, and calumnies. The kenbets were empowered to administer punishments for the minor offenses that came before them, which usually entailed the guilty party suffering a beating. In a few cases, when a kenbet could not reach a decision, it would recommend that the question be submitted to the oracular statues for resolution.

Lesser kenbet councils sat in the region's smaller towns, like the builders' village. They would hear complaints of local residents and decide their cases. Scholars believe that juries consisted of craftsmen and artisans, who would sit in judgment over their fellow workers. If a serious crime originated in the lower kenbet, it would be moved up the legal system to the major kenbet councils, which reported directly to the vizier, the pharaoh's principal minister.

Famous among historians, one case originated in the local kenbet near Deir el Medina. The accused, a woman called Heria, was initially charged with stealing a cup from a resident. The lower kenbet ordered that Heria's house be searched for the missing property. The search revealed

not only the cup but also goods missing from the temple of Amun. Theft from a temple was a more serious crime. The kenbet found Heria guilty of stealing the cup and then passed the matter of the stolen temple goods to be judged by the vizier. When passing off the case, the kenbet sent a letter to the vizier noting its thoughts: "Heria is a great fraud who deserves to die."

High Crimes

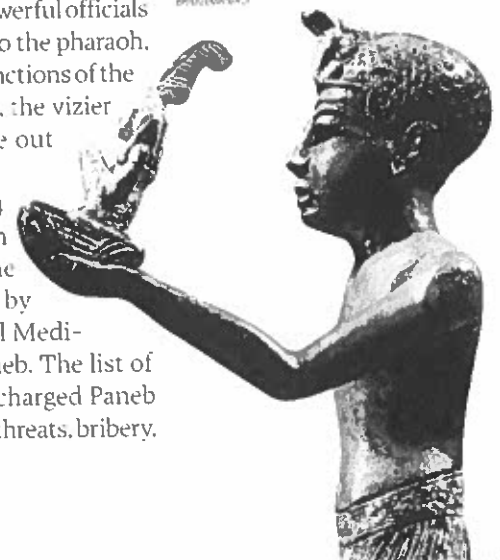
The vizier was one of the most powerful officials in Egypt. Second in power only to the pharaoh, he oversaw the administrative functions of the government. For serious crimes, the vizier served as judge and could dole out punishments or grant pardons.

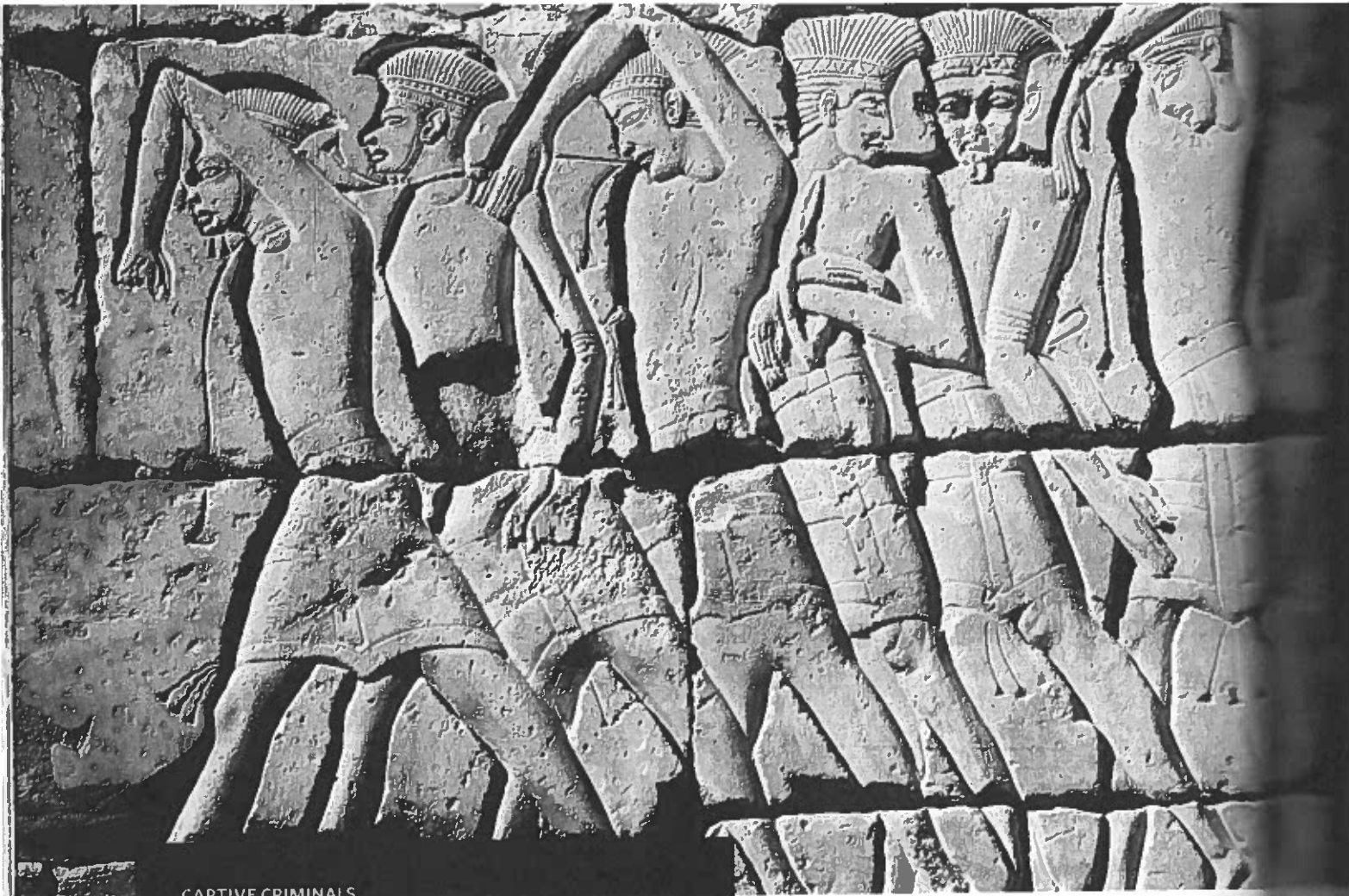
A papyrus known as Salt 124 details a case from the 20th dynasty that was heard by the vizier. The case was brought by Amennakht, a worker at Deir el Medina, against another worker, Paneb. The list of crimes was long: Amennakht charged Paneb with theft, looting tombs, death threats, bribery,

JUSTICE FROM ON HIGH

A silver statuette of a New Kingdom pharaoh (below) holds an icon of Maat. In dispensing justice, the king mediated between heaven and earth. Louvre Museum, Paris

BROGEMAN/AG





CAPTIVE CRIMINALS

LABOR AND THE LAW

Long periods of imprisonment as punishment for crimes was not practiced in ancient Egypt. Texts do mention the *kheneret*, an institution originating during the Old Kingdom (ca 2575-2150 B.C.). All traces of it had disappeared by the start of the New Kingdom, which began around 1539 B.C. Scholars debate the exact function of the *kheneret*; many believe them to be forced labor camps. As of

this writing, archaeologists have not positively identified any sites as being a *kheneret*, so all information about them comes from inscriptions and texts. Depending on the gravity of the crime, the accused were sometimes sent to forced labor camps situated in other countries or on Egypt's borders. A decree dating from the 5th dynasty states: "You must send him to the Great Mansion and he

must be put to work in the stone quarry." Workers in these camps could have been criminals as well as prisoners of war. During the Middle Kingdom people were sent to the *kheneret* when they shirked the tasks they were obliged to do for the pharaoh.

PRISONERS OF WAR DEPICTED ON THE MORTUARY TEMPLE OF RAMSES III AT MEDINET HABU (ABOVE) WERE "BOUNDED FOR LIFE" AND BECAME THE PROPERTY OF THE PHARAOH AFTER CAPTURE.

BY ALBERT

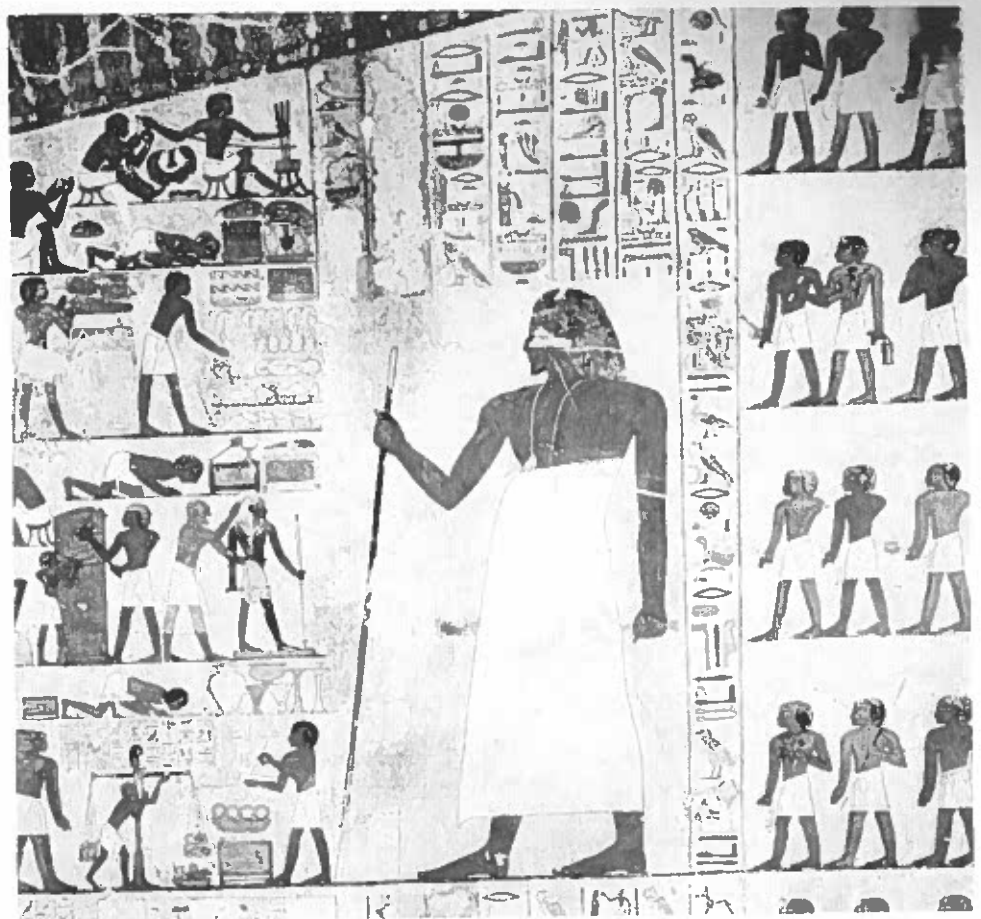
misappropriation of tools belonging to the government, bullying the villagers, sexual assault, blasphemy, and murder. Paneb defended himself by claiming that Amennakht was seeking revenge because he felt Paneb had stolen a job from him.

The case most likely came before the vizier because of the charges of tomb raiding. Stealing from one's neighbor was a crime for the *kenbet*. Stealing from the royal dead or from Egyptian temples was a much graver offense.

Facing Punishment

When people were convicted of crimes, the penalties depended both on the severity of the offense and their level of involvement. The typical penalty for stealing was returning the stolen object and paying its rightful owner double or triple its value. If someone stole from a temple, however, the punishment was more severe: it could include paying a hundred times the value of the object, corporal punishment, or even death.

Little evidence has been found for imprisonment in ancient Egypt. Criminal punishment tended to be administered immediately rather



than by means of a long sentence. Forced labor was common, and criminals were also threatened with exile to Nubia, where scholars believe they were put to work in mines. Corporal punishment was also common in the form of public beatings, brandings, or mutilations.

The most serious crimes, like treason, were punishable by death. One of the most famous occurrences of the death penalty resulted from the harem conspiracy against Ramses III in the early 12th century B.C. The Judicial Papyrus of Turin documents the plot and how the king's secondary wife, Tiye, conspired to kill Ramses and install her son, Pentawere, on the throne.

Part of Tiye's plot succeeded: Analysis of Ramses III's mummy revealed that his throat had been slashed, and he did not survive the attack. The other part of Tiye's plot failed: The conspiracy was uncovered before Pentawere could take the throne. Ramses IV quickly shored up his power as the new king and turned to punishing his father's assassins.

The Judicial Papyrus extensively details the charges, trials, and punishments of those involved

in the wide-ranging conspiracy, who held positions at all levels of Ramses III's court, from harem officials to servants. Penalties ranged from death to mutilation. Tiye's chief conspirator received a harsh sentence:

The great criminal Paibekkamen . . . had been in collusion with Teye [*sic*] and the women of the harem: he had made common cause with them . . . He was placed before the great officials of the Court of Examination: . . . his crimes seized him: the officials who examined him caused his punishment to overtake him.

How the law dealt with Queen Tiye is unknown, but her son Pentawere was allowed to commit suicide. Scholars believe the lesser conspirators were put to death by impalement. The pharaoh's justice was unrelenting because his role in keeping order, according to Maat's principles, was critical to preserving the well-being of Egypt.

LOOKING THE PART

In his mortuary chapel in the Theban necropolis, the 18th-dynasty vizier Rekhmire is depicted with the accoutrements of his office: a long, white turic (a *shenep*, which reaches from his chest to his ankles) and a scepter known as an *aba*.

J. RALEIGH DE LUCA

EGYPTOLOGIST IRENE CORDÓN HAS WRITTEN EXTENSIVELY ON THE ANCIENT TOMB-BUILDING COMMUNITY OF DEIR EL MEDINA IN EGYPT

THE HARSHTEST PUNISHMENTS



Justice in ancient Egypt encompassed a range of physical punishments: disfigurement, beatings, and floggings. Punishments were typically administered in public and meted out to citizens for crimes such as nonpayment of taxes. Corporal punishment was common for lesser crimes, but in the most severe cases, the Egyptian state would execute offenders. Robbing royal tombs, injuring the pharaoh, and treason were all regarded as the worst crimes Egyptian citizens could commit. If criminals were caught, they would be punished by death. Executions were carried out in a number of ways, most often in public. Members of privileged classes could sometimes opt to take their own lives by swallowing poison rather than undergoing a painful death in public. The harshest punishment was not only death in this world but death in the afterlife. Burning a person's body, throwing their remains into the Nile, and erasing their names from history were the most serious punishments that could be inflicted, as the person would not exist either here or in the hereafter. In these cases, families would not receive the body for burial or for the purposes of funerary rites.

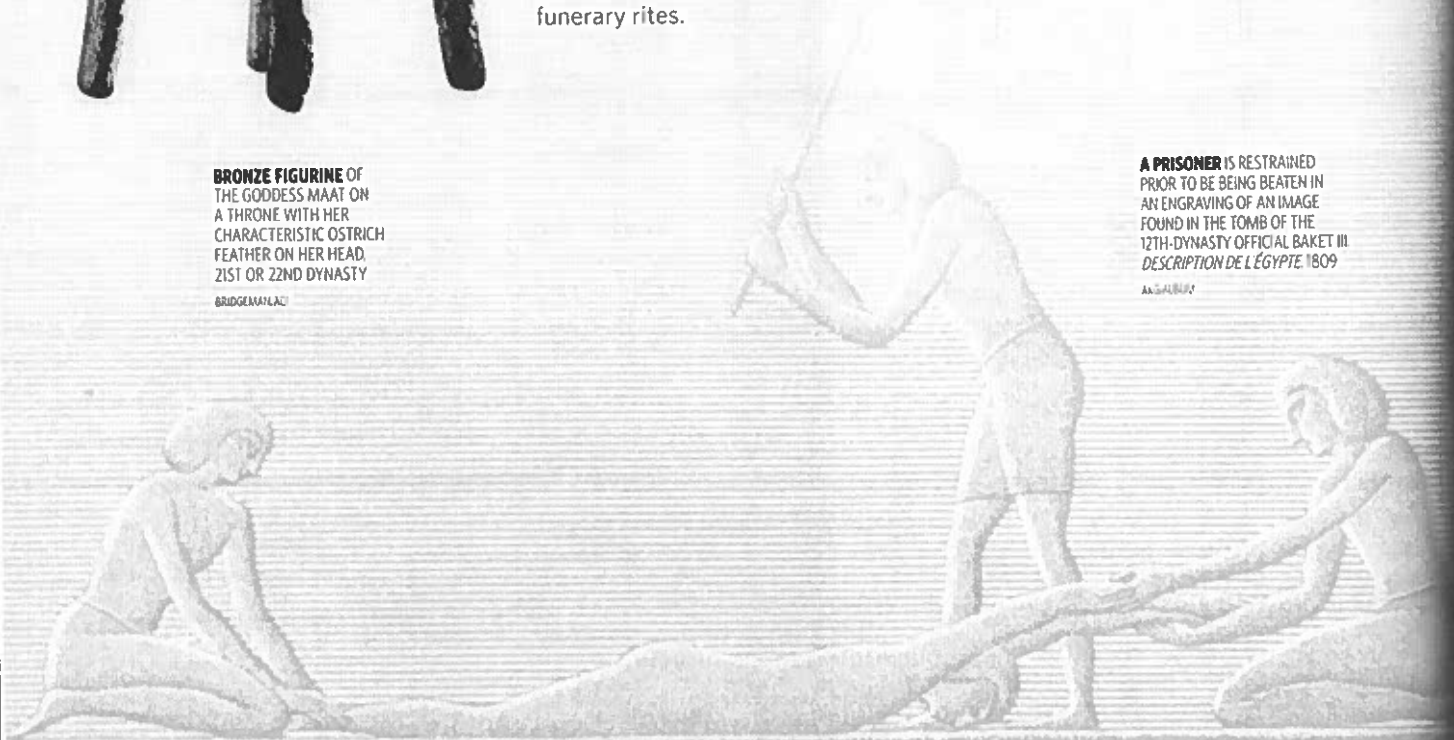



BRONZE FIGURINE OF THE GODDESS MAAT ON A THRONE WITH HER CHARACTERISTIC OSTRICH FEATHER ON HER HEAD. 21ST OR 22ND DYNASTY

BRIDGEMAN LACI

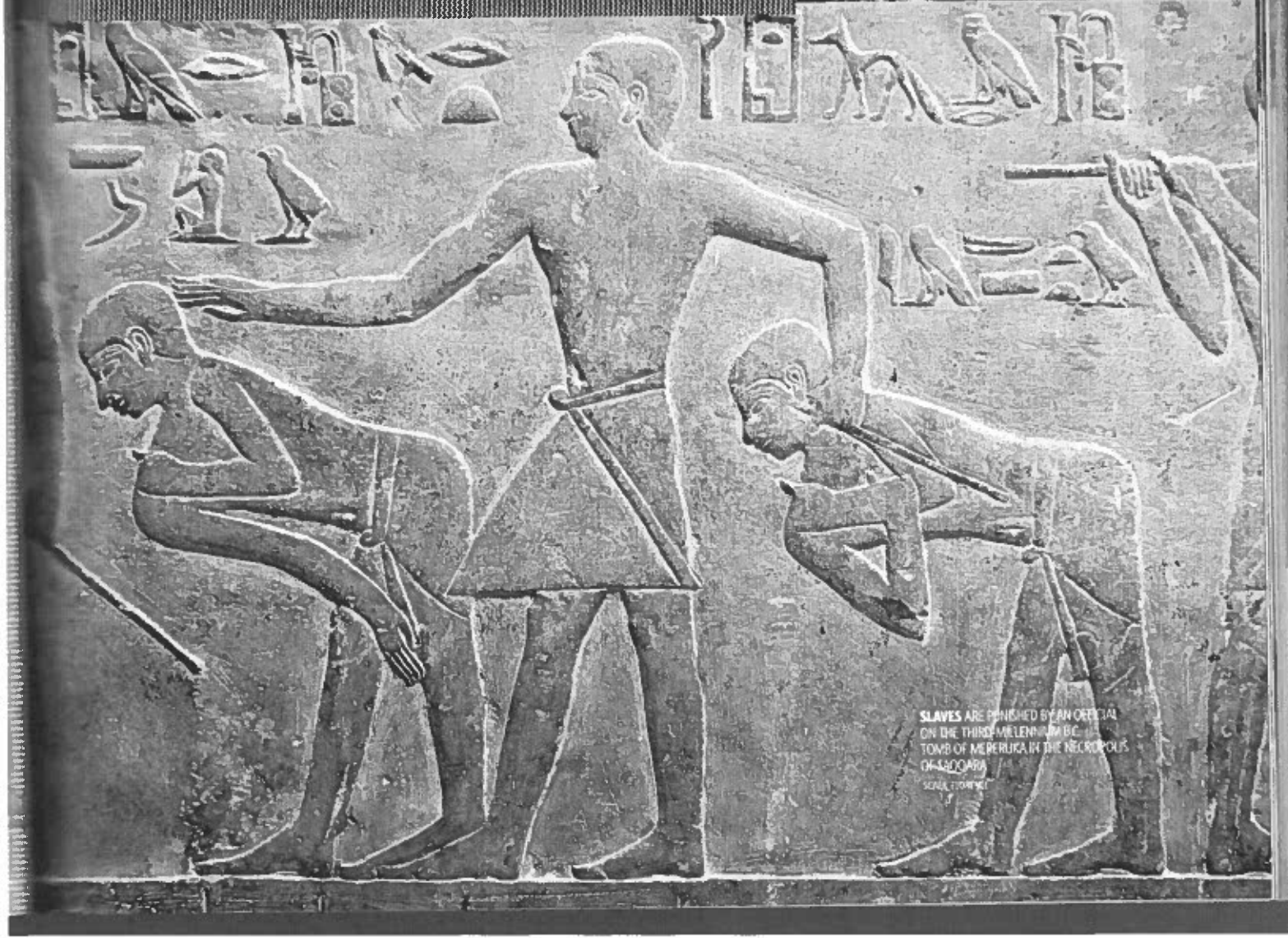
A PRISONER IS RESTRAINED PRIOR TO BEING BEATEN IN AN ENGRAVING OF AN IMAGE FOUND IN THE TOMB OF THE 12TH-DYNASTY OFFICIAL BAKET III. DESCRIPTION DE L'ÉGYPTÉ. 1809

AKG/ALBUM





DETAIL OF A THIRD-MILLENNIUM B.C.
RELIEF FROM THE SAQQARA
NECROPOLIS SHOWING A THIEF
APPREHENDED BY A TRAINED BABOON
GETTY IMAGES



SLAVES ARE PUNISHED BY AN OFFICIAL
ON THE THIRD MILLENNIUM B.C.
TOMB OF MERYKA IN THE NECROPOLIS
OF SAQQARA
SCALE 1/1000