

LADY JUSTICE AND THE ARCHANGEL: THE LIKENESS OF JUSTICE IN HEAVEN AND EARTH

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Abstract

Sword and the scales in the hands identify the personification of justice, be it heavenly or profane. The representative of divine justice in Christian art is Saint Michael, the Archangel, while the representative of justice in profane legal contexts is the figure of Iustitia. The two figures rarely ever appear in the same context. Despite the almost identical artistic depictions, their association with the common attributes is based on contrasting, if not opposite, concepts. The article discusses the iconography of the two figures from a comparative perspective and ponders the role of attributes in the reading of their images. Is the message conveyed by the attribute or by the representative person in the case of common attributes? How much can an angel and a personification be regarded as persons at all? What chains the figures to the concept of justice, and to what extent can their artistic attributes entitle the bearers to the concept they represent? Through the examination of diverting associations conceived by strikingly similar compositions, the article explores the meeting points and diversions of Justice in heaven and on earth.

Keywords

Lady Justice. Saint Michael the Archangel. Legal Iconography. Scales. Sword. Blindfold.

Summary

1. Introduction. 2. Identification. 3. Attributes. 4. Conclusion. 5. References.

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1. INTRODUCTION

Visualizing justice as a non-subjective concept is easier said than done, but luckily, art jumps in to help. In profane legal contexts, the representative of justice is the figure of Iustitia or Lady Justice in her more common name; while in Christian art, divine justice is represented by Saint Michael the Archangel. Lady Justice commonly appears in and around courtrooms and other judicial institutions; the Archangel is believed to weigh souls at the Last Judgment to define the otherworldly fate of the deceased. Giotto's fresco in the Cappella degli Scrovegni in Padova (circa 1306); Ambrogio Lorenzetti's *Allegory of the Good Government* in the Palazzo Pubblico in Siena (circa 1339); and the recently unveiled tondo made by Raphael for Pope Julius II in the Vatican Stanza della Segnatura are perhaps the best-known artistic renderings of Lady Justice. Less common in Italian art, the 'weighing of souls' or 'psychostasis' is a common iconographical type of the Archangel in the North, the two most famous images arguably decorating the winged altars of Rogier van der Weyden (circa 1450) and Hans Memling (circa 1470). Both Lady Justice and Saint Michael are supposed to render the invisible and the symbolic into an intellectually more discernible form, while they share the sword and the scales of justice as common attributes in these images. The following article provides a comparison of the two figures as a challenge to reconsider the characteristics of justice and the human understanding of symbols through the use of iconographical attributes in art.

2. IDENTIFICATION

Historically speaking, the two representatives have little to do with each other, even though the profane representative actually also has her roots in the divine world. The Latin name *Iustitia* originates from Greek ideas adopted by the ancient Romans. Within Greek mythology, the concept of justice was personified by various goddesses in charge of justice in diverging senses of the word. *Themis* and *Dike* are perhaps the most commonly referenced among them, with the former meaning primordial, divinely-established justice; and the latter regarding justice safeguarded by human jurisprudence.²

Themis was the Titan goddess in charge of the primeval divine law and order, at the same time a reminder of the divine origins and power of justice. *Themis* instructed humans how to obey laws through the most famous oracles, including Delphi. *Themis* also guarded communal affairs and human assemblies, lending a communal character to the distribution of justice. Importantly, *Themis* herself was not the person who made decisions concerning what was just or not. She was merely the counsellor of her husband *Zeus*, advised him on human conduct and reported the infringement of primal divine laws.³ As we shall see below, presence without participation is a feature she shared with Christianity's *Saint Michael*.

Hesiodos of *Askre* could have been the first who linked the divine and human justice by calling *Dike* the daughter of *Themis* around the early seventh century BC.⁴ *Dike* was the goddess of fair judgements and the

² McDANIEL 2022.

³ THEOI PROJECT *Themis*; GILL 2017.

⁴ *Theogonia*, 901-906, McDANIEL 2022.

rights established by custom and human laws, who presided over the social and political order and the protection of individuals. She protected the wise administration of justice by reporting to Zeus whenever a judge violated justice. Her responsibilities included not only the punishment of injustice, but also the reward of virtue.⁵

Various other deities were also associated with justice, among them Themis' other daughters Eirene (Peace), Eunomia (Lawful Government), and Astraea, the virgin goddess of justice.⁶ The latter bore significant resemblances with the Roman Iustitia. She used to dwell upon earth with mankind until she was repelled by the increasing human lawlessness, and Zeus set her amongst the stars as the constellation Virgo.⁷ The Roman Iustitia was similarly a virgin living among mortals until their wrong-doings forced her to flee and become the constellation Virgo.⁸ Despite the obvious similarities between the two stories, Astraea can hardly be the direct predecessor of Lady Justice in artistic representations. Astraea is depicted with a torch, wings, and Zeus' thunderbolts; whereas Lady Justice is equipped with the scales and the sword, attributes she shared with Themis and Dike as well as with Saint Michael the Archangel.

Identifying the Christian representative of divine justice is significantly more simple. Michael's name appears five times in the Scriptures,⁹ which makes him the most frequently mentioned angel in the Bible. He is also

⁵ THEOI PROJECT *Dike*.

⁶ GILL 2017.

⁷ THEOI PROJECT *Astraia*.

⁸ GILL 2017.

⁹ Daniel 10:5-21 and 12:1-2; Jude 9; Revelations 12:7-9.

the only one denoted as Archangel in the Bible.¹⁰ The Archangel's name is *Mikhael* in Hebrew and *Quis ut Deus* in Latin, which translates as 'who is like God', the exact meaning of which provoked lively theological debates and led as far as the Archangel's possible identification with Christ.¹¹ Michael's freedom from the biblical lack of individuality, characterizing the majority of other angels, assisted artistic inspiration and created an iconographical bloom, also benefiting the weighing of souls compositions.

3. ATTRIBUTES

The pairing of the scales with a sword lends a strange, non-human duality to both the Archangel and Lady Justice. The use of these two instruments requires accuracy and precision but in the opposite senses of the word. Brandishing a sword requires physical strength, speed and momentum; whereas the use of the scales requires absolute stillness. They contrast action and inaction: the arm bearing the sword must be in active movement while the arm holding the scales must be passive.¹² The sword is typically used in moments of emotional upheaval, whereas the scales require complete self-control. These characteristics make the simultaneous use of these two instruments quite ungovernable if not fully impossible – at least for humans. Neither Lady Justice nor the Archangel fully belong to

¹⁰ Jude 9.

¹¹ GIESCHEN 1998; HOFFMANN 2003.

¹² KNOX 2014.

this category, however. The very choice of these two instruments as attributes is suggestive of the superhuman nature of justice.

The idea of law as an objective agency symbolized by the impersonal functioning of a balance is commonly led back to Ma'at personifying the concept of justice in the Egyptian *Book of the Dead*. The idea of a superior being overseeing the judgment and determining the fate of mortals transfers from the Egyptian civilization to ancient Greece, perhaps through Crete. The Egyptian *psychostasia* scenes, however, which showed the weighing of the souls of dead people, translate to ancient Greece as instances of *kerostasia*, the weighing of the fates of people still alive.¹³ Both the Greek and the Egyptian judgments are nevertheless based on the conception of justice as a superior ontological order distributed by an impersonal agency, symbolically embodied by the scales, where the person holding the scales is not identical with the one pronouncing the judgment.¹⁴

The ancient Greeks visually imagined the goddesses of justice carrying scales. The lyric poet Bakchylides (c. 518-451 BC) made the earliest known reference to Dike using the scales,¹⁵ and the balance became Dike's customary attribute by the fifth century.¹⁶ Themis is similarly believed to have held the scales in the now missing left hand in a circa 300 BC marble statue by the sculptor Chairestratos, now in the National Archaeological

¹³ *Iliad* 22:209-213.

¹⁴ LEONE 2017, 8.

¹⁵ *Epinikos* 4:11-13.

¹⁶ LEONE 2017, 8.

Museum in Athens.¹⁷ Astraea was believed to need scales to measure the ears of grain crowning her head.¹⁸

As the Egyptian ideas translated imperfectly to Greek ones, the Greek pantheon was translated imperfectly in Rome. The scales became a shared attribute of the Roman goddesses Iustitia and Aequitas, the latter guarding ‘evenness’, ‘equity’, and ‘impartiality’. In more general terms, Iustitia concerned the lettering of the law, Aequitas its spirit. Accordingly, Iustitia and Aequitas sometimes appeared with the same iconography on imperial Roman coins, indicating that the two goddesses and the concepts represented by them were understood as interchangeable at the very least.¹⁹ Aequitas later turns into the goddess of fair trade concerned with the balances in fiscal terms; while Iustitia becomes a basic Roman imperial virtue. Besides the scales, Iustitia was also depicted with a cornucopia representing the abundance and prosperity stemming from justice. By the Late Middle Ages, depictions of Iustitia holding a set of scales in one hand and a sword in the other had nevertheless become the iconographical standard. Her scales represented the symbolic weighing of pro and contra arguments and the impartial delivery of justice.²⁰

Saint Michael’s association with the scales is more of a mystery. The metaphorical notion of weighing is present in the Bible,²¹ but only later Christian literature turned the scales into the instrument of divine judgment. The idea that the weight of sins burdens the soul at the moment

¹⁷ McDANIEL 2022.

¹⁸ VINCENT 2019.

¹⁹ cf. CICERO, *De Officiis*, 2.5.18 & 3.6.28.

²⁰ McDANIEL 2022; LEONE 2017, 8.

²¹ Job 31:6; Daniel 5:27.

of individual judgment appears in the seventh book of the Divine Institutes (*De vita beata*) by the third-century Christian rhetorician Lactantius. Gregory of Nazianzus explicitly mentioned the scales in technical descriptions of the divine judgment, and so did Pseudo-Dionysius the Areopagite in *Ecclesiastical Hierarchy* (ch. 7, par. 3, section 6). When the Venerable Bede described a monk dreaming that a multitude of gloomy men weighed his soul against his deeds on big scales in the second of the books *De miraculis*, he presented a very visual rendering of the earlier metaphorical ideas.²²

Nevertheless, no Christian author explains why an angel, and among them Saint Michael the Archangel in particular, was assigned the precious role of assisting divine judgment by holding the scales. In the apocryphal Testament of Abraham, the weighing of souls is indeed the task of an angel but this angel is called Dokiel and not Michael. Moreover, the name Dokiel (*dôqî'el*) does not appear anywhere else in the apocrypha and the Hebrew word *dôqî'el* translates as ‘the exact measurement of God’. This makes it unclear whether the text indeed refers to a particular angel or just to the task he performs.²³ Michael’s dispute with the devil over the corpse of Moses in Jude 1:9 certainly contributed to denoting the Archangel the medieval saint of death and the dying, though, which may have played an indirect role of attributing him various tasks related to the moment of death.²⁴

Alternatively, the continuity of religions could arguably have played a role in the process. In the oldest visual representations of divine judgment

²² LEONE 2017, 11-12.

²³ SMITH 1985, 711.

²⁴ ARIÈS 1991, 103; KECK 1998, 159. MÂLE 1986, 354-355;

through weighing in Greek art, the scales are held by Hermes, while Zeus observes the outcome of the weighing. Michael could, therefore, have ‘inherited’ the role from Hermes²⁵ or from Mercury²⁶ once he had also taken over the role of the primary divine messenger in Christianity.

Given that medieval sermons tended to name not Christian authors but images as points of reference when explaining the psychostasis, the association of the Archangel with the weighing of souls may also provide a case when visual imagery inspired texts, as a third option.²⁷ The development of iconography does not contradict the suggestion that the scales had originally been held by the hand of God (*Manus Dei*), which was gradually replaced by an angel. The earliest known weighing of souls composition in Western art, adorning Abbot Muiredach’s Irish cross in Monasterboice (circa 923), shows the scales fitted to the upper frame of the composition by chains. A larger but rather blurred figure standing by the positive pan gives no evident sign of being an angel here. The scales are nonetheless indeed held by the *Manus Dei* and a large, unidentified angel is protectively leaning over the positive pan of the scales in Gislebertus’s Last Judgment tympanum in Autun (circa 1130). A circa 1150 capital by the hands of the sculptor Gofridus in the choir ambulatory of the Saint Peter Church in Chauvigny in France could be the earliest example where the identification of the angel as Saint Michael is literally carved in stone, with the inscription ‘*Micael Arcange<lus>*’ decorating the

²⁵ PERRY 1913a, 102.

²⁶ MÂLE 1986, 375-377.

²⁷ ‘*Tertium privilegium [Michaelis] est ponderandi officium habere ut patet in picturis quae sunt libris laicorum*’, PELBARTUS DE TEMESVAR 1500, sermon nr. 68; see also HEROLT 1480, sermon nr. 38; LOCHMAIER 1497, sermon nr. 85; ESZENYI 2020, 4.

weighing angel's halo.²⁸ The diffusion of the cult of Saint Michael may have contributed to the weighing angel's identification as Saint Michael by this time. Psychostasis reliefs dated circa 1100 and 1050-1100 have been preserved from the Archangel's famous medieval grotto in Monte Gargano, providing the visual imagery the pilgrims took home to their home countries as spiritual souvenirs.²⁹

One must also wonder whether Iustitia's much older iconography could have lent the scales to the Archangel, as the attribute befitting the person assisting the bureaucratic process of delivering divine justice. In visual imagery, however, there is a major difference between the contents of their scales. The pans of Lady Justice's scales are normally empty, although Giotto and Lorenzetti's celebrated compositions provide famous exceptions from this unwritten rule – and as we shall see below, the most famous psychostasis representations are similarly not free of iconographical anomalies.³⁰ In more general terms, however, images of a loaded balance in the hands of Lady Justice typically warn of corruption or endangered justice in profane legal contexts.³¹ On the contrary, the pans of the Archangel's scale tend to show great variety. They commonly hold the good and bad deeds of the dead soul as identified by tiny human figures, whose gestures often express joy or sorrow; but sometimes multiple figures appearing in the same pan suggest that a single sin can be equivalent to several virtuous acts and vice versa. The pans may also

²⁸ KÜNSTLE 1926, 249-250.

²⁹ D'ELIA 1999, cat. nr. 17 (81-82) and nr. 18 (82); ESZENYI 2016, 71-75.

³⁰ BIAGIOLI 2019, 290 and 299; ENGLARD 2009; FROJMOVIĆ 1996; LACKEY 2005.

³¹ BIAGIOLI 2019, 286 and footnote 20.

contain various objects or even symbolic animals referring to the corresponding doctrines of the Church.³²

Art has also found creative ways to warn of tampering with justice through the unfair loading of the scales, though in very different ways in case of Lady Justice and the Archangel. In secular contexts, a blindfolded Lady Justice serves as a reminder that the fair and equal administration of the law is preconditioned by objective impartiality; that justice is not, and should not be, subject to influence by prejudice or corruption. Modern descriptions of a blindfolded Lady Justice diverted from the antique artistic traditions, as the goddess Themis' ability to foresee the future as a Delphi oracle would not have been compatible with imagining her as blind. Iustitia was also clear-sighted on Roman coins under Tiberius, and received her blindfold well after the Roman times. The oldest known depiction of Justice wearing a blindfold is a satirical woodcut illustration published in 1494, possibly by the hands of Albrecht Dürer. [Hans Gieng](#)'s 1543 statue on the [Gerechtigkeitsbrunnen](#) in [Berne](#) is commonly listed as the earliest known representation of legal impartiality symbolized by a blindfolded Lady Justice.³³ The type may not have become an immediate standard, though, as the 1618 version of Cesare Ripa's influential *Iconologia* describes Lady Justice with very sharp eyesight ('occhi di acutissima vista'). A supplementary description in the 1625 version nevertheless described her wearing a blindfold ('habbia gli occhi bendati') and corresponding to later representations.³⁴

³² PERRY 1913b, 208-209. Besides gestures, the light and dark colouring of the contents of the pans can also differentiate the positive and negative sides, PERRY 1913a, 103-105.

³³ McDANIEL 2022; JAY 1999, 19-20.

³⁴ LEONE 2017, 13.

As long as the blindfold is meant to symbolize prevention from corruption, avarice, prejudice, favours and the like, it would hardly make sense on the eyes of Saint Michael. The danger of such sins can hardly menace an angel. What is more, the Archangel does not always appear as the enemy of intended partiality and the unfair loading of the scales. In early psychostasis compositions, the positive and negative sides are identified by larger angel and devil figures situated by the respective pans instead of a tilt of the scales.³⁵ Once the scales tilt, tricky little devil figures make desperate efforts to make the negative pan heavier by making all kinds of imaginable efforts. They were common in medieval Hungarian territories, for instance.³⁶ Counterbalancing the devils' efforts, the positive tilt can be influenced by a second angel, perhaps the guardian angel of the soul being weighed; and the intercession of saints in determining the fall of the balance is occasionally also portrayed.³⁷ The type where Mary is placing a rosary into the pan or holding it towards the occupant is typical of the English art of the second half of the fourteenth and the beginning

³⁵ Examples include the Last Judgment mosaic in Torcello (circa 1200); an 1100s relief on the north jamb of the west facade in Arles; and the earliest known English wall painting in the Church of St. Peter and St. Paul in Chaldon, Kent (circa 1170), PERRY 1913b, 216. Perry linked the very presence of the devil at the weighing of souls to the *Legenda Aurea* stating that the devil will claim the soul at the Last Judgment, PERRY 1913a, 103.

³⁶ ESZENYI 2020, 6-7.

³⁷ Saint Margaret appears in a similar role in a wall painting at Preston Church, Sussex. An old German woodcut shows Christ, the Virgin, a saint and a man of holy life standing by the heavier pan, without any known textual source for this type of group intercession at the psychostasis, PERRY 1913b, 210-215.

of the fifteenth centuries.³⁸ This implies that divine judgment does not always follow the tilt of the scales.³⁹

The tilt normally sets the negative pan higher, most probably on the basis of Daniel 5:27 ('thou art weighed in the balances, and art found wanting'). Every once in a while, however, art history encounters compositions where the tilt of the scales is just the opposite of that prescribed by the written tradition, such Rogier van der Weyden's above mentioned Beaune altar piece, or Andrea della Robbia's charming lunette made for the church of San Michele Arcangelo in Faena around 1475 and now in the Metropolitan Museum in New York.⁴⁰ The reasons are another mystery around psychostasis representations. The artist might have made this choice due to the age-old positive associations with high and negative associations with low; to heaven being imagined up in the sky and Hell deep down in the earth in Christianity; or simply might have made a mistake.

³⁸ E.g. in wall paintings in the churches of Bovey Tracey, Catherington, Lenham, Islip, Beckley, South Leigh, Corby, Worcester. The scene recalls the *Legenda Aurea* chapter on the Assumption mentioning a monk living an evil life but diligent in the recitation of the *Ave Maria*. The pictures might imply that good can outweigh evil through devotions of the rosary, HILDBURGH 1947, 129.

³⁹ ARIÈS 1991, 101. Sermons also refer to the a sinner mentioned in the *Legenda Aurea*, who saw his own divine judgment in a vision. His sins far outweighed his good deeds but when Satan claimed his soul, the man appealed to the Virgin Mary, who immediately placed her hand upon the positive pan and thus rendered Satan powerless, PERRY 1913a, 104; PELBARTUS DE TEMESVAR 1500, sermon nr. 68.

⁴⁰ RAGGIO 1961, 135. Examples also include a diptych by Bernardo Martinei, the Last Judgement in the book of hours of Maréchal de Boucicaut, a spandrel in the south eastern transept of the Worcester cathedral, and an unusual painting of a wingless Saint Michael from the school of Castile (circa 1465).

The positive pan might also be raised for compositional reasons, in order to keep the soul away from the apocalyptic dragon in images illustrating Revelations 12:7-9, and merging the two iconographical types of the Archangel.⁴¹ The sword or occasional lance in the Archangel's hand may be raised in a *psychomachia* type confrontation with evil appearing either in the form of the apocalyptic dragon or the cheating devil(s), or both in the same image. The archangel raises his sword to protect the soul: either from the menacing dragon representing damnation, in which case the sword might represent the force of divine mercy together with the aforementioned representation of the intercessors; or from negative influence of cheating devils at the judgment, in which case he guards the objective impartiality of divine judgment.

In the latter case, his sword serves very similar functions to that of Lady Justice. She inherited the sword from the goddess Dike, who was often depicted in a fight with Aidikia, the goddess of injustice. The sword of Lady Justice is believed to be double-edged, symbolizing the power which may be wielded for or against any party. Her sword signifies the power and right to punish held by those making the decision, the eventual enforcement of justice through state-sanctioned violence.⁴²

4. CONCLUSION

⁴¹ In an altar piece of Saint John the Baptist, Michael occurs amongst various other saints and both the scales and the dragon serve as his attributes, PERRY 1913b, 217.

⁴² McDANIEL 2022.

As Foucault pointed out, to challenge power is not a matter of seeking some ‘absolute truth’, which is in any case a socially produced power. It is a matter ‘of detaching the power of truth from the forms of hegemony, social, economic, and cultural, within which it operates at the present time’.⁴³ The iconography of the ideal of justice seems to aim for the same, to visualize the power of an impartial, objective truth on a higher ontological level. This is a likely reason why both profane and Christian contexts separate the figure measuring arguments pro and contra from the figure pronouncing the judgment.

Sword and scales identify the personification of justice, be it heavenly or profane. However, irrespective of their almost identical depictions, Saint Michael and Lady Justice rarely ever appear in the same context. Their association with the shared attributes is based on totally different, if not opposite concepts. Over millennia, the images of three goddesses merged to become the internationally recognized figure of Lady Justice. Saint Michael has been a relatively well-defined, yet fittingly mysterious figure in his role as the one and only biblical Archangel.

Lady Justice inherited her attributes from her Greek divine predecessors, and perhaps so did Michael, though art history research cannot yet offer an acceptable explanation for the association of Saint Michael with the scales. In both contexts, the scales call attention to the very necessity of measuring before deliberation. The scales of Lady Justice are typically empty, in order to show the importance of arriving at an objective, impartial judgment, which is reinforced by the blindfold she is wearing.

⁴³ RABINOW 1991, 75.

Conversely, the Archangel's scales rather creatively depict both the negative and the positive influence of weighing, and through them, the power of divine mercy. The Archangel uses the sword to protect the person being judged; while Lady Justice claims the socially granted power and right to punish.

The different associations lying behind strikingly similar representations raise the question whether the message is conveyed by the attribute or by the person depicted? Both of the characters are mere representatives of justice, neither is the decision maker. The archangel is an independent entity; while Lady Justice remains the personification of a concept. Their attributes identify the figures but do not differentiate the sacred and the profane worlds, at the same time raising the concept of justice to the status of a common value and shared meeting point of heaven and earth.

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