

# Justice and History

In September 1850 Congress appropriated \$100,000 for expansion of the United States Capitol. Philadelphia architect Thomas U. Walter was selected to design and construct the addition. In 1853 the project was transferred to the Army Corps of Engineers under the direction of Secretary of War Jefferson Davis. While Walter remained as architect, Montgomery C. Meigs, a 36-year-old captain in the Corps of Engineers, was named superintendent of the Capitol extension and placed in charge of the construction. Meigs believed that the extension should be decorated in a highly elaborate style to rival the great buildings of Europe, and he and Davis worked together to make the Capitol a showcase of the arts.

As part of that effort, Meigs asked artists Hiram Powers and Thomas Crawford to submit designs for sculpture for the new pediments planned for the Senate and House extensions and for the areas above the adjoining doorways. Crawford submitted a series of designs for the projects. For the Senate doorway, he proposed a grouping of two reclining female figures: Justice and Liberty. He received the commission, and in his final drawing he changed Liberty to History.

In Crawford's *Justice and History*, Justice, the figure to the right, is half reclining and heavily draped like a Roman matron at a banquet. She supports a large tome with the words "Justice, Law, Order" and rests her right elbow on the visible portion of a globe draped with the stars and stripes. Her right hand holds the scales of justice, which lie loosely on the edge of the base, their chains slack. The History figure has long flowing hair crowned with a laurel wreath. She holds an open scroll, with the top draped over a plinth, on which the words "History July 1776" are inscribed.

When the Capitol building was transformed by the grand architectural extension and new dome designed by Thomas U. Walter in the 1850s, only Constantino Brumidi was awarded more important commissions for its decoration than Thomas Crawford. Crawford was contracted to provide an enormous amount of sculpture for the building: bronze doors for the eastern entrances to the House and Senate wings, the marble pediment sculpture for the Senate wing and a statuary group for the main Senate entrance, and, ultimately, the pinnacle of the entire Capitol, the bronze *Statue of Freedom* atop the dome. (For his many contributions to the Capitol, Crawford is memorialized with a bust [p. 88], displayed in the Senate wing.)

Crawford had been apprenticed to a wood carver at the age of 14. By about 1832, he was employed by the prominent New York stone-cutting firm operated by John Frazee and Robert Launitz. There he was assigned the customary work on gravestones and mantelpieces and assisted in the execution of portrait busts. Crawford also enhanced his artistic development by sketching casts from the collection of the National Academy of Design. In 1835 he moved to Rome and became the first American sculptor to settle there permanently. Once in Rome, he gravitated quickly to the studio of Bertel Thorvaldsen, perhaps the most famous sculptor of his day. Thorvaldsen's neoclassicism was the most important influence on Crawford. In 1839 Crawford gained widespread acclaim for his statue *Orpheus*, which led to numerous commissions for allegorical and mythological figures.

While construction of the Capitol extension was still under way, Montgomery Meigs, superintendent of the Capitol extension, was busily attending to the decorative commissions as well. In August 1853 he wrote to Crawford in Florence, principally about the pediment and doorway on the east front of the new Senate. "I do not see why," he claimed, "a Republic so much richer than the Athenian should not rival the Parthenon in the front of its first public edifice." Crawford responded at the end of October, describing his ideas for the pediment and for the two allegorical figures over the doorway—*Justice and Liberty*—and concluding, "My price for the whole of them is \$20,000." The offer was approved by Jefferson Davis, secretary of war, and accepted by Meigs in a letter of November 30, 1853. In the initial design, Liberty wore a pileus, the cap worn by freed slaves in ancient Rome, and Justice held a bundle of rods

*Justice and History*

**Thomas Crawford (1813/1814–1857)**

Marble, modeled 1855–1856, carved ca. 1858–1860

46 x 134 x 26 inches (116.8 x 340.4 x 66 cm)

Unsigned

Commissioned with funds appropriated for the extension of the United States Capitol, 1853

Accepted by the U.S. government, 1860

Cat. no. 25.00002





*Justice and History*, ca. 1863, before installation over the Senate doorway.  
(Architect of the Capitol)

and an ax, Roman symbols of authority. Jefferson Davis was satisfied with the overall design, but he objected to the symbolic Roman elements, which he felt were inappropriate iconography for America. Both Meigs and Davis asked Crawford to change some of the details but to maintain the basic composition. Crawford agreed. “I have changed the Liberty into a figure of History (and thus avid [sic] the ‘cap’),” he responded to Meigs. In July 1860, Crawford was paid the agreed-upon price of \$3,000 for “modelling in plaster and cutting in marble Statues of ‘Justice and History’ including marble.”

Of all the sculptural projects awarded to Crawford for the new extension, *Justice and History* seems to have been almost an afterthought. First conceived (by Meigs) as a relief sculpture, it became not only the subject of disagreement over the symbolic attributes but also part of an ongoing gentlemanly controversy over whether it and the other sculptures should be carved (or, if bronze, cast) in Europe or America. In addition, it was continuously postponed in favor of larger, clearly more significant projects. The planned placement of the figures was not very advantageous. Perched on a cap supported by massive brackets above the bronze door of the Senate wing, east portico, with their heads overlapping the windowsill behind them, they lacked a proper stage. Their back-to-back reclining position suggested a placement within a small tympanum, but no such framing element was provided.

Allegorical figures were certainly not new in American sculpture, and neoclassicism was the favored “high” style among academically trained European and American sculptors. For many viewers, the classical style embodied a rigorous intellectual and moral integrity that suited the ideals of the new republic. But there was in the young country only a small, classically educated audience for the allegorical content. If simple enough, it was acceptable, but sometimes allegory failed, as with the notoriously negative public reaction to Horatio Greenough’s colossal half-nude statue of George Washington, which prompted Meigs to caution Crawford in a 1853 letter:

Permit me to say that the sculpture sent here by our artists is not altogether adapted to the taste of our people. We are not able to appreciate too refined and intricate allegorical representations, and while the naked Washington of Greenough is the theme of admiration to the few scholars, it is unsparingly denounced by the less refined multitude. Cannot sculpture be so designed as to please both? In this would be the triumph of the artist whose works should appeal not to a class but to mankind.

Clearly this is not a condescending attitude, for Meigs was determined that the Capitol and its decoration should be admired by the “less refined multitude.” He gave Constantino Brumidi the painter more leeway in the matter of allegory than he was willing to allow Crawford the sculptor, perhaps because sculpture principally adorned the exterior of the building and thus was seen by more people. It was the large, multi-figure pediment that most preoccupied both Meigs and Crawford in this discussion, and Crawford proved quite amenable to satisfying Meigs’s concerns: “I fully agree with you regarding the necessity of producing a work intelligible to our entire population. The darkness of allegory must give place to common sense.”<sup>1</sup> What applied to the pediment applied as well to *Justice and History*. The simplified allegories of book, globe, scales, and scroll, certainly, were clear to the multitude and easily appreciated.



***Justice and History* with extensive deterioration evident, 1957.**  
(Architect of the Capitol)



The completion of *Justice and History* was long delayed. A year after the contract was concluded, Crawford had done no more than send sketches to Washington, and on December 13, 1854, he asked Meigs's permission to postpone modeling them until the dimensions of the doorway had been firmly decided. On June 10, 1855, he wrote that he would "immediately proceed with the group." By November, the figures were apparently in process, though not complete, and on May 21, 1856, he reported to Meigs that the models were entirely finished. Now he was awaiting approval or rejection of his request to have them carved in marble in Italy, where he could supervise the production. In a subsequent letter to Meigs, Crawford complained of a problem with his left eye. This illness, a tumor, rapidly worsened, and over the next months, although he was able to do some finishing work on his colossal model of *Freedom* for the Capitol dome, it was apparent that Crawford's ability to sculpt was seriously affected.



Detail showing damage to *Justice*, 1957.  
(Architect of the Capitol)

A letter of April 1, 1857, from the ailing artist to Meigs, asked for an advance in order to buy the marble to carve the figures. Meigs, who "had supposed from [Crawford's] former letters that they were underway," nonetheless agreed to make the funds available.<sup>2</sup> By then the cancer had spread to Crawford's brain and, despite medical treatment in Paris and London, he died on October 10, 1857. Neither *Justice* nor *History* had been carved. Crawford had always urged Meigs to allow the carving of his marbles and the casting of his bronzes to be done in Rome. Meigs, on the other hand, had wanted them to be executed in the United States, to give native carvers and casters much-needed experience. Meigs prevailed for all of Crawford's works but *Justice and History*.

Crawford's widow, Louisa Crawford, who took over her husband's business affairs after his death, asked Meigs to allow *Justice and History* to be carved from Carrara marble in Italy, in part because "there are no duplicates cast, and . . . if lost they are irretrievably gone." Meigs relented, and the marbles were made in Italy between 1858 and 1860. The two pieces were shipped to the United States in 1860 and installed three years later above the Senate entrance on the east front of the Capitol.

Meigs's acquiescence on the carving location proved unfortunate, for of Crawford's marble sculptures at the Capitol, only *Justice and History* deteriorated severely, eroded by the elements. By the mid-20th



**The marble reproduction of *Justice and History* above the Senate pediment, 1974.**  
(Architect of the Capitol)

century, the head of *History* and the face of *Justice* were nearly gone, and the figures were severely flaked and cracked. In 1974 they were removed and heavily restored; Francesco Tonelli of the Vermont Marble Company carved copies of the originals. Tonelli's marble reproductions were installed in the original location above the Senate doorway, and the repaired *Justice and History* was placed on display inside the Capitol.