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## **Only the dead can tell us: on ancestor worship, law, social status, and gender norms in ancient Egypt**

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## **Mission statement, *status quaestionis*, and structure of the research**

Funerals and other kinds of commemorations in honour of the dead often involve aims far more complex than merely benefiting the deceased and, in cultural contexts characterised by significant social inequalities, these rituals could become a powerful tool serving elite self-presentation.<sup>1</sup> Especially in societies where social roles, or even offices, are traditionally handed down within the same family through generations, the rituals inherent in the sphere of death can be fashioned as special occasions to publicly ratify the transmission of power from a deceased person to the legitimate successor.<sup>2</sup> From this perspective, as noted by the anthropologist J.R. Perodie, funerals can be considered one of the foremost “formal condition for political advancement”.<sup>3</sup> Scholars have also pointed out how actions aimed at periodically praising deceased family members – in other words, the so-called “ancestor worship” – usually play a crucial role in establishing and justifying social behaviours, including the rules governing inheritance and succession.<sup>4</sup>

Several elements suggest that these kinds of phenomena characterised Pharaonic culture as well. The importance of feasts as a tool to cement social relations has been for example highlighted by H. Jauhiainen,<sup>5</sup> and the customary rule according to which “the property is given to the one who buries” is probably the most striking evidence of the connection between funerary and mortuary rites, inheritance and succession within this ancient culture.<sup>6</sup>

In the light of these premises, the main aim of the present thesis is to investigate the authoritative role of the ancestors in matters of social cohesion, succession, inheritance and property ownership. In particular the purpose is to ascertain whether religious sources concerning the cult of the ancestors can provide concrete evidence on how justice was actually administrated in Ancient Egypt.

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<sup>1</sup> B. Hayden 2010, 29-30.

<sup>2</sup> B. Hayden 2010, 29-30.

<sup>3</sup> J. R. Perodie 2010, 205-206.

<sup>4</sup> J. Goody 2004, 412; C. J. Calhoun 1980, 304-319.

<sup>5</sup> H. Jauhiainen 2008.

<sup>6</sup> J. J. Janssen and P. W. Pestman 1968, 137-170; P. W. Pestman 1969, 58-77.

The title of the present research – *Only the dead can tell us* – derived indeed from the idea that this core of religious beliefs, which also included necromantic practices, can be invaluable for better understanding Ancient Egyptian society and justice.

Specifically, the study will focus on three main research questions:

- What are the factors intrinsic to the history of Egyptology that led to an underestimation of the role played by ancestor worship in both the juridical and the economic sphere?
- Is it possible to identify specific ceremonies focused on the passage of power from the deceased head of the family to the legitimate heir, which were strictly intertwined with both funerary and mortuary rituals? If yes, how and where were they performed? Furthermore, what role did women play in this kind of religious beliefs and practices?
- Is it possible to recognise an actual involvement of the ancestors in the legal practices pertaining to inheritance and succession and the ownership of certain kinds of properties? If yes, how have these kinds of beliefs and practices evolved through time?

Since these research questions aim to explore a very specific intersection between law, economy, and religion, they can hardly be framed within a sole line of research already consolidated and formally recognised in Egyptology. Therefore, with regard to the current *status quaestionis*, it is possible to identify, in a purely heuristic way, three different research areas – partly overlapping with each other – from which the present work stemmed.

Studies focused on ancient Egyptian law have already identified a strong connection between the act of taking care of both the funerary and the mortuary rituals of the deceased and the right of claiming the inheritance of the latter.<sup>7</sup> The importance of the “kinship logic” as an element characterising both ancient Egyptian society and law was highlighted by M. Campagno.<sup>8</sup> Particularly significant is also a category of documents – known in the scientific literature as “Letters to Dead” – which were often addressed to a deceased ancestor to solve legal disputes concerning inheritance issues. In this regard, there is a still

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<sup>7</sup> J. J. Janssen and P. W. Pestman 1968, 137-170; P. W. Pestman 1969, 58-77.

<sup>8</sup> M. Campagno 2006.

ongoing debate. While most Egyptologists showed a certain tendency to identify them as a form of “legal fiction” and therefore as a magical/performative action to ward off an opponent,<sup>9</sup> or, at least, as the “final attempt of an individual to seek justice, the legal system proper having failed”,<sup>10</sup> others posited how these written sources may have had a certain degree of legal value. The latter hypothesis was first put forward by S. Morenz in 1949, who interpreted some excerpts from the Letters to the Dead as the evidence of a necromantic practice aimed at bringing back to life the mummy of the deceased and letting the latter testify in front of a tribunal.<sup>11</sup> Although Morenz’s interpretation was based on extremely weak arguments, some of which are no longer acceptable in the light of the knowledge currently attained on the subject,<sup>12</sup> starting from the 2000s, the necromantic hypothesis gained new supporters. The first re-evaluation of the label “necromancy” to better understand certain Egyptian religious practices, such as the Letters to the Dead or the oracular consultations, was proposed by R.K. Ritner in 2002.<sup>13</sup> Two years later, in 2004, D. Farout interpreted some passages from a Letter to the Dead as the evidence of a necromantic action aimed at summoning a dead through a human medium in order to settle a legal dispute.<sup>14</sup> A similar interpretation has been subsequently supported by S. Donnat Beauquier.<sup>15</sup> J. Hsieh also addressed this concept in her recent monograph, even though she did not explore the potential legal function of these documents.<sup>16</sup> On the other hand, especially J. C. Moreno García and S. Donnat Beauquier have considered the Letters to the Dead in some ways comparable to the oracular consultations which were often involved in the settlement of legal issues,<sup>17</sup> a hypothesis that has been further developed in the present thesis. It is also important to stress that H. Willems highlighted how a group of Coffin Text spells (especially CT spells 30-41), designated by him as “spells without mythology” – since the traditional gods seem to play a rather minor role while the main focus centres on

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<sup>9</sup> See, in particular, G. Miniaci 2014 and 2016, 88-105.

<sup>10</sup> R. Jasnow 2003, 132-133.

<sup>11</sup> S. Morenz 1945, 298-300.

<sup>12</sup> Specifically, as regards the translation of the verb *tsi*, literally “rise”. According to Morenz, it would indicate the action of bringing a deceased back to life in order to testify in a court (see S. Morenz 1949, 298-299). However, a subsequent analysis by Grieshammer showed that the verb, especially in legalistic context, was used to indicate the action of being in sharp conflict with someone or to face an enemy during a trial. See also: R. Grieshammer 1975, 867; R. Grieshammer 1970, 17-18.

<sup>13</sup> R.K. Ritner 2002 A, and 2002 B. On the other hand, it is important to stress that Ritner is more prone to consider the Letters to the Dead more as a magical action to seek vindication against an enemy, comparable to execration rites. See: R.K. Ritner 1994, 180-183.

<sup>14</sup> D. Farout 2004, 51.

<sup>15</sup> S. Donnat Beauquier 2009, 84.

<sup>16</sup> J. Hsieh 2022, 313-314 and 4-9.

<sup>17</sup> S. Donnat Beauquier 2014, 144-145; J.C. Moreno García 2010.

the interactions between the living and the dead – not only shows significant stylistic similarities with the Letters to the Dead, but can be understood as the specific liturgy enacted during the ritual deposition of these documents inside or in the vicinity of the tombs.<sup>18</sup> This element allows us to easily understand how the public performances carried out during both the funerary and the mortuary rituals involved a rather complex core of meanings and values, and, as H. Willems himself underlined, it is possible to assume that such an “interconnection between inheritance and performance of the rituals for the deceased” was probably “the model from which conceptions about life after death were derived”.<sup>19</sup>

Recent interpretations that emphasised the potential legal purpose of the Letters to the Dead must be understood within the broader context of the recent developments in studies concerning Ancient Egyptian ancestor worship. Although earlier Egyptological thoughts exhibited a certain reluctance in accepting the existence of such beliefs in pharaonic Egypt,<sup>20</sup> the veneration of deceased forebears has been shown to have played a major role not only in the context of domestic cults but also in the establishment and maintenance of power relations in both elite and royal spheres.<sup>21</sup> For example, Y.M. el Shazly has demonstrated the importance of the posthumous veneration directed towards certain members of the royal family in the specific context of the “worker’s village” of Deir el-Medina. Although the existence of this religious phenomenon had already been highlighted by various prior studies, Y.M. el Shazly's monograph distinguished itself by introducing the concept of "superior ancestor worship" into Egyptology, a notion previously elaborated by the anthropologist D. Sheils.<sup>22</sup> This concept refers to the dynamic according to which the ancestors of the hegemonic group occupy a paramount role not only within the confines of the most powerful family but also as supernatural beings capable of influencing (either protecting or punishing) all members of the community, regardless of their social background.<sup>23</sup> A recent monograph published by J. Troche has highlighted how the

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<sup>18</sup> H. Willems 2001, 253-256.

<sup>19</sup> H. Willems 2001, 369. See also: H. Willems 2014, 184-192.

<sup>20</sup> This is an aspect that will be thoroughly explored in Chapter 2.

<sup>21</sup> A turning point, in this regard, can be identified in aforementioned monograph by R. J. Demarée (1983), which inaugurated the study of ancient Egyptian ancestor worship in a sociological perspective and opened the path to several subsequent works: J. Lustig 1993; H. Willems 2001; Moreno García 2010; N. Harrington 2013; R. Schiavo 2014, 153-162; J. Troche 2018, 465-475; Y.M. el Shazly 2015; J. C. Moreno García 2016; L. Weiss 2015, 50-63; L. Weiss, 2021, 219-235; J. Troche 2021.

<sup>22</sup> Y.M. el Shazly 2015, 4 and note 17.

<sup>23</sup> D. Sheils 1980, 254.

apotheosis of some deceased nomarchs played a significant political function in legitimising the power of the local rulers during the First Intermediate Period and the Middle Kingdom, and how these types of religious facts were absorbed and reformulated by the royal power after the reunification of Egypt.<sup>24</sup>

From this perspective, it can be argued that studies focused on ancient Egyptian ancestor worship have proven to be one of the most fertile research areas for better understanding various aspects of ancient Egyptian culture through a sociological point of view. M. Fitzenreiter, in particular, has emphasised the social functions of Egyptian ancestor worship in regulating both power relations and succession.<sup>25</sup> Additionally, subsequent articles by the same author highlighted how the mortuary rituals dedicated to elite members – and the estates funding these posthumous cults –involved a broad network of people who was not limited to blood relatives but also included individuals connected to the extended family through various patronage relationships;<sup>26</sup> in sum, in Ancient Egypt, kinship ties were, at least in part, a cultural construction, that could be dismantled and reconstructed to meet the specific needs related to the self-presentation of the elites or the royal family.<sup>27</sup>

Recent studies have also focused on the role of necropolises as special liminal places, which were not only designed for seeking contact with the dead, but also to serve as ideal settings for showcasing social status, fostering social bonds, and shaping both individual and collective identities.<sup>28</sup> In this regard, it is worth mentioning a recent monograph by L. Olabarria aimed at approaching the complex issue of ancient Egyptian kinship from a fresh perspective that draws inspiration from modern social anthropology.<sup>29</sup> Although this study highlights the role of the deceased as active members of the family group,<sup>30</sup> Olabarria's methodology has been criticised for an inherent tendency to produce oversimplified interpretations, which neglected some mechanics characterising the complex interactions between the living and the dead documented in the sources she considered.<sup>31</sup> For example, as stated by R. Nyord, some of the stelae analysed by Olabarria clearly show more than an individual as cult recipients; it follows that the ritualists mentioned in those documents

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<sup>24</sup> J. Troche 2021, 90.

<sup>25</sup> M. Fitzenreiter 1994, 55.

<sup>26</sup> M. Fitzenreiter 2005 A, 91-92.

<sup>27</sup> M. Fitzenreiter 2005 B, 10.

<sup>28</sup> L. Weiss 2019; J. Baines 2022.

<sup>29</sup> L. Olabarria 2020, 3-15 and 96-114.

<sup>30</sup> L. Olabarria 2020, 70-71; 92-93.

<sup>31</sup> J. Budka 2021, 199.

should be related not to the owner of the stela but to the deceased ancestors for whom the mortuary ritual was performed.<sup>32</sup> Furthermore, her observation that “several letters to the dead are addressed to women, who are meant to intercede in favour of the deceased in the hereafter and assure the wellbeing of living members of their family, but they do so in their role of efficient and effective dead rather than on the basis of their gender”, can be easily questioned, especially in light of what is stated in chapter 5 of the present thesis.

Last but not least, the topics addressed herein are closely tied to a wider problem concerning the methods used in Egyptology to approach religious facts, and the dialogue of the latter discipline with other academic fields, above all, history of religions, Cultural Anthropology, and Sociology. This is not an absolute new area of interest and indeed it is beyond the scope of the present thesis to provide a comprehensive overview of the current state of the art related to this issue. On the other hand, it is of the utmost importance to highlight certain problematic recurrent tendencies that have characterised scholarly approaches to ancient Egyptian religion. M. Fitzenreiter, for example, has pointed out how traditional Egyptological studies mostly approached religion from a theological point of view, while “social aspects of religious practice were not at the center of earlier research”.<sup>33</sup> Both J. Baines and L. Weiss have stressed that Egyptology has shown a tendency to emphasise the unique role of Pharaonic Egypt as the place of origin for the most salient traits typical of the great monotheistic traditions – above all, those of the so-called personal piety or a positive attitude towards the afterlife – to the detriment of other aspects, such as those involving the interactions between the living and the dead.<sup>34</sup> These problematic approaches also involved another issue: the ways in which certain interpretative schemes, typical of earlier anthropological thoughts, have been passively assimilated by modern and even contemporary scholars.<sup>35</sup> As posited by H. Willems, these, often unconscious, tendencies have resulted in the misinterpretation of several ancient Egyptian written sources in which the kind of supernatural entities we are accustomed to label as 'gods' are absent or play a minor role.<sup>36</sup> This is especially true for a group of documents that constitute the main object of analysis of the present thesis – the Opening of the Mouth ritual scenes 9 and 10, the Tekenu ritual, the Haker feast, and the so-called “Letters to the Dead” – which

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<sup>32</sup> R. Nyord 2021 B, 208-209.

<sup>33</sup> M. Fitzenreiter 2018, 53.

<sup>34</sup> J. Baines 1983, 80; J. Baines 2011, 42; L. Weiss 2015, 179-180.

<sup>35</sup> H. Willems 2013; R. Nyord 2018.

<sup>36</sup> H. Willems 2013, 412-413.

have often been understood in the light of an interpretative bias strictly linked to an evolutionistic unilinear vision of human history and, therefore, considered as a mere survival of 'archaic' religious facts.

The starting point of the present thesis has thus been that of analysing these sources – which only at a superficial level show a lack of mythological references– in order to better understand their actual meaning as dramatic and/or collective rituals and their involvement in the administration of justice and the legitimation of social status.

To fulfil this aim, the thesis has been structured as follows. Chapter 1 is dedicated to the methodology, with special attention to the role of comparativism in the history of religions; in addition, the relevant terms and concepts are discussed and defined. Chapter 2 consists of a critical approach to previous studies; rather than focusing exclusively on the topic of ancestor worship and its role in Egyptology, as mentioned above, a wider problem has been identified and deepened: that of certain dramatic rituals – the Opening of the Mouth Ritual, the Tekenu Ritual, and the Haker feast – which have been incorrectly considered as survivals of archaic shamanic practices rather than as contemporary expressions of ancestor worship. This approach has turned out to be particularly useful to the first research question and thus to understand the factors that led to an underestimation of the role played by the Egyptian ancestor worship in both the juridical and the economic sphere. Chapter 3, 4 and 5 are dedicated to the analysis of the sources. In chapter 3 all the main data currently available concerning the Opening of the Mouth Ritual scene 9 and 10, the Tekenu ritual and the Haker feast have been translated and analysed in order to fully understand their actual meaning and function. Chapter 4 and 5 focus on the so-called Letters to the Dead; specifically, chapter 4 analyses the Letters to the Dead written to settle inheritance, or economic-related issues, while chapter 5 focuses on the Letters to the Dead addressed to deceased women in order to analyse these kinds of beliefs from a gender perspective. Chapter 6 is dedicated to a comparative study between pharaonic Egypt and other societies of the Ancient Near East, with a special focus on the authoritative role of the dead in legitimising power relations, inheritance issues, and real estate ownership. Finally, in chapter 7, the results of the research are outlined.