The notion of the judge during the Middle Kingdom in Ancient Egypt

Jordan Chobanov

Before discussing the role, given by the ancient Egyptians to the judge we must consider their notion of Maat — a basic phenomenon for understanding the worldview of the ancient dwellers of the Nile Valley. Maat has the meaning of “truth”; “right-doing”, “righteousness”; “justice”. Maat is the harmony in the world created; she determines the right way everything in it should occur — from the movement of the stars and the sun, to the annual inundation of the river and the change of the lunar phases, to the daily human activities. Maat is a cosmic force, which puts the world in order, as well as an ethical category. The force of Maat is personified as a female goddess — the daughter of Re. In creating the world the Creator puts in it the principles of Maat. The opposite of Maat is the chaos and disorder (Isefet). While Maat is everything the Creator has included in the creation, Isefet is all that remains external to it. The serpent Apop — the enemy of Re, appears as a peculiar personification of Isefet. Apop is constantly trying to penetrate into the world of order, while Re, together with the crew of his sun-barge, protects the universe from him. Creation for the ancient Egyptians was not a one time historic event, it was repeated each time a new king ascended to the throne and a new temple was built; even daily, with every new sunrise. That is why the powers of chaos had to be constantly overwhelmed. As being external to the creation Apop is not given birth to and cannot be killed, only “driven away” (hsf), “bewitched” (hk3), “overthrown” (shr) and “punished” (njk). In this process of daily repulsing of Isefet the humans took active part. snj.sn hr rn.j shr.sn hftj.w.sn km3.sn hk3.w n shr c3pp “ They (the humans) made conjurations in my (of Re) name, in order

1 FD. 101
2 Т. Леков. Скрытото знание, священите книги на Древен Египет. Исток-Запад, София 2004. 270-1
3 H. te Velde. Seth god of confusion. 1967. 104-5
to fell their enemies. They created magic spells for felling Apop" is written in the Bremner-Rhind papyrus.¹

Although Maat is an inexhaustible and indestructible force she depends on the deeds of the humans. Applying and observing her is a task which demands the collective effort of all people. Thus, people are not only a product of creation, but are also responsible to the Creator for their deeds. The Egyptian king is called upon to establish Maat on Earth among the people. This is why among the most common images of sacrifice the king presents to the Creator the figure of Maat.² As a result of the crisis after the fall of the Old Kingdom the idea of personal human responsibility increasingly started to emerge in the texts. And if during the Old Kingdom Maat was directly connected with the king and the loyalty to him, the Middle Kingdom seems to introduce the element of personal human responsibility towards the actual principal of Maat.³

Following Maat in life guarantees the person eternal life in the hereafter. So in "The eloquent resident of the oasis"⁴ it is written:

\[
\begin{align*}
\text{\textit{dd}(w) m3t} \\
\text{\textit{ir}(w) m3t} \\
\text{\textit{dr -ntt wr.s(j) f3 s(j) w3h s(j)}}
\end{align*}
\]

¹ R. Faulkner. Bibliotheca Aegyptiaca III. The papyrus Bremner-Rhind (BM No. 10188). Bruxelles 1933. line 29,6
² Т. Леков. Същинното знание. свещените книги на Древен Египет. Изток-Запад, София 2004. 270-1
³ Ibid. 271
⁴ "The eloquent resident of the oasis" is a unique literally work, witch combines in itself devices, characteristic for a number of different genres. We owe the first complete publication of the text to Friedrich Vogelsang & Alan H. Gardiner. Literarische Texte des Mitleren Reiches I: Die Klagen des Bauern. Adolf Erman (hrs.). Leipzig: J.C. Hinrichs. 1908. The present work follows the publication of R.B. Parkinson. The Tale of the Eloquent Peasant. Griffith institute, Ashmolean museum. Oxford. 1991. The writing of the text is dated towards the middle of the XII. din., while the events described in it are from the time of the Firs intermediate period, during the reign of Nebkaure. The text tells the story of the misadventures of Hueninpu. After his goods got stolen on the way to Egypt, he goes to appeal to the "high steward" Rensi. Captivated by the eloquence of the "resident" of the oasis, Rensi makes a report on him to the king. The King issues an order to Rensi not to answer to the appeals and to make a record of everything Hueninpu says. The text includes the actual appeals of the "resident" of the oasis. They are in verse and their content is similar to the topics, discussed in the so called didactic literature. The explanations of the role and responsibilities of the judge occupy a central position among the statements of Hueninpu. This is what makes this text a prime source of information on the discussed topic.
gm.w.tw kft.s
sb.w s(j) r im3hw'

"Speak Maat!
Do Maat!

Because great is she, huge is she, enduring is she.

Her trustworthiness is found –
Moving is she towards the state of imahu (blessed-dead)."

From XVIII Dyn. onwards, the court of the deceased in front of Osiris can be seen depicted on the vignettes to the "Book of the dead". Central place in the representation is given to the image of the balance, on which the heart of the deceased is weight against the symbol of Maat. What is actually being juxtaposed is one’s road of life towards the norms of Maat. If both are balanced, the deceased may pass and “repeat life” in the Afterworld, otherwise final oblivion and death awaits him.

As Assmann notes: Die Staat ist nach ägyptischer Auffassung dazu da, daß auf Erden Ma’at, und nicht Isefet, herrscht. The king in Egypt was considered the supreme judge. In practice during the New Kingdom this obligation was carried out by the vizier (βηγ). The vizier was responsible for the effective functioning of the state administration as a whole and appears to be first executive to the king in governing the country. In addition to this, he also controlled the activities of the en-

---

1 Peas. B1. 351-3
4 Ibid. 200
5 Information about the obligations of the vizier is obtained by the so called “Duties of the vizier” and “The Text for appointing the vizier” (they contain moral norms by which the newly appointed vizier should go, and uttered by the king on the entering upon office of the vizier) attached to it. Both texts were found written on the walls of tombs from Thebes from the XVIII – XX din. Although the copies of the text on our disposal are all from the New Kingdom, the scientists, judging by a number of peculiarities in the text, tend to refer the composition of the text to the period of the Middle Kingdom; И. М. Лурье. Очерки древнегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 18-9; for bibliography on the subject see: N. Shupak. A new source for the study of the judiciary and law of Ancient Egypt: “The tale of the eloquent peasant”. JNES
tire judicial body in the country and had the right to press charges against other high officials. In his archive were kept the proceedings of the court of law, and he also superintended the preliminary investigation. The title *BIT* was first attested on the monuments of II-III din., but it could be much older. Even from this period the titles enlisted to the vizier defined him as a head of the institutions, witch at that time were considered to be high judicial instances in the country. Until the V din. the vizier was elected mainly among the midst of the royal sons. From the V din. onwards the office started to be taken by people with none-royal origin. During the Middle Kingdom the vizier remained high official in the country and, in accord with a custom dating back to the beginning of the VI din., was also appointed as “governor of the capital”. The demands towards the administration grew with the territorial expansion of Egypt during the New Kingdom. This led to the practice, at least from the time of Tuthmosis III and certainly up until Ramesses IV including, for two viziers to be appointed – one of the south and of the north. The residence of the south one was in Thebes, while the north one resided in Memphis until the beginning of the XIX din. and then in Perramesses. Since IV din. the vizier as a judge bore the title “priest of Maat”. The vizier resided in the “great kenbet” (*knbt*), which was situated in the capital. When a second vizier was attested, there accordingly also appeared two “great kenbets”, associated with them. The “great kenbet” was not only the highest instance of appeal but was also engaged with administrative functions. It was entrusted with observing the collecting and distributing of the taxes according to various purposes; as well as with observing the condition of the irrigational network. Along with the vizier other high officials were also members of the “great kenbet” – such as the high priest of Amon, the chief of the treasury and others. Throughout the country a multitude of smaller kenbets were dispersed. Their primary function was to prosecute criminal activi-

---

1. И. М. Лурье. *Очерки древнеегипетского права XVII-X в. до н. э.* Издательство Государственного Эрмитажа. Ленинград 1960. 19
2. Ibid. 20
3. Ibid. 20-1
5. И. М. Лурье. *Очерки древнеегипетского права XVII-X в. до н. э.* Издательство Государственного Эрмитажа. Ленинград 1960. 51
7. И. М. Лурье. *Очерки древнеегипетского права XVII-X в. до н. э.* Издательство Государственного Эрмитажа. Ленинград 1960. 41
8. Ibid. 27
ties (excepting the ones involving capital punishment, witch was referred to the vizier), and to resolve cases of disputes over property rights. Apart from their judicial obligations, the lesser kenbets were also entrusted with administrative ones. There is proof of the existence of district kenbets; kenbets of individual towns, amongst which the one in Memphis is most prominent; temple kenbets, concerned with cases dealing with property of the temple or its priests; together with a special kenbet of the necropolis in Thebes. The kenbet represents a bureaucratic council, which summons under the supremacy of its lord (the king; and in the New Kingdom the vizier, who represented him). The word knbt most probably means "men of the corner", namely "люди, находящиеся по сторонам своего владыки".

Apart from kenbet, jajat (d3d3t) was another judicial instance, present as early as the Old Kingdom. The term d3d3t is semantically connected with the word for head (d3d3). Even since the early Old Kingdom jajat often played a role as a court of justice. It carried out its judicial functions until the beginning of the New Kingdom, when it practically ceased to exist as an active institution. Similar to the kenbet, jajat was also not only a judicial instance, but was also involved in collecting the taxes. During the time of the Middle Kingdom the council of the chief of expedition, send to the Sinai-peninsula was also called jajat. The members of jajat together with the ones of kenbet were referred to with the general term sr.w ("noblemen"; "magistrate" FD.235). According to Lurie the difference between the two judicial instances was in that the fact that kenbet was a bureaucratic council, comprising people appointed by the king, while jajat was a council of the elders. In other words, jajat was guided by common law, and kenbet followed the written laws.

Among the antiquity sources that discuss Egyptian law, Diodor (I.94) is the most informative. According to him the first laws were created by Mnevis (Men). Diodor also mentions five other kings-legislators. We know from the "Duties of the vizier", that during sessions of the vizier in court in front of him were laid 40

---

2 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 33-65
3 see: FD. 280
4 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 45
5 Ibid. 43
6 Ibid.; Wb.V 529.2
7 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 44-5
8 Ibid. 91
leather scrolls (containing laws).1 “Scrolls with laws” are mentioned in the teaching of Ipuwer which was written during the Middle Kingdom.2 The Late Egyptian and Antiquity tradition considers the origin of the first legislation as a result of the will of god Toth.3 Unfortunately, a full code of laws from Ancient Egypt is yet to be found, and the fragments that have reached to us remain largely unpublished.

There are three terms connected with Egyptian legislation – “law” (hp FD. 158); “instructions”, “regulations” (tp-rd FD. 297); “decrees”, “dispatch” (wd FD. 73-4). The terms hp and tp-rd are not mentioned in texts and documents of the Old Kingdom, and first appear during the Middle.4 With wd are meant documents, presenting privileges and having constricted use. wd (lit. “order”) is an exception from the norm (namely hp); something unusual, which occurs seldom and does not constitute a change in the law. For the time of the New Kingdom hp and tp-rd are considered similar, but not identical conceptions. “Duties of the vizier” and “The Text for appointing the vizier” bore the title tp-rd.5 The first comprises norms, which determine the relationships between the vizier and other officials and executing the correct order of different trial hearings. The second comprises ethical teachings, constantly uttered by the kings in the course of a few centuries during the rituals on entering the office of the vizier. From these and other similar texts we can determine, that under tp-rd the ancient Egyptians understood incorporations, regulating administrative law – e.g., functionary legislation.6

Egyptian justice is, in its greater part, public. The gate or the entrance-hall of a temple, palace or the residence is the place where hearings are made. That is the place where the king and his representatives can present themselves in their official role in front of the public.7

The earliest sources mentioning oracles that have reached us date back to the XVIII din. By far not all available evidence of oracles consists of divine decisions concerning judicial issues. In many cases they deal with topics concerning political or domestic activities.8 The first reports of making a decision with the help of an oracle are found in the inscription of Hatshepsut concerning the expedition

---

1 Urk.IV 1104,7
2 Adm. 6,9-11
3 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 93
4 Ibid. 94
5 Urk. IV 1186-93
6 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 95-6
7 G.P.F. van den Boorn. Wd-rd and Justice at the gate. JNES 44 (1985). 7-8
8 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 69
to Punt, the inscription of Tuthmosis III concerning his coronation according to oracle of Amun, as well as in an inscription of the same king concerning the erection of new temples. The first reports of oracles, dealing with judicial problems, that we know of, are from the time of the XIX din., while the largest number of available sources is from the time of the XX din. Judicial oracles are always given in days of national celebrations, or during celebration of a local divinity. On such occasions processions of the god were held. The oracle was given at the time of the procession, while the statue of the divinity stood on a palanquin in the divine bark.

The role entitled to the judge throughout the Egyptian history was not constant. During the Old Kingdom the judge was simply a clerk who followed the bidding of the king. As a result of the crisis after the fall of the Old Kingdom, during the First intermediate period and the pursuing chaos and lawlessness, and, hence, during the following Middle Kingdom, the judge's role began to be understood as a guarantor of the establishing of Maat on Earth. He continued to play this role until approximately the XIX din., when, following the introduction of oracles for resolving judicial issues, the leading role shifted from the human judge to the god. From this point on, the judge's role began to be understood as a transmitter and fulfiller of the divine will, while the responsibility on maintaining Maat shifted in the sphere of supernatural. The literary works of the period are our main source for understanding the way in which the Egyptians thought of the judge during the Middle Kingdom. To these we must add also individual passages from autobiographical texts, as well as “The Text for appointing the vizier”.

\[ m.k \text{sph.k n ir.k åb iÅt ir.k m3t} \]
\[ m.k \text{3bb.t(w) ir.t m3t m prw n ßtj} \]
\[ m.k \text{hr hp.s pw mtj dr nfr} \]
\[ m.k \text{dd.t(w) r sš wr n ßtj sš m3t hr.t(w) r.f} \]

1 Urk. IV 342,5
2 Urk. IV 158-9
3 Urk. IV 833
4 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмитажа. Ленинград 1960. 69-72
5 I express my deepest gratitude to dr. Teodor Lekov, who was so kind as to direct my attention at this particularity in The Egyptian understanding of the judge.
6 As was already mentioned above, although written on the walls of Theban tombs from XVIII-XX din. "The Text for appointing the vizier" was most probably comprised during the Middle Kingdom.
7 Urk. IV 1091,13-1092,5
"Look, you have attained to this office by doing Maat! Look, desirable is the doing of Maat in the deeds of the vizier! Look, [only] then her law shall be as exact as god is! Look, it will be said for the chief scribe of the vizier – "scribe of Maat is he called."

Although these words are dedicated to the vizier, they could be equally meant for any Egyptian judge. So the fundamental requirement towards the judge is to follow Maat in his deeds:

\[ \text{h}sr.w \text{ gw t } \text{ pw sr.w nb.w} \]
\[ \text{bw-nfr pw} \]

\[ \text{hmwt pw n(w)t shpr ntt} \]
\[ \text{ts.w tp hsk} \]

“All magistrates are the ones who drive away evil. Good is this.

Craftsmen are these in making to appear that which is. Joining the head, that is cut off.”

These few lines found in “The eloquent resident of the oasis” deserve special attention. The fundamental requirement towards the judge is to drive away “evil” (=Isefet). By acting in this manner he conducts that, which is “good” (=Maat). The judge is expected to protect the underprivileged. He is appointed to be a “dam for the poor”, protecting the needy from troubles, coming down on his head like a water flood. The judge should prevent the “flooding” according to the ordinances of Maat. Thus, to follow Maat for the judge would also mean to take care for the poor and needy.

---

1 Peas. B1. 319-20
2 Peas. B1.268-9
3 see Peas. B1.167-9; 188
4 Ibid.
5 This was a moral obligation for every Egyptian noble in general. Examples proving this statement could be found even in the autobiographical texts of the Old Kingdom, where noblemen often bring forward their own deeds: Urk.I 133,2-3 lw rd.m(f) t n hkr hbs n hwj
   “I give bread to the hungry, cloth to the naked,” etc.
Inseparably connected with the principles of Maat is the notion of reciprocity of actions. Good is answered with good, bad – with punishment. In the stele from Semne of Senusert III the king presents himself as:

\[ \text{ḥc hr sf tm sfn n ħrwj pḥ sw ph.w ph.t(w).f gr.w gr.t(w)} \]

\[ wšb.w mdt mi hpr.t im.s^1 \]

“One who stands for mercy, who is not merciful for the enemy, who attacks him.
One who attacks when is attacked; who ceases when is ceased.
Who answers the deeds as they happen.”

In an inscription from his tomb in Dra Abu el-Naga from the time of Tuthmosis III Intef announces that he is:

\[ wd kn n wd.w-ḳn \]
\[ šhm-ib r šhm.w-ib^2 \]

“One, who conducts offences towards the conducting offences,
Violent towards the violent.”

Following the same principle, the judge in “The eloquent resident of the oasis” is advised:

\[ ir(.w) ħsft r ḫsf.w n.f \]
\[ nn sin tw r tp-ḫsb.k \]

........................

\[ m wšb(.w) nfrt m bin \]
\[ m rd(.w) kt m st kt^3 \]

---

^1 Les.83, 25 - 84, 2
^2 Urk.IV 968,12-6
^3 Peas. B1.178-183
“Deal punishment to the one, who should be punished, none shall be equal to thy norm.

.................................

Do not answer good with evil!
Do not put one in the place of another!”

\[m \text{k}3\text{hs}.w \text{hft wsr(w).k tm spr bw-dw r.k sw}\dot{s}(w) \text{hr sp } \text{iw.f r snw}^i\]

“Do not be harsh according to thy power – evil shall not reach you!
Neglect the manifestation and it will double itself!”

The judge is expected to answer “the deeds as they happen”. He should be neither too harsh, nor too merciful. Inaction is also not an answer. The risk exists, that injustice will occur again if measures against it are not adopted. Following the principle of reciprocity, the judge should be prepared to punish those who should be punished, and do so with harshness equal to the crime.\(^2\) The aim of the judge is to bring the arguing parties into a state of \textit{htp} (“satisfy”, “make content”, “pacify” etc. FD.180).\(^3\) In an inscription from the tomb of Jefauhapi in Siut from the time of Senusert I it is stated:

\[\text{ir.n(j) mrr.t rm}t \text{hsst ngr.w iw wp.n.j snw r htp.sn shrwj m.....}^4\]

“I do that witch is desired by the people, praised by the gods.
I judge the petitioners in order to calm (\textit{htp}) them.
I pacify...............”

---

\(^1\) Peas.B1.244-6
\(^2\) the most common punishment was beating with stick; capital punishment was rarity in Egypt and was only in the capacity of the vizier and the king.
\(^3\) for \textit{htp} see also: T. Lekov. Ancient Egyptian Notion of Ka according to the Pyramid Texts. \textit{JES} 2 (2005). 22-3
\(^4\) Urk.VII 63.10-3
It is stated in the autobiographical text from the Theban tomb of the vizier Rehmire that the vizier is:

\[ \text{wp m3t} \]
\[ \text{tm rd hr-gs} \]
\[ \text{dd pr s.wj htp} \]
\[ \text{wp m3lr hn wsr nn hr rm.n spr n.f} \]

"One who determines/reveals the truth (Maat),
who does not know partiality.

One who makes the "contestants" to go out appeased (htp),
who judges between the poor and the reach, without it being said: "The one who petitions him cries."

In order for both sides to go out of the courtroom "pacified", the magistrate should judge according to Maat. Only when judgment is made in accord with Maat, can the petitioners be satisfied with the decision. Thus the threat to which Maat has been subject during the dispute is cleared out. From here originate some of the epithets used for the judge - "arbitrator" (pssw), "the one who pacifies" (shrr), "the one who settles [disagreement]"(stwt).\(^4\) In the Shabaka inscription a trial of the gods is described on witch Geb judges between Hor and Seth and attests the government of Egypt to Hor. After judgment is passed the two gods are "appeased and united"; that is to say, the verdict has been pronounced according the biddings of Maat:

\[ \text{Hr Swth pw htp.wj sm3.w} \]
\[ \text{snw.sn tm shnt.sn} \]

---

\(^1\) for discussion on the meaning of wp m3t see: R. Anthes. The legal aspect of The Instruction of Amenemhet. *JNES 16* (1) . 176-85

\(^2\) Urk.IV 1118.5-9

\(^3\) lit. – the two man

\(^4\) Peas. BI.279-81

"Hor and Seth are appeased (ḥtp) and united,
They are made brothers [in order] for their quarrel to cease."

If judgment is not passed according to Maat only one side will be content with the decision and the quarrel won’t cease when they leave the courtroom. This leading of the petitioner to the state of ḥtp proves to be even more important than the strict following of “regulations” (tp-rd). In “The Text for appointing the vizier” the king advises the future vizier:

\[m.k\ ibw\ pw\ n\ sr\ ir.t \ ht\ hft\ tp-rd\]
\[m\ ir.(w)\ t(w)\ \dd\ t\ n\ sprw\ \hr.s\ \wpp\ nn\ \dd.f\]
\[n\ rd.t(w)\ n.j\ r\ wn.j-m3^e\]

“Look, shelter for the magistrats (sr) is to do things according to regulation.
Do not pass judgment^2 to the petitioner because of this^3, [so that while]
judged he does not say:
  - It is not given to me according to the whole truth.”

Let us now return to the example from “The eloquent resident of the oasis”. In its second part we find two parallel sentences which can be understood as bearing identical meaning:

“Craftsmen are these in making to appear that which is.
Joining the head, that is cut off.”

Under “that which is” the Egyptians understood the created world.^4 One of the images, presenting the creation of men, uses as its starting point the analogy with the work of Egyptian craftsmen: just as statues of the gods are created from Egyptian craftsmen, so the bodies of men were shaped out of clay on the potter’s wheel of Chnum.^5 The verb used to describe this action is hnm (“join”, “unite with”).^6 So the image of the judge is presented intertwined with that of the

---

1 Urk.IV 1089.3-6
2 lit. – do what has been said
3 the doing of things according to regulation
4 Wb.II 354
5 Т. Леков. Скритото знание, свешените книги на Древен Египет. Изток-Запад, София 2004. 126; for Chnum see also: H. Bonnet. Lexikon der ägyptischen Religionsgeschichte. 3. unveränderte Auflage 2000 by Walter de Grzter & Co. KG, 10795, Berlin. 135-40
6 FD. 202
Creator, actively taking part in the daily recreation of the world. The next sentence, identical in meaning, gives us the opportunity to understand the way in which this is achieved. An interesting parity could be made between this sentence and the tales from papyrus Westcar, where a sentence about the sage Jedi states: \textit{lw.k \, \textit{rh.tj} \, ps \, \textit{tp \, hsk}}. "You know how to join the head, that has been cut off." Following this, he indeed demonstrates his abilities in front of the king by joining the cut off head of a goose with the help of magic, and bringing the bird back to life.\footnote{Westc. VIII.13} In our case this sentence is most probably used as allegory, explaining that the judges are precisely the ones who know how to return things to their rightful state, such as it is according to Maat. This is precisely the role of the judge: in the daily recreation of the world he is entitled to be a guarantor for the existence of Maat on Earth. In doing so he prevents Isefet from entering the world of creation and expels it to the "nonexistent". The judge is that person, on whom the balance in the world depends. As is stated in "The eloquent resident of the oasis": "The true balancing of Earth is the doing of Maat"\footnote{Westc. VIII.18-23} The only way for the world in which man live to be orderly is for Maat to be performed, and the judge is exactly the person who sees to it. The opposite would make the pictures of chaos and lawlessness described by Haheperraseneb materialize:

\begin{quote}
\textit{rd.tw \, m3\textit{t} [r] \, \textit{rwj} \, \textit{isft} \, m \, \textit{hnw} \, \textit{sh} \, \textit{hnn.tw} \, \textit{shr.w} \, \textit{nr.w} \, \textit{wn.tw} \, \textit{mhrw.sn} \, \textit{wnn} \, \textit{t3} \, [m]-snj-mnt \, \textit{irtjw} \, \textit{m} \, \textit{st} \, \textit{nb.t} \, \textit{nlw.wt} \, \textit{sp3.wt} \, \textit{m} \, \textit{i5nw} \, \textit{hr-nb} \, \textit{twt} \, \textit{hr} \, \textit{iw.w}}
\end{quote}

"Maat is cast away. Isefet is inside the palace hall. Disturbed are the plans of the gods. Their biddings are neglected. The land resides in malady. The mourning is in every place. The towns and districts are in misery. All men together are under injustice."

The image lastingly connected with the notion of the judge is that of a balance. The judge is most commonly depicted in texts precisely in this way: as a balance.\footnote{Peas.B1.189-90} In a text from the tomb of Rehmire the vizier is called:

\begin{quote}
\textit{iwsw \, n \, t3-tmw \, \textit{hr} \, \textit{smtjt} \, \textit{ibw.sn} \, \textit{hft} \, \textit{h3j}}
\end{quote}
nwdw-ib iwtyw َk3.sn w autof n st šsp 4

"Balance of all men, examining their hearts in front of the plumb-line.
Those with diverted hearts, which are without accuracy, the šsp-stick subdues them."

Maat gives the standard, on which the values are determined. On his entering into office, the judge begins to be identified with that standard, his deeds serve as an example for what good should be. This notion causes his assimilation with the image of the balance. In “The eloquent resident of the oasis” the judge is advised:

"Do not speak a lie – you are the balance.
Do not swerve – you are the norm.

Look, you are one and the same with the balance,
If she tilts, you will tilt.
[Therefore] do not diverge-

............................................

Do not steal!
Act against the thief!” 2

Because the judge is that norm which determines which is righteous and which is not, it is unacceptable for him to be anything but a pure embodiment of Maat. If the judge committed a crime, this act would automatically become a role model. 3 The text cited above even presents a literal identification of different body parts of the judge with the elements of the balance:

th pw ns.k
dbn pw ib.k
rmn.wf pw spjt.kj 4

"Thy tong is the plummet.

---

1 Urk.IV 1076, 6-9
2 Peas.B1.189-99
3 Ibid. B1.148-9
4 Ibid. B1.196-7
Thy heart is the weight of the balance.
Thy lips are her [of the balance] shoulders."

The tongue, lips and heart are not randomly selected organs. Through them the Creator creates the world. The heart is that which contemplates; the lips and tongue are that which pronounces whatever has been contemplated and, in so doing, create it. As is stated: *Pth swd(.w) [*nh] ngr.w nb.w k3.w.sn sk m h3tj pn ns pn* "Ptah commanded [the life?] of all gods, and their Ka through that heart and through that tong." In the same manner, everything which the judge creates by contemplating and pronouncing should be a manifestation of Maat.

From XVIII din. onwards the image of the balance, on which the heart of the deceased is being weighed against the symbol of Maat, begins to appear on the vignettes to the "Book of the dead". The god Toth is the one, who directs the court of the deceased. At the same time, the image of a balance itself represents the judge who juxtaposes the path of life of the deceased with the principles of Maat. Thus the "heart" of the deceased on the depictions is placed in the spot where the weight (*dbn*) should be.

What are the virtues, which the judge should meet? In first place this is the ability to listen. As Assmann states - "Zuhören ist die vornehmste Tugend des Richters." As early as in "The teaching of Ptahhotep" it is said:

"If you are one, to whom petitions are being made, be silent [while] you listen to that which is said by the petitioner. Do not rebuff him until he has cleansed his body, until he has said [that,] because of which he has come. The petitioner loves his words to be taken into consideration more then that for which he has come to be accomplished. He is more joyful there then any other petitioner..."

---

1 *dbn* has the meaning of "weight" of about 91 gram G.Gr.§266.4; as well as "general term for weight of balance" FD. 331
4 Т. Леков. *Скриптово знание, свещения нкини на Древен Египет*. Изток-Запад. София 2004. 46
6 Dévaud L2, 264-70; for translation and transliteration see: G.Gr. p.323
The same motif is found also in “The text for appointing the vizier” from the Theban tomb of Rehmire:

“Do not neglect the petitioner without taking his words into consideration. If there should be a petitioner, who will petition you, do not dismiss that [which] he says while he is speaking. Dismiss it [when] you allow him to hear that, because of which you dismiss it. Look, it is said: “The petitioner loves his words to be taken into consideration according to that, which is heard from his petition.”

Here it is important to take notice of the feedback: the judge is obliged to explain his decision in front of the petitioner. “The eloquent resident of the oasis” explains in short the obligations of the judge:

*rd.n.tw.k r sdm mdt r wd* snw r ḫs ḫ “w3-irr.f*

“You are appointed to hear the words, to judge between the petitioners, to punish the criminal.”

The judge should inspire respect - in “The Text for appointing the vizier” the king teaches the newly appointed vizier:

*imj sgd.k sgd.tw n.k sr pw srd sng.w.n.j m.k ḫfdf(j)t n.t sr ir sj m3’t m.k ir dt s sng.f’n sp iw nkt im.f’n ẖndw m ḥ(w) n rm t n dd.n.sn r f s pw*

“Cause fear [so that] you are feared. The true magistrate (sr) is the magistrate who is feared. Look, respect from the magistrate is what causes Maat. Look, if a man allows his fear to manifest itself [then] something in him belongs to the guilt. Do not be known to the people[, so that] they do not say: “He is [just] a man!”

The idea of impartiality of the judge occupies a central position in the texts. As early as in “The teaching of Ptaahhotep” we find:

*ir ir.k s3 s n kkb t sr n shrw.t ś3t śd(w) m3dw n.w wd’t mḏ.k m rd(.w) ḫr gs*

---

1 Urk.IV 1090.9-1091.1; for other examples see J. Assmann. *Maʿat, Gerechtigkeit und Unsterblichkeit im Alten Ägypten*. Verlag C.H. Beck. München 1990. 73-4

2 Peas. B1.265-6

3 Urk.IV 1091.4-10.

4 Dévaud, 415-18
“If you act as an important man\(^1\) from the kenbet, a magistrate for pacifying\(^2\) the many, accept the impartiality (?) of the court. [When] you speak – do not take a side!”

In “The eloquent resident of the oasis” it is stated:

\[
\text{n}\text{tk snw n }\text{Dhwtj} \\
\text{w}\text{d}^\text{c} \text{nn rd.t hr gs}\(^3\)
\]

“You are a “double” of Thot, who judges without showing partiality.”

We find in “The text for appointing the vizier”:

\[
\text{bwt n}\text{pr rd.t hr gs }\text{iw n3 m sbj]\text{t} k3.k ir.k mitt }\text{m33.k r}\text{h n.k mi }\text{hm n.k }\text{tkn m} \\
\text{h}^\text{f}\text{w.k mi w3 r pr.k}
\]

“Disgusting to god is to show partiality! This acts as a teaching: You will regard the one you know like the one you do not know, the one close to your flesh like the one far from your home!”

In the autobiographical text of the vizier Rehmire we find:

\[
\text{iw wp.n j sprw n rd.j hr gs} \\
\text{n h}^\text{f}\text{.j m}^\text{f}.\text{wj n gbsw}\(^4\)
\]

“I adjudge the petitioner without showing partiality, without paying attention to payments.”

In order for the judge to be impartial, he should also be incorruptible. In his inscription from Elkab Paheri states:

---

\(^1\) for the meaning of snA see: E. Buzov. The social aspect of expression s\textit{t} s “son-of-men”. \textit{JES} 2 (2005). 39-41

\(^2\) in the inscription from the tomb of Jefauhapi in Siut from the time of Senusert I the verb \textit{shrw} is used as a synonym of \textit{htp} – see below; Urk.VII 63.10-3

\(^3\) Peas.B1.299-300

\(^4\) Urk.IV 1082,11-13
n shj  hrj  n  db3w
n šsp  jsj  m  prw
sšm.n  wj  lb.j  ds.j  r  w6t  n  hsj.w n  niswt1

“I am not deaf because of rewards.
I have not taken bribes2.
My heart leads me towards the road of that which is praised by the king.”

But even though the texts stress the necessity for the judge to be incorruptible, in reality it was not always so. We have a number of sources from the time of the New Kingdom, reporting bribes, taken by judicial clerks. So, for example, we know of a tomb robber form the time of Ramesses IX who bribed a scribe to steal the documents of the prosecution against him and was later released.3 According “The decree of Horemheb” the taking of bribes was subject to penalty equal to the one given for the worst of crimes.4 The Egyptian tradition compared the corrupt judge with a voracious crocodile.5 A good example is found in “The teaching of Ptahhotep” where it is said: itt.f  mi  nšh  m  knbt 6  “he robs like a crocodile in the kenbet”. The Egyptians saw the solution to the problem in appointing as judges men who were rich enough (that is, of independent means), and at the same time were not greedy but fully satisfied with what they had. Example for this is found in the teaching for king Merikare:

s63.w  sr.w.k  ir.sn  hp.w.k

n  nm6.n  hwfd  pr.f
nb-ḥt  pw  tm  g3w

n  dd.n  šw3.w  m  m63.t.f
n  ḫ3.n  dd  ḫ3  n.j

nm6.f  n  mrj.f

1 Urk.IV 118,15-17
2 lit. – “bribe from the surplus [of someone]”
3 И. М. Лурье. Очерки древнеегипетского права XVII-X в. до н.э. Издательство Государственного Эрмита. Ленинград 1960. 51
4 Ibid. 54-5
6 Dévaud.168  P-L2
gs3 f n nb db3w

"Enrich thy magistrates for them to fulfill thy laws.

The one, rich with his home is not partial.
The one, who does not feel lack, is master of things.

The poor does not speak according his truth (Maat).
The one saying: "If only I had!" is not honest.

He is partial for the one, who is preferred by him.
He inclines towards the master, who pays."

In his inscription from Siut Jefauhapi states:

wpsnw nn nm⁵
ing hwj bwtj grg
"k3-ib iw tj gs3 f

"One adjudging the petitioner without partiality.
I am rich, the lie disgust me,
honest, which has none favorite to him."

The "perfect" life, as the ancient Egyptians saw it, was life according to Maat. In this respect the judge offered no exception. Besides this, however, he had other obligations. He was considered as a guarantor for the existence of Maat on Earth. On his shoulders was placed the responsibility for the accomplishment and the reestablishing of order in the world. His role was to withstand the chaos and lawlessness. The judge's duty was to care for the needy, to be patient and attentive and listen to the petitioners, to invoke respect and to be impartial and incorrupt. According to this model of behavior the judge was precisely that balance, on which good and evil was weighted; he was the earthly embodiment of the norm (= Maat). He was responsible for the protection, respect and observation of Maat. The judge had to "settle disagreement" and "appease" contestants so that harmony could be restored in the world.

² Urk.VII 59,15-17
Abbreviations

**Adm.** – Gardiner, A.H. Admonitions of an egyptian sage from a hieratic papyrus in Leiden. J.C. Hinrichs'sche Buchhandlung. Leipzig. 1900

**Dévaud** – Dévaud, E. Les Maximes de Ptahhotep, I. Texte. Fribourg. 1916


**JEA** – Journal of Egyptian Archaeology. London. 1914-

**JES** – Journal of Egiptological Studies. Sofia. 2004-

**JNES** – Journal of Near Eastern Studies. Chicago. 1942-


**ZÄS** – Zeitschrift für Ägyptische Sprache und Altertumskunde. Berlin 1863 –