

Justice : man-judge or earthly mother ? Femininity of Justice and her sisters of virtue in Belgian fin de siècle legal iconography

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Introduction

The figure of *Justitia* or *Justice* might very well be one of the most widely known personifications in the Western world. However, personifications of this kind are only as 'known' or 'readable' as their attributes. By definition, a personification consists of a human figure holding (or handling) attributes, that are in themselves workaday objects taken out of their normal context.² In the case of Justice, her main attributes (sword and scale) have become symbols in themselves, used by law faculties, law firms, judicial institutions, legal departments... and conference posters. Her blindfold has been subject to a vast amount of iconographic studies.³ However, in some cases, the physical appearance of the human figure in a personification adds a layer of meaning to the abstract notion that is personified.⁴ The fact that most representations of Justice personify her as a woman – Lady Justice – is seldom perceived as an

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- [2] R. VAN STRATEN, *An introduction to iconography*, New York, 1994, 25-36.
- [3] E. VON MOELLER, *Die augenblinde der Justitia*. *Zeitschrift für christliche Kunst*, XVIII(5), 1905, 142-152.; M. JAY, *Must justice be blind? The challenge of images to the law*, *Law and the Image. The authority of law and the aesthetics of law*, C. DOUZINAS and L. NEAD, Chicago, 1999, 19-35.; M. SBRICCOLI, *La benda della Giustizia*. *Iconografia, diritto e leggi penali dal medioevo all'età moderna Ordo iuris. Storia e forme dell'esperienza giuridica*, M. SBRICCOLI, P. COSTA, M. FIORAVANTI *et al.*, Milano, 2003, 43-95. A. PROSPERI, *Giustizia bendata. Percorsi storici di un'immagine*, Torino, 2008. L. OSTWALDT, *Aequitas und Justitia. Ihre Ikonographie in Antike und Früher Neuzeit*, s.l., Peter Junkmann Verlag, 2009 (Signa Iuris III).
- [4] A well-known example is the personification of time by an old, bearded man. In this case, the age and beard can be interpreted as extra attributes, in addition to the scythe with which Time cuts short and takes lives, or the scissors he uses to clip Cupid's wings, as is shown in a painting by Anthony Van Dyck (1599-1641), *Time clipping Cupid's wings*, 1630-32, Musée Jacquemart-André, Paris. E. PANOFSKY, 'Father Time', *Studies in iconology. Humanistic themes in the art of the renaissance*, Oxford University Press, 1939.

integral part of her iconographic message.⁵ When bearing in mind her genesis, this seems to be a reasonable omission at first. The female Latin inflection of the virtues, including the four cardinal virtues of which Justice is part, constitutes the historic reason behind the female appearance of these personifications. This should not be neglected in an analysis, after all ‘...gender in the Western tradition is a grammatical concept, despite its extension to the whole field of sociocultural life.’⁶

Ironically, however, in the absence of Justice’s female sex in a depiction, her sex suddenly becomes all the more notable. The same seems to happen when Justice’s female sex is (over-)stressed by depicting her in a conventional feminine – and thus gendered – role, such as that of a mother with child. The ubiquitous and therefore often forgotten femininity of Justice was already noted in a thorough analysis of the image of Justice by Wolfgang Schild.⁷ ‘*Wer denkt denn heute noch beim Anblick einer solchen Statue an einem Gerichtsgebäude daran, daß sie als eine Frauenfigur dargestellt ist? Zugleich haben die obigen Ausführungen deutlich gemacht, wie abstrakt die Redeweise von „der Weiblichkeit“ der Justitia eigentlich ist.*’⁸

In this paper I present two late nineteenth-century Belgian case studies, in which the strict conventional or canonical⁹ formulas of representation and personification of Justice by means of a female figure have been abandoned, thus disconnecting Justice’s femininity from its forgotten and abstract nature, as described above by Schild.

A first case study shows how a sculptor singlehandedly decided to represent Justice in the form of a seated old man, accompanied by two standing women. In a second case study, Justice is impersonated by a mothering figure with child. What is of interest to us, is the reason why the artists chose this step out of the ordinary, the implications of that choice for the meaning of their sculptures, and the reactions of the artistic and legal world to their deviancy from tradition. First, however, I will demonstrate why these images were out of the ordinary and in some ways ‘revolutionary’, and how the convention to represent Justice as a female figure came into being. The traditional female allegorical imagery will

[5] W. SCHILD, *Bilder von Recht und Gerechtigkeit*, Köln, 1995, 244: ‘Der Mädchenkörper, den diese Attributen zieren, hat selbst keinen Sinn und keine Aussagekraft mehr.’

[6] W. DAVIS, *Twenty-three Gender*, *Critical terms for art history*, NELSON R.S. and SHIFF R., ed, Chicago and London, 2003, 331.

[7] Together with Wolfgang Pleister, Schild wrote a standard book on historical legal iconography: W. PLEISTER and W. SCHILD, *Recht und Gerechtigkeit im Spiegel der Europäischen Kunst*, Köln, 1988.

[8] ‘Who thinks nowadays, looking at such a statue on a court house, that she is portrayed as a woman? At the same time, the above exposition made clear, how abstract the saying of Justice’s ‘femininity’ in fact is.’ W. SCHILD, *Bilder von Recht*, 244.

[9] ‘Canonical’ is used here in the art historical sense, derived from the art historical ‘canon’ or set of literary, artistic, cultural, historical,... data considered to be part of a shared cultural stock-in-trade. I do not use the adjective in a legal historical way, referring to canon law.

be illustrated with examples of constitutional iconography, drawn from our on-going iconological research on this matter.

Given the EAYLH forum's focus on (wo)men in legal history, this paper questions allegorical figures' gender, understood as '*The state of being male or female as expressed by social or cultural distinctions and differences, rather than biological ones; the collective attributes or traits associated with a particular sex; or determined as a result of one's sex.*'^[10] The outcome of this research might – if unintended – fit within the definition of feminist art history in the sense of its pioneer Linda Nochlin, who stated: '*feminist art history is there to make trouble, to call into question, to ruffle feathers in the patriarchal dovecotes.*'^[11] The 'trouble' or 'problematisation' in this paper will be the axiomatic female appearance of Justice in fin de siècle Belgian and Western-European artistic tradition.^[12]

[10] 'gender, n.' in: *Oxford English Dictionary* (online).

[11] L. NOCHLIN, *Women, Art and Power and other essays*, London, 1994, xii.

[12] As previous studies have proven, the conventional (gendered) modes of representation illustrated in this paper were conspicuously international and European. S. PALETSCHEK, S. SCHRAUT (eds.), *The gender of memory. Cultures of remembrance in nineteenth- and twentieth-century Europe*, Frankfurt/New York, 2008.

Traditional female allegorical figures



Fig. 1. J. Geefs, *The freedom of education*, bronze, Brussels, Congress Column, ca. 1858. Photo: S.H.

'J'ai représenté [sic] la liberté d'enseignement dans une attitude calme imposante et d'une expression bienveillante'.^[13] This is how the Antwerp born sculptor Jozef Geefs (1808- 1885) described his statue representing the constitutional freedom of education. It was destined for the pedestal of the Congress Column (1850-1859), a monument for Belgium's Constitutional Assembly (*Congrès National* or *Volksraad*) (1830-1831) in the heart of its capital, Brussels.^[14] Together with the freedom of association, of religion and of press, the freedom of education formed a

[13] "I have represented the freedom of education in a calm imposing attitude and with a benevolent expression" [translation by author], Jozef Geefs, in an unsigned letter of ca. 1856. Brussels, Royal Commission of Monuments and Landscapes archives (Tour and Taxis) (RCML), *Colonne du Congrès BXL*, inv.nr. 2.427, l.b, file nr. 1, letter nr. 3.

[14] For the iconography of constitutional freedom rights, see: S. HUYGEBART, *Les quatre libertés cardinales. De iconologie van de vrijheid van pers, onderwijs, vereniging en geloof in België, als uitdrukking van een populariserende grondwetscultus vanaf 1848*, *Pro Memorie. Bijdragen tot de rechtsgeschiedenis der Nederlanden*, 2013, 154-180.

quartet of constitutional freedom rights, generally perceived as fundamental to Belgium's constitution and prosperity.¹⁵ Jozef Geefs's choice of words ('*calme*'/calm, '*imposante*'/imposing and '*bienveillante*'/benevolent) is most illustrative of the traditional way in which female figures were artistically applied to represent abstract notions, a usage that was particularly ubiquitous in the public space of Europe's capitals during the nineteenth century.¹⁶ In 1905 their omnipresence was noted : '*Les amateurs du beau sexe doivent être bien heureux, quand ils se promènent dans nos jardins publics. Le long des allées, dans les massifs, sur presque tous les piédestaux, se dressent des statues de femmes.*'¹⁷ It goes without saying that the widely known figure of *Justice*, a woman (whether blindfolded or not) holding a sword and scales, stands as a textbook example of these '*feminine embodiments of human virtue*', as Linda Nochlin describes them.¹⁸ The ubiquity of female allegories represents a double paradox. First, actual contemporary women could not fulfill active roles in the public institutions they had to represent. Eric Hobsbawm noted this when analysing women in nineteenth-century socialist iconography, where their iconographic presence is contradictory to their relative absence in the hard industry of a single breadwinner system.¹⁹ As critic Louis Dauvé stated in his 1905 article *Les Femmes dans la sculpture* : '*Si l'administration ne se peuple pas de jupons, au point de vue bureaucratique, elle se peuple de femmes, au point de vue artistique*' after which he sarcastically called this '*une nouvelle forme du féminisme : le féminisme artistique.*'²⁰

The second inner paradox of these female representations lies in the fact that, despite their sexed *raison d'être* – the inflection of Latin words for abstract notions such as Justice (*justitia*) or Freedom (*libertas*) –, they lack conventional feminine traits and individuality. Instead, they are characterized by a certain facial androgyny and corporal impregnability. As is the case with Geefs, facial androgyny in similar sculptures was combined with certain feminine corporal features, primarily breasts. This androgyny was often aesthetically preferred over both distinctive feminine and masculine gender expressions.²¹ This seems to

[15] S. HUYGHEBAERT, *Les quatre libertés cardinales*.

[16] The notion of imposing calmness, as stressed by Jozef Geefs and others, can be seen as synonym to 'passive' or 'unthreatening', as opposed to the active role of men. Contemporarily, the other extreme was the cliché of 'hysterical' or 'nervous' women. For the omnipresent public statue, see J. HARGROVE, 'The public monument', P. FUSCO en H. W. JANSON, *The romantics to Rodin. French Nineteenth-century sculpture from North America Collections*, Los Angeles-New York, 1980, 21-35. J. HARGROVE, 'Les statues de Paris', P. NORA, *Les lieux de mémoire*, vol. II, *La Nation*, Paris, 1986, 243-282. P. KJELLBERG, *Le nouveau guide des statues de Paris*, Paris, 1988. A. Boime, *Hollow icons: the politics of sculpture in 19th-century France*, Kent, 1987.

[17] L. DAUVÉ, 'Les femmes dans la sculpture', *Fédération artistique*, October 10, 1905, 385.

[18] L. NOCHLIN, *Women, Art and Power*, 23.

[19] E. HOBSBAWM, 'Man and Woman in Socialist Iconography', *History Workshop*, 6, 1978, 130-133.

[20] 'If the administration isn't populated by skirts, bureaucracy-wise, she is populated by women, on an artistic level' 'a new mode of feminism: artistic feminism', L. DAUVÉ, 'Les Femmes dans la sculpture', 385.

[21] 'beaucoup d'œuvres doivent le plus pur de leur charme à l'incertitude du sexe' was a response to the question 'La femme est-elle plus ou moins belle que l'homme ?' in VURGEY 'Propositions d'esthétique XVII Art et non art', *Fédération artistique*, March 5th, 1905, 170. The Congress Column featured a

indicate that the femaleness of nineteenth-century sculptures was not supposed to generate any significance. Solely the attributes these women held in their hands or were dressed with conveyed meaning to the onlooker. In the case of Jozef Geefs, these attributes consist of a laurel for victory with a star for genius on the head, a flame of knowledge in the right hand and a book indicating the (at that time) seventeenth constitutional article (*Education is free*).²² In 1860, Jozef Geefs's own description of the statue was endorsed by art critic Felix Stappaerts, who wrote a treatise on the occasion of the Congress Column's inauguration. According to Stappaerts, the four freedom statues at the base of the column did not present '*l'image pleine d'élan et d'essor de la liberté, mais celles des libertés calmes, passives, immuables, inscrites dans la Constitution*'. Thus, Stappaerts seconded Geefs's discourse of 'calmness'.²³

A similar statue as Jozef Geefs's can be found in front of the Parisian *Palais Bourbon*. In January 1849, the year in which the Belgian Minister of Interior Charles Rogier (1800-1885) organised a competition for the Congress Column, his French colleague commissioned a sculpture dedicated to the new constitution of the French Second Republic from the sculptor Jean-Jacques Feuchère (1807-1852). Completed in 1852, it was posthumously erected only in 1854 under the new regime, Napoleon III's *Second Empire*. At the inauguration, it was renamed *La loi* (the law), due to the changed political views and the de facto fall of the constitutional regime.²⁴ The ease with which the name and content of Feuchère's statue were changed, illustrates how these types of sculptures had become empty vessels of meaning. It was exactly their 'calm' and 'passive' nature that seemed to facilitate this process. From the artist's point of view, one could almost speak of an iconographic rape.

When comparing Feuchère's statue to Jozef Geefs's *Freedom of education*, there are more analogies than merely the figure's pose. However plausible the hypothesis that Jozef Geefs was inspired by Feuchère's design – after all, both originally personified (part of) a constitution – what is most significant here, is the comparable lack of a sexed personality in the face of both statues. Marina Warner, whose *Monuments and maidens* (1985) stands as the standard book on

male personification of the Belgian nation amongst the nine (female) provinces. Art critic Felix Stappaerts noted '...il se peut que ce génie ne soit ni fille ni garçon, et que le statuaire ait adopté, en ce point, l'avis de M^{me} de Staël : « le génie n'a point de sexe »'. F. STAPPAERTS, *La colonne du Congrès à Bruxelles, notice historique et descriptive du monument*, Brussels, 1860, 32.

[22] Geefs, in an unsigned letter of ca. 1856, RCML archives.

[23] "...the image of a liberty full of verve and florescence, but rather that of calm, passive, durable liberties, inscribed in the Constitution." [translation by author] Felix Stappaerts in : F. STAPPAERTS, *La colonne du Congrès*, 37.

[24] S. LAMÉ, *Dictionnaire des sculpteurs de l'École Française : au dix-neuvième siècle*, Paris, 1914, vol. II, 368. For an illustration of this sculpture, see: <http://www.assemblee-nationale.fr/histoire/place-bourbon.asp>.

the question of allegorical figures' femininity, writes about *La constitution/La loi*: 'The face is cast in the noble mould: impassive, resolute, vacant, without sex, but tending to the masculine'.²⁵ The very same can be said about Geefs's *Freedom of education*. These Belgian and French cases illustrate well how in the mid-nineteenth century abstract notions were sculpturally embodied by women who seemed to lack overt signs of conventional femininity, while their main purpose was to be calm, passive and vacant.

A similar calmness was noted by a reporter of the Parisian journal *L'Artiste* in 1853, after he visited the studio of Jozef Geefs's brother Guillaume (1805-1883), who was responsible for the surmounting sculpture of the Congress Column. At that time, Guillaume Geefs was designing a sculpture dedicated to the Constitution. It had the form of a woman with a laurel and the tables of the law as attributes. The scale model of the '*sainte déesse*' seemed – according to the journalist – to be commanding the people with her Greek antique style lips, yet '*sans geste et sans éclat*', and all in all, '*c'est la force calme*'.²⁶ Ironically, only four days prior to the publication of the journalist's studio visit, the Belgian parliament, after a rare iconographic debate, had adopted an amendment on a bill saying the Congress Column should be crowned, not by the image of the constitution, but by the image of the constitutional king Leopold I (1790-1865).²⁷ Guillaume Geefs was lucky, as he had already been commissioned to design a statue of Leopold I for the Chamber of representatives. Given that the statue already stood in his studio, he only had to make some minor adaptations. More importantly, because of the parliamentary decision, the image of an allegorical woman – however androgynous and 'calm' – was replaced by that of a real man. This is consistent with Tricia Crusack's observation that '[s]tatues of heroic historical men abound in public spaces of the nation-state as exemplars for the present' whereas '...the nation, with its abstract civic virtues, is commonly allegorised in images of stereotypical female figures'.²⁸

[25] M. WARNER, *Monuments and maidens. The allegory of the female form*, Berkeley, 1985, 21.

[26] 'sacred goddess', 'without gesture or outburst', 'is the calm force' ; L.H., 'La sculpture en Belgique', in *L'Artiste, Journal de la littérature et des beaux-arts*, Paris, 1853, série V, tome X, 15 juin, 1853.

[27] *Annales Parlementaires, Chambre*, 1852-53, 1669 (June 11th, 1853).

[28] CUSACK T., 'Introduction' in *Art, nation and gender. Ethnic landscapes, myths and mother-figures*, eds. CUSACK T. and BHREATHNACH-LYNCH S. (eds.), Aldershot, 2003, 1. Simone de Beauvoir noted the inequality in statues for men vs. women in *het Le deuxième sexe*. S. De Beauvoir, *De tweede sekse*, 1: *feiten en mythen*, Utrecht, 1965, 310, note 58.



Fig. 2. A. Dutrieux, *Philippe-Christine de Lalaing, Princesse d'Épinoy*, bronze, Tournai, 1863. Photo: B. Debaenst.

In this light, it is worth looking at what happened when a real-life historical woman was granted a statue. Belgium, as a young nation that gained independence only in 1830, saw the erection of a plenitude of public statues for great men.²⁹ The use of equable statues of 'women' to represent abstract notions was so common during the nineteenth century that representations of actual historical women were read according to the same trope of abstraction. In 1863, the town of Tournai granted a statue to Philippe-Christine de Lalaing, Princesse d'Épinoy (1506-1558), for her heroic defence of the town in the absence of her husband.³⁰ In nineteenth-century history books, she was part of the truck-load of historical

[29] P. DEROM (ed.), *De beelden van Brussel*, Antwerpen, 2000.; J. ART, F. SEBERECIITS (eds.), *Duurzamer dan graniet : over monumenten en Vlaamse Beweging*, Tielt, 2003. M. STERCKX, and L. ENGELN. *Between Studio and Snapshot: Belle-Époque Picture Postcards of Urban Statues*, *History of Photography* 37, no. 4 (2013), note 18.

[30] Brussels only had its first public monument for contemporary women after WWI. See L. ENGELN and M. STERCKX, 'Herinneringen in steen en op papier. Monumenten en prentbriefkaarten voor twee heldinnen van de Eerste Wereldoorlog: Gabrielle Petit en Edith Cavell', *Volkskunde*, 111: 4, 2010, 388.

Belgian freedom fighters. This was perfectly in line with the country's nationalist rhetoric of an eternal freedom fight against foreign conquerors, in this case the Spanish.³¹ The statue for a real-life historical woman in the public domain remained a thorn in the flesh of many nineteenth-century Belgians. Amongst them was the Catholic MP Louis Juillot (1795-1881), who mentioned her statue in 1873 during a budget discussion concerning the Brussels *Palais de Justice*, at that time under construction. Talking about Princesse d'Épinoy, Juillot used the words '*femme de passage*', enough to get the former and future Minister of Justice Jules Bara (1835-1900) going in defence of the statue.³² However, the argumentation of Bara, a notorious anticlerical and native of Tournai, didn't favour Christine de Lalaing's personality but the principle she expressed according to Bara: the freedom of religion. That she happened to be a woman was more of a mishap, and the minister saw it necessary to add that she might have been 'obscure'. '*Pourquoi a-t-on élevé une statue à la princesse d'Épinoy? Surtout parce qu'elle a lutté pour un des plus grands principes de la société moderne: celui de la tolérance religieuse; on lui a élevé une statue parce qu'elle a défendu la liberté de conscience contre ceux qui voulaient l'inquisition. Et la ville de Tournai a droit à la reconnaissance du pays pour avoir la première, dans une femme, obscure même si vous le voulez, glorifié le principe consacré par la Constitution: celui de la liberté de conscience!*'³³ According to this argumentation, we might as well interpret the Tournai statue as a peer to Eugène Simonis's (1810-1893) *Freedom of religion* opposite of Geefs's *Freedom of education* on the Congress Column. Likewise, it illustrates the contemporary awkwardness of the mere idea of erecting a statue for a woman '*even obscure if you will*' while cities at the time were filled with statues of women, in gables, on bridges... and in courthouses. As Tom Verschaffel notes, historical female warriors such as de Lalaing were perceived to be second-rate, as they only acted as warriors, playing a role in the absence of their husbands.³⁴ In short, these cross-dressed sculpted women were by definition exceptional and, as a consequence, were certainly not perceived as equal to their male counterparts.³⁵

[31] A.F.I. BOZIERE, *Tournai ancien et moderne*, Tournai, 1864, 198.

[32] Bara wrote his dissertation on the constitutional separation of State and religion: *Essai sur les rapports de l'État et des religions au point de vue constitutionnel*, Tournai, 1859. DEMONTIN R., Bara (Jules-Marcel-Lamoral), *Biographie Nationale*, II, (1958), Brussels, 128-138.

[33] 'Why have they erected a statue for the princesse d'Épinoy? Mostly because she has fought for one of the greatest principles of modern society: that of religious tolerance; they erected a statue for her because she defended religious freedom against those who wanted the inquisition. And the town of Tournai, as the first to do this, has the right to the country's recognition in having in a woman, obscure if you will, glorified the principle consecrated in the Constitution: that of religious freedom!' Jules Bara in: *Annales Parlementaires, Chambre*, 1872-73, 1395 (June 21, 1873).

[34] T. VERSCHAFFEL, 'Een mannelijk hart in een vrouwelijk lichaam', *Het lichaam (n/v)*, K. Wils (ed.), Leuven, 2001, 193-197.

[35] For cross-dressing artists, see M. Sterckx, *Sisyphus' dochters. Beeldhouwsters en hun werk in de publieke ruimte (Parijs, Londen & Brussel, ca. 1770-1953)*, Brussel, 2012, 158-160.

La Justice est... un homme?

According to the aforementioned Louis Dauvé, traditionally and accidentally, it was part of artistic custom not only to represent allegories by means of women, but also to invent feminine words for most of the abstract or poetic notions, such as *la Patrie*, *la Liberté*... The 'artistic feminism' mentioned above went too far however: '*il empiète sur nos droits (...) Il s'est accaparé de tout ce qui était et devait rester masculin, - selon la tradition et selon le dictionnaire*'.³⁶ The following case study shows how the Belgian sculptor Juliaan Dillens (1849-1904) broke this grammatical-artistic rule, which indeed appeared to be... set in stone.³⁷



Fig. 3. Postcard (pre-1914) showing J. Dillens's plaster group *La Justice entre le Droit et la Clémence* (1880) in the Palais de Justice in Brussels. collection/photo : S.H.

A postcard from the series *La Belgique Historique*, dated pre-1914, shows Dillens's *La Justice entre le Droit et la Clémence*.³⁸ Dillens made the plaster artwork during his stay in Florence after winning the Rome prize, which allowed him to travel through Europe. The plaster group was his first big original regulatory sending, as was expected from Rome prize winners. At a later stage it would

[36] 'it infringes on our rights (...) it claimed all that is and should remain masculine, - according to tradition and the dictionary' Louis Dauvé in : L. DAUVÉ, 'Les Femmes dans la sculpture', 386.

[37] Anne-Marie Geerinck devoted a part of her chapter on the decoration of the Brussels Palais de Justice to Dillens's *La Justice*, from which a lot of references could be drawn. A.M. GEERINCK, *De decoratie van het justitiepaleis van Brussel*, R. VANDENDAELE (ed.), *Poelaert en zijn tijd*, Brussels, 1980, 298-306.

[38] *Justice between Clemency and Law*

come to be perceived as his crucial work, granting him the epithet '*l'auteur de la Justice*'.³⁹ The group was refused at the salon of 1880, the annual exhibition and artistic high mass organised alternately by the cities of Brussels, Antwerp and Ghent. This refusal struck Dillens particularly hard, driving him to suicidal depression. Surprisingly, the same work was admitted to the Brussels Salon of 1881, and won medals at future art fairs, notably the Paris World Fair of 1889. The sculpture, still in plaster, made it to the *Palais de Justice* in Brussels on the occasion of the international feast and solemn meeting of the *Fédération des Avocats Belges* in 1894.⁴⁰ Ever since, the plaster group has been standing at the same spot overlooking the *Salle des pas perdus*, degrading and crumbling. To many members of the *fin de siècle* judicial and artistic world's dissatisfaction, the plaster design was never cast into bronze or carved into marble. Quite the contrary, it was subjected to graffiti by dozens of visitors of the *Palais de Justice*, as was denounced in a parliament debate in 1900.⁴¹

What is striking about this artwork is the sex of the central figure. The subtext of the postcard reads '*Le groupe représente sous la figure d'un vieillard le Droit [sic] entre la Justice [sic] et la Clémence, celles-ci personnifiées par des femmes.*'⁴² That this short description mixed up two figures, is far from meaningless and very understandable if one reads Dauvé's reasoning. The postcard maker linked the sex of the sculptures to the gender of the corresponding French words. He also considered it necessary to stress the sexes of the different figures – 'the latter are represented by women' – , thus rendering their sex meaningful, this in contrast to the largely sexless creatures used by Geefs, Feuchère and other traditional sculptors. What the author of the postcard did, was in a way a basic act of gendering: applying socially constructed roles to sexes. This was also done by Arnold Goffin, whose 1903 description of the artwork in the *Revue générale* was approved by Dillens as the only one which grasped his intentions. Therefore, it may be read as semi-autographical. Goffin, who correctly linked the sculptures to the notions they depicted, described the central '*vieillard auguste*' as having '*une expression d'anxiété mêlée de douceur profonde et de grave commisération*'.⁴³ The man is in inner turmoil, doubting between clemency and law, while his wisdom is stressed by his notable age. Another postcard shows how some mistook Dillens' group for the famous *Judgement of Solomon*, in which Solomon, a man, passes a

[39] J. POTVIN, *Julien Dillens, statuaire*, Brussels, 1913, 140.

[40] Fédération des avocats belges *Omnia Fraternae Assemblée solennelle du 23 décembre 1894*, a Bruxelles, *Journal des tribunaux*, 1894, 1409-1436.

[41] *L'art au parlement, L'Art Moderne*, 1900, 144-145. *Annales parlementaires. Chambre*, 1899-1900, 919 (April 9, 1900)., CHAMPAL, 'Justice pour la Justice', in: *Fédération artistique*, August 8, 1909, 356-358.

[42] This description makes the mistake of naming the central, seated figure "Law" and the female standing figure with scales "Justice", as opposed to all other descriptions, including the salon catalogues.

[43] '*august greybeard*' '*an expression of angst mixed with a profound softness and a grave compassion*'

wise, inventive judgement in a case between two mothers, women, quarrelling over a baby.⁴⁴ In this case too, wisdom seems the key connotation when a man represented Justice, as opposed to the calmness that was emphasized when women represented that same virtue.



Fig. 4: Postcard (pre-1914) naming J. Dillens's plaster group as *Le Groupe du Jugement de Salomon* – collection/photo : S.H.

In contemporary descriptions of Dillens's work, the gendering was taken a step further. Dillens's Justice was seen as all but calm or passive, as opposed to the two women. Clemency, as Goffin had it, is begging in silence, reflected by the innocence, which, in the form of a baby, she holds in her arms as an attribute. '*Le Droit*', on the other hand, '*c'est une femme... non une déité pure et froide*' dictating the inevitable sentence. The active decision making process of the seated male judge might, according to Goffin, have been read as anarchist and have caused the exclusion from the salon.⁴⁵ He noted how the first jury deciding on what works were admitted to the salon, might have been insulted by the possibility of a judge choosing for clemency instead of applying the law.⁴⁶ This would mean, however, that the judge was compelled to choose between one of the two possibilities (the law or clemency), instead of being 'inspired' by both (cf. infra).

[44] *La Justice* has a comparable typology with a central judge between two more or less symmetrical women and a baby, as applied by Nicolas Poussin in his famous depiction of the subject in 1649. Martin WARNKE, Poussins "Urteil des Salomo". Ein gemalter Königsmechanismus, *Künstler, Kunsthistoriker, Museen. Beiträge zu einer kritischen Kunstgeschichte*, Heinrich KLOTZ (ed), Frankfurt am Main/Luzern, 1979, 35-44.

[45] Interpreting the central figure as a judge – rather than 'Justice' as Dillens mentioned in the title – gives it a far more traditional iconography, as for example an iconographic handbook of the late eighteenth century suggested an elder male personification for the notion of judgment (in French: le jugement). E. LELS, *Personifications and symbols. An index to H.F. Gravelot and C.N. Cochin's Iconologies par Figures*, Leiden, 2011, 116.

[46] A. GOFFIN, *Julien Dillens*, Turnhout, 1919, 16.

Clearly, what is presented by Goffin is the kind of ‘...binary division (...) between male energy, tension, and concentration as opposed to female resignation, flaccidity, and relaxation’ which Nochlin discerns in so many representations of women at that time.⁴⁷ Edmond Picard (1836-1924), the man behind avant-garde art societies and journals and a defender of Dillens’s group, very clearly applied this gendered binary division in his writings about social law and its visual representation: ‘Mais le principal Idéal de l’Humanité ayant toujours été la Justice, le Droit eut toujours une prééminence sociale. Dans la Hiérarchie des sciences, il prend rang parmi les plus hautes et les plus remuantes, au sommet de la construction biologique et sociologique. Il apparaît, dans sa Dynamique, mâle, viril; ce n’est pas une déesse, Pallas-Athène, Thémis, Minerve, mais un Dieu, qui eût dû le symboliser.’⁴⁸ As such, according to Picard, a man should be applied instead of a woman/goddess for the representation of *le Droit*, not because of the inflection, but because of the viral, dynamic and active connotation.

Dillens himself emphasized this kind of division, when at a later stage in his life, he renamed his group ‘*La Justice inspirée par le Droit et la Clémence*’. This is how the work was described in the salon catalogue of the 1889 Paris exhibition.⁴⁹ With this new title, Dillens took the gendering to the next level. The central male figure seems more than ever to be the only one thinking and thus the only active person, inspired by two passive women, acting as mere muses, or worse: degraded to the status of petrified belly dancers. As Schild notices on female virtues – such as Justice – in general, they needed to be (sexually) attractive for men, as a *Sinn-Bild*, an image of sense, directed towards the male urge.⁵⁰ Visually and in regard to the figures’ poses in the case of Dillens, this reading seems contradicting. Two standing women depend on a seated, independently deciding man. Additionally, the pose of the central figure was almost impossible for women: slumped in his chair with his legs wide spread. However calm their action and contribution to the decision making process might have been according to Goffin, the women’s poses do appear relatively more dynamic than the judge’s. The two women are watching the man, whereas the latter gazes into infinity. Dillens was even more clear when on May 26th, 1889 he dubbed the work to his acquaintance, the French sculptor Auguste Rodin (1840-1917), “‘*La Justice*’: *L’homme juge s’inspirant du d. et de la clemence* [sic].”⁵¹ Grammatically, Justice was no longer passively inspired, but actively looking for inspiration, and at the same time his sex

[47] L. NOCHLIN, *Women, art and power*, 3.

[48] E. PICARD, *Le Droit pur*, 1909, Paris, 202. ‘But, as Justice has always been the principal ideal of Humanity, the Right always had a social pre-eminence. Within the Hierarchy of the sciences, it is placed amongst the highest and most important, at the summit of the biological and sociological construction. It appears, in its Dynamism, male, virile; it is not a goddess, Pallas Athena, Themis, Minerva, but a God, that should symbolise it.’

[49] *Gazette des Beaux-Arts*, Paris, 1889, 402.

[50] W. Schild, *Bilder von Recht*, 234-235.

[51] Letter by J. Dillens to A. Rodin May 26, 1889 [transcript], Musée d’Orsay, file J. Dillens. With thanks to Jana Wijnsouw (UGent) for this information.

was being emphasised, as finally, he was a man-judge.

Several art critics at the time appreciated Dillens's artistic choice. '*Les trois personnages qui en constituent le sujet sortent de la banalité conventionnelle qui a présidé depuis des siècles à la personification ou au symbole de la Justice humaine. Le statuaire a su y allier le caractère de la statuaire antique avec le sentiment de la modernité*'.⁵² However, the decision makers involved did not seem to share these admirations. The Belgian Inspector of Fine Arts Emile Leclercq (1827-1907) wrote a rather long litany against the central, male figure of the group, whom he saw as disrespectful, mostly because of his old, half-naked and savage appearance.⁵³ 'The naked torso makes us indeed wonder – like Hobsbawm – *'Why the bare body?*'. Again, the analogy with socialist and industrial iconography, specifically in sculpture, can be helpful. In countries such as Belgium or England, actual bare-chested labourers were about as rare in hard industry, as bare-breasted judges where in actual courts.⁵⁴ Dillens's use of the naked male torso indicates its status as an ideal. According to Leclercq, Dillens's judge '*est un vieillard lassé, qui demande à se reposer, que la justice même n'intéresse plus*'.⁵⁵ Director-general of Fine Arts Ernest Verlant (1864-1924) agreed: '*La figure du milieu m'a toujours paru et me paraît encore un véritable contresens*'.⁵⁶ Strangely enough, Verlant noted in 1912 how in particular the judicial world, headed by former Minister of Justice Jules Lejeune (1828-1911), had clucked its disapproval regarding Dillens's group.⁵⁷ This is surprising as many jurists who took an active part in the art world, such as Edmond Picard, defended the work's right to be carved in marble.⁵⁸

Reviewing these different argumentations, it seems probable that Edmond-Louis De Taeye, a highly respected award-winning critic and editor, was right when he linked the sad faith of the artwork to its aberrant iconography. In his rhetorical question, he, too, grammatically stressed the gender issue as the

[52] "The three characters that are part of the artwork escape the conventional banality that persists for ages as personification or symbol for human Justice. The sculptor succeeded in combining the character of the antique statue with the sense of modernity." COOPMAN H., *Juliaan Dillens: tentoonstelling zijner werken*, Antwerp, 1906, 18.

[53] Cesare Ripa (1560-1620), who's *Iconologia* was for centuries artists' standard book on iconography, advised for an old - and thus experienced - man to represent a judge (as opposed to different kinds of justice, represented by women), but added the necessity of stately clothing. D. PIETERSZ., *Giudice. Rechter, Cesare Ripa's Iconologia of Uytbeeldinghen des Verstants, vertaald door Dirck Pietersz. Pers*, Amsterdam 1644. De facsimile ervan is ontleend aan: Cesare Ripa. *Iconologia of uytbeeldinghe des verstands*. Met introductie van Jochen Becker, Soest, 1971 (via dbnl.org).

[54] E. Hobsbawm, 'Woman and Man in socialist iconography', 127-129.

[55] "it's an exhausted old man who asks to rest, who's no longer even interested in justice." E. LECLERCQ in: Note by E. Leclercq of December 23, 1899, State Archives in Belgium (ARA), *Bestuur Schone Kunsten overgedragen in 1957*, nr. 368.

[56] "the central figure has always seemed me, as it still does today, a true *blunder*." Ibidem. S. ORLOFF, Ernest Verlant, *Nouvelle Biographie Nationale Belge*, II, 384-387.

[57] Answer of director-general Ernest Verlant to a letter of December 16, 1912, ARA, *Bestuur Schone Kunsten*, nr. 368.

[58] *Chronique judiciaire. La justice de Dillens*, *Journal des Tribunaux*, 1927, kol. 35-36.

artwork's central problem. '*Est-ce parce que le statuaire y avait remplacé la traditionnelle femme tenant une balance par l'Homme-juge austère, un Homme-juge ayant à sa droite et à sa gauche deux femmes debout : la Clémence et le Droit ?*'⁵⁰

La Justice : 'une mère terrestre'

When problematizing the femininity of representations of Justice, it is necessary to look further than to cases in which male figures are used. Dillens's Clemency figure does however slightly differ from the canonical, facially androgynous 'women' mentioned in this article's first part. This is due to the baby she holds in her arms, giving her a more motherly and thus more conventionally feminine appearance compared to most monumental maidens.



Fig. 5. H. Bonquet's design for *La justice conduisant l'Humanité dans la voie du Bien* as featured in S. PIERRON, *Henri Bonquet*.



Fig. 6. I. de Rudder after H. Bonquet's, *La justice conduisant l'Humanité dans la voie du Bien* marble, 1908, Brussels, *Palais de la Nation*. Photo: S.H.

[59] E.-L. DE TAEYE, 'Julien Dillens', in : *Fédération artistique*, January 8th, 1905, 106.

In March 1908, minister Jules Renkin (1862-1934) ordered a sculpture for the Ministry of Justice from the sculptor Henri Boncquet (1868-1908), who was by then quite ill. The commission resulted in the sculpture group *La Justice conduisant l'Humanité dans la voie du Bien*.⁶⁰ It was sculpted by Boncquet's friend Isidore de Rudder (1855-1943) following Boncquet's design, the latter being too feeble to hold his chisel.⁶¹ De Rudder himself had made a statuette entitled *The first steps* in 1906, featuring a mother and walking child which resembles Boncquet's group.⁶² The latter cannot be further removed from traditional sculptures of Justice, as was stressed by Boncquet's biographer Sander Pierron: '*Il n'a point fait de sa Thémis une figure abstraite et excessivement allégorique (...) Son héroïne est humaine ; c'est une mère terrestre*'.⁶³

More surprising than the figure's female appearance due to the conspicuous bosom, is the close resemblance she bears to Boncquet's previous sculpture, called *La sollicitude maternelle*. For this work, dated ca. 1907, Boncquet had a specific type of woman in mind. Subsequently, he placed an ad in a Brussels newspaper, looking for '*une mère jeune et heureuse, au lait généreux et nourrissant, aux prunelles claires*'.⁶⁴ Pierron recounts how only women thin as a rake and lacking a bosom visited the sculptor's studio. According to Pierron's report, Boncquet even told one of the candidates she should eat instead of work, whereupon he bestowed her his meal, having lost his appetite by the mere sight of her. The quest for a full-bosomed model was brought to a fertile conclusion and resulted in the sculpture that has been standing in the Meeus square of Elsene, Brussels since 1910.⁶⁵

Pierron stressed how Boncquet built on his own oeuvre, elaborating and remaining truthful to a certain theme. Indeed, it looks as if Boncquet simply added a sword and an easily unnoticed dragon-like creature representing evil to his own scene of motherly love, making his Justice into a 'divine mother'. Her heavy task, as Pierron stated about *La sollicitude maternelle*, was to make boys into men in the absence of a father. However, in 1910, the same year as the erection of *La sollicitude maternelle* and two years after *La Justice*, Marie Popelin, a pioneer of Belgian feminism and the first Belgian woman to obtain a law degree, stated at the

[60] *Justice leads Humankind towards the Good*

[61] S. PIERRON, *Henri Boncquet*, Brussels, 1909, 81-83.

[62] H. LETTENS, 'de Rudder, Isidore', in J. VAN LENNEP (ed.), *De 19de-eeuwse Belgische beeldhouwkunst - catalogus*, Brussels, 1990, 347.

[63] S. PIERRON, *Henri Boncquet*, 84.

[64] 'a young and happy mother, with fertile and nourishing appearance, with bright eyes'. S. PIERRON, *Henri Boncquet*, 79.

[65] P. DEROM, *Beelden van Brussel*, 131. It was Boncquet's testamentary sculptor, the famous Art Nouveau jeweller Philippe Wolfers (1858-1920), with whom Isidore de Rudder collaborated, who executed the marble version of Boncquet's work. For Wolfers, see: W. ADRIAENSSENS and R. STEEL, *La dynastie Wolfers de l'art nouveau à l'art déco*, Antwerp, 2007.

Congrès International de l'Éducation Populaire: 'La femme est autre chose qu'épouse et mère. (...) La femme a droit au respect et ne peut être considérée comme satellite de l'homme.'^[66] As for the body of the statue, Pierron stressed the healthy, powerful and 'Flemish' character, hinting at Boncquet's Flemish roots. Most importantly, her body clearly differed from the more androgynous ones used in prior allegories of Justice.



Fig. 7. A. II Quellinus' *Virgin of the Immaculate Conception*, marble, second half 17th century, Antwerp Cathedral, © KIK-IRPA, Brussels.

Beside her more conventional maternal and feminine appearance, Boncquet's *La Justice* is iconographically fascinating in a second way. Be it because of Jules Renkin's catholic belief and ideology, because of Boncquet's personal conviction, or because of typological influence, but his sculpture of Justice resembles a religious feature. Iconographically, Boncquet's *La Justice conduisant l'Humanité* stands midway between his own *La sollicitude maternelle* and a clearly Catholic sculptural tradition portraying the Virgin of the Immaculate Conception. In the latter, mother and child often tramp the serpent of evil together. It seems very likely Boncquet was at least inspired by the Catholic sculptural tradition of

[66] 'The woman is something else than a spouse and mother (...). The woman has the right to be respected and cannot be considered as the mere satellite of the man.' Intervention on the *Congrès International de l'Éducation Populaire*, organisé par la Ligue belge de l'Enseignement, 30 August-3 Septembre 1910, Bruxelles, 1910, 67.

the Immaculate Conception. A baroque example could be found in the Antwerp Cathedral. This religious artwork was made by sculptor Artus Quellinus II (1625-1700), nephew of Artus Quellinus (1606-1668), with whom he helped decorate the Amsterdam Town Hall, known for its abundance of legal iconography. Particularly the way in which the child puts his puppy fat leg on the cursed beast and keeps his balance by means of the sword/cross is conspicuously uniform in both scenes. More than mere inspiration in regard to pose, there seems to have been a certain iconographic inspiration or contamination. In the Antwerp example, and similar representations, the serpent is slaughtered by means of a crucifix, held by both divine characters. The way Boncquet planted the sword centrally in his work does make it look like a cross, wielded by Virgin/Justice and child/mankind. After 1854, when Pius IX's Apostolic constitution *Ineffabilis Deus* defined the catholic dogma of Mary's Immaculate Conception, the popularity of the dogma rose, as did the amount of depictions.⁶⁷ The papal decision motivated Jean-Baptiste Malou (1809-1864), bishop of the Belgian town of Brugge (Bruges), to write a 150 page manual for Christian artists, telling them how to depict the Immaculate Conception. The manual included an elaborate right vs. wrong example. Although the book was intended for painters, Malou emphasized that his – rather dogmatic – guidelines were practicable for sculptors too.⁶⁸ Verifying *La Justice conduisant l'Humanité* with Malou's guidelines in hand, the sculpture fails the test at several points, but so did Quellinus's baroque specimen. The most important of these failures was the presence of the child, which Malou in general perceived as an anachronism and misinterpretation, as the Immaculate Conception had to do with Mary's birth, preceding Jesus's.⁶⁹ However, depicting the beast's head whilst being crushed by a foot, was one of Malou's most important stipulations, as was the ugliness of the slaughtered creature. Boncquet – or at least de Rudder in his version – elaborated the beast with feathered wings, snake tail and bat-like feet. The commanded absence of the child would not entirely delete the motherly character of saint Mary. In her separate study to the virgin Mary, Warner reminds us of Mary's characteristics: compliance, tolerance, modesty, tenderness etc. In other words, she perfectly performed what ideal womanhood looked like in a certain time, class and place.⁷⁰

[67] M. WARNER, *Alone of all her Sex. The myth and the cult of the Virgin Mary*, London, 1976 (republished in 2013).

[68] J.B. MALOU, *Iconographie de l'immaculée conception de la très-sainte vierge Marie ou de la meilleure manière de représenter ce mystère*, Brussels, 1856, 114.

[69] MALOU, *Iconographie*, 54.

[70] WARNER, *Monuments and maidens*, 1976.

Shared gables: when Boncquet and Dillens meet



Fig. 8. H. Boncquet's design for *La Justice* for the *cinquantenaire* arch, as featured in PIERRON, *Henri Boncquet*.

Fig. 9. J. Witterwulghé after J. Dillens, *Le Droit*, ca. 1904, Saint-Gilles town hall. Photo: K. Van de Mierop

With Boncquet, Justice appeared in a different form than that of the abstract women Schild wrote about. However, Pierron juxtaposed her human appearance surprisingly and meaningfully with the cold and stiff art of... Juliaan Dillens.⁷¹ The latter indeed sculpted several more traditional or canonical representations of justice.⁷² It is necessary to nuance the strict stylistic division made by Pierron in his Boncquet monograph. This can best be done by means of two cases where statues of both sculptors were part of one and the same gable. Boncquet was the author of two sculptures representing Prudence and Justice for the *cinquantenaire* arch in Brussels, dated 1904-1905. The same arch featured Dillens's winged women circling around an escutcheon, all of them

[71] S. PIERRON, *Henri Boncquet*, 87-95.

[72] In 1875, Dillens allegedly dreamed of a '*zaal van Justicie*', a studio or hall of justice, where artists would unite and use their talent to create images of justice in wood, marble and bronze. The ongoing construction of the Brussels *Palais de Justice* at that time most likely has something to do with Dillens's dream. The site supplied a vast market for Belgian sculptors and Dillens's dream was mentioned within a narrative filled with complaints about his lack of money and commissions. J. Potvin, *Julien Dillens*, 47.

finished by Jules Lagae after Dillens's death. Bonquet's monographer, who clearly didn't hold the *cinquantenaire* Prudence and Justice in such high esteem as he did the rest of Bonquet's oeuvre, used the word '*hiératique*' or 'stiff' as a reproach, the very same adjective he applied pejoratively to the art of Dillens. Dated only three years prior to his image of a nursing Justice, Bonquet indeed produced a most canonical monumental maiden for the arch, equipped with a sword and the tables of the law. Oddly enough, one of the statuettes in lost wax technique, showing the figure in cuirass combined with the dress she wears in the full statue, was bought by the Belgian government for the same Ministry of Justice that ordered *La Justice conduisant L'Humanité*.⁷³ Consequently, this Ministry housed two very different representations of Justice by one and the same author, one fairly feminine, possibly religiously inspired, and one traditional allegorical figure, reproached for looking too much like Dillens's art. As sources are scarce, the statues' intended audience and function remains unclear, but most probably, they had to personify something of the Ministry's ideal of justice.

Dillens's home community of Saint-Gilles, in the vicinity of Brussels, accommodated a second gable in which he and Bonquet were featured together. As Dillens, living and working in Saint-Gilles, was responsible for the decoration of the new town hall, he employed – amongst other sculptors – Bonquet, who was commissioned to design *l'Industrie* (*Industry*). The sculptor came up with a bare-breasted woman holding an escutcheon. Having Industry personified by a female, bare body could be called a double paradox when thinking of Hobsbawm's analysis: why the bare, female body? Coincidentally, *Industrie* was one of the examples of typical female notions and ditto personifications Dauvé mentioned in his article.⁷⁴ It is, therefore, very plausible the avant-garde journal *l'Art Moderne*'s critic counted Bonquet's *l'Industrie* amongst the Saint-Gilles gable sculptures that had fallen into banality.⁷⁵ A clear exception was made by *l'Art Moderne* for the two sculptures by Dillens, who himself designed *le Droit* (*Law*) and *le Travail* (*Work*), both represented by men. Just like Bonquet in 1908, Dillens was too ill to complete his own work, and his collaborator Joseph Witterwulghe (1883-1967) finished the sculptures according to Dillens's design. For *le Droit*, Dillens opted for a bearded man, carrying books and scrolls. His bearded appearance with prominent cheekbones reminds us of the seated Justice from the 1880 group. Additionally, the Saint Gilles *Le Droit* features multiple (law-) books and scrolls, some of them serving as support for the old man's leg. Is it

[73] EDMOND LOUIS, 'Feu Henri Bonquet', in: *Fédération artistique*, October 26, 1908, 26-27. A specimen of this statuette (46,5 cm), signed H. Bonquet, was auctioned as lot n° 284 on April 28, 2010 at Vanderkindere, Brussels.

[74] L. DAUVÉ, 'Les Femmes dans la sculpture', 386.

[75] Ch. V., 'La décoration du nouvel hôtel de ville de Saint-Gilles', in: *Fédération artistique*, February 21, 1904, 60-61.

possible Dillens hinted at the idea of wisdom when 'the law' was personified as a single virtuous notion, as opposed to the criticized figure by the same name from the 1880 group. There – according to Goffin – she was coldly inflicting a verdict. In Saint-Gilles, this role seems more appropriate for the adjacent sculpture *La Justice* by count Jacques de Lalaing (1858-1917). De Lalaing was a usual victim of *l'Art Moderne's* anti-traditional reproaches. His allegorical figure of *La Justice* holds her sword stretched out in front of her.^[76] It was undoubtedly one of the so-called 'banal' Saint-Gilles gable sculptures *l'Art Moderne* complained about in a review article. Dillens, more importantly, at the end of his life, possibly as a result of the harsh critique his first important artwork received, brought the sexes back to where some, like Dauvé, thought they belonged. In accordance with their inflections, Dillens designed a male *Le Travail* and *Le Droit*.

Conclusion

Over the course of centuries of iconographic tradition, the 'Lady' in 'Lady Justice' has become axiomatic and her beholder therefore almost insensible for its presence. Comparably, after some time, our skin's sensors become adjusted to the presence of a wristwatch, and it is only when the watch's strap is loosened or tightened, that we become aware of its presence. The same is true when the female sex of Justice is, respectively, changed – that is: turned into male – or stressed in its (conventional) femininity. Additionally, my readings of Dillens's and Bonquet's works correspond to Nochlin's statement about the necessary analysis of 'the ways in which representations of women in art are founded upon and serve to reproduce indisputably accepted assumptions held by society in general, artists in particular, and some artists more than others about men's power over, superiority to, difference from, and necessary control of women, assumptions which are manifested in the visual structures as well as the thematic choices of the pictures in question.'^[77] In the representations created by both sculptors (Dillens and Bonquet), most of these assumptions are hidden in the visual structures and thematic choices. Jozef and Guillaume Geefs's sculptures of freedom of education and the Constitution show women's presumed calmness and passivity. Dillens's female *Le Droit* and *Clémence*, who act as muses for the exceptionally male *La Justice*, could be read as portraying women's sexual availability for men's needs. Bonquet's mothering figure of *La Justice* fulfills women's defining domestic role and nurturing function.

[76] De Lalaing's sculpture was part of a pair of statues, *La Justice protectrice* and *La Justice repressive*, of which only the latter made it to the gable. C. LECLERCQ, *Jacques de Lalaing : Artiste et homme du monde (1858-1917) ; avec de larges extraits de son journal*, Brussels, 2006, 133, 350, 532.

[77] NOCHLIN, *Women, art and power*, 1-2.

Using iconographic comparison as well as an analysis of the contemporary *ekphrasis* and terminology used to describe this iconography,⁷⁸ this paper first confirmed how, during the nineteenth century, female allegorical figures were employed to personify abstract notions, despite the fact that real-life women were not involved in the institutions they were made to represent – Law and Justice being clear examples. Moreover, these allegorical figures lacked what was then considered to be true femininity, especially regarding their facial appearance. As it turns out, from the moment an artist as Dillens left these canonical and rigidly gendered schemes of representation, heated reactions followed. By opting for a male Justice, Dillens de facto signed the dead warrant of his sculpture, sentenced to temporariness of execution and submitted to lifelong torture by passers-by. Judging from his own choice of words in the title, Dillens meant for the sculpture group to represent a new, more humane kind of justice, yet in his discourse – or in the description he approved – he implied the very same gendering which was traditionally used: passive for women, active for men. At first sight, Boncquet seems to talk about a new type of justice too, one who is mothering, protecting and helping mankind, instead of mechanically reading the law and wielding her sword, as was the case with Dillens's figure of *le Droit* or Boncquet's own *La Justice* for the *cinquantenaire*. Here again, a clear gender division was applied. Active thinking and decision making were presented as the privilege of the wise and bearded men, judging between right and wrong, or truly using the law books and scrolls, as was the case with Dillens's male *Le Droit* in Sain-Gilles. On the other hand, Boncquet's *La Justice conduisant l'Humanité* might very well be linked to previous works and their iconography – primarily Boncquet's and de Rudder's own mother-child sculptures and the Christian iconography of the Immaculate Conception – rather than to any real reconceptualization of the notion of justice. The cases of *La Justice entre le Droit et la Clémence* and *La Justice conduisant l'Humanité dans la voie du Bien* should above all be seen as individual exceptions proving a tenacious artistic rule when representing the notion and ideal of Justice.

[78] One aspect connecting all of the presented cases, is their need for explanation by means of a subscript or title. At the same time, however, this constitutes part of the weakness of the female allegories. One can think of Feuchères *La constitution/La loi* and the ease with which particular sculptures were renamed. In general, sculpture is more basic in iconography than painting, and therefore, as James Hall argues in his chapter *sculpture and language*, for centuries has needed more subscript than painting. Hall links the origin of this need to the often explicitly public character of sculpture, asking for a clear content. As MP Abbé de Haerne stated during the iconographical Congress Column debate in parliament on June 11, 1853: '*La plupart des monuments n'ont leur signification que par l'inscription ou par la tradition; les statues historiques mêmes sont presque toujours dans ce cas et deviennent une lettre morte, à moins qu'elles ne soient expliquées.*' In all of the above cases, it is this explanation or *ekphrasis*, which proofs the problematic femininity of Justice. J. HALL, *The World as sculpture*, London, 1999, 111-115.; DE HAERNE, in: *Annales Parlementaire, Chambre*, 1852-53, 1671 (June 11, 1853).