

# revealing art

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## Chapter Four | Art and Morality

### Moralisers against art

In the late 1980s Senator Alfonse D'Amato stood up in the US Congress and ripped up a reproduction of Andres Serrano's *Piss Christ* (1987). This sparked a long-running feud over the awarding of grants for artistic projects considered by many to be obscene. In the UK in 1998 police from the West Midlands raided the home of a Birmingham fine art student, confiscated photographs of pictures by Robert Mapplethorpe and confiscated the book itself from the University of Central England's student library. Both the institution and the student were threatened with possible prosecution on the grounds of obscenity, though no prosecution was forthcoming. In 1997 the Sensation exhibition at the Royal Academy, subsequently transferred in 1999 to the Brooklyn Museum, caused a great furore. A large-scale portrait by Marcus Harvey of Myra Hindley (1995), sentenced to life in the 1960s for murdering children, was considered so offensive that it was

defaced by ink and eggs thrown by angry members of the public. In Brooklyn controversy focused on Chris Ofili's *The Holy Virgin Mary* (1996) which, in its depiction of an African Madonna, used collage cut outs of bare bottoms from pornographic magazines in its decorative patterning. The then Mayor of New York, Rudy Giuliani, publicly declaimed it as blasphemous. In March 2001 the Saatchi Gallery's 'I am a Camera' exhibition was raided by Scotland Yard's obscene publications unit. The police's consternation focused on two images by the photographer Tierney Gearon, depicting her six-year-old daughter and four-year-old son. Her partly naked son urinates in the snow in one and, in the other, they are both looking at the camera wearing nothing but theatrical masks. The photographs themselves were part of a series of fifteen representing her personal family life. The fine art book associated with the exhibition was also considered to be in possible breach of the Children's Protection Act. Again no action was taken by the Crown Prosecution Service. In 2002 the US Department of Justice covered in drapes two semi-nude art deco statues that had stood in their Hall since the 1930s.

There is nothing new about attempts to censor works deemed offensive or obscene. In the Victorian era it was standard practice to cover the sexual genitalia of statues with fig leaves and the like. John Ruskin's puritanical nature got the better of him when he destroyed Turner's sexually explicit sketches and he condemned William Mulready's nudes as vulgar and abominable on the grounds that they were 'more degraded and bestial than the worst grotesques of the Byzantine or even Indian image makers'.<sup>1</sup> This is somewhat ironic given the praise heaped on works by Alma-Tadema, Frederick Leighton and others who specialised in exotic nudes set in neo-classical contexts. No doubt the erotic Roman

mosaics the Victorians had been shocked to discover on the walls of bedrooms at Pompeii alleviated their sense of impropriety. None the less, nudity as such was taken to be provocative and offensive unless ameliorated by other concerns or sanitised by classical backdrops. In Europe the story is a similar one. Both Gustav Klimt and Egon Schiele to name but two ran into trouble over their depictions of female sexuality. Schiele was arrested on 13 April 1912, and tried on 7 May in Lower Austria. Although he was acquitted of corrupting minors, the judge symbolically burnt some of his drawings and imposed a fine. The sixteenth-century renowned Mannerist painter Giulio Romano made a series of pornographic prints, on which Pietro Aretino's *I Modi* sonnets were based, which were destroyed by the Vatican (only bastardised copies remain extant). Nor has moralistic censoriousness been confined to representations of sex and sexuality. The Third Reich held an infamous exhibition in 1937 of Degenerate Art as an example of the moral baseness and perversion of twentieth-century modernism. Caravaggio was almost excommunicated by the Church, dying in exile in Malta, for having the audacity to represent Christ and saintly religious figures in naturalistic, human terms. And at the very birth of the philosophical consideration of the arts, Plato denounced most art as base, cultivating desires that should be suppressed and potent with the dangers of moral infection.

There is a cluster of attitudes underlying these kinds of judgements and views. Each one can be held independently of the others, but many people tend not only to run them together but to assume that they lend each other mutual support. The first is the notion that what is truly pornographic can never be art (at least not good art). The second view is that to the extent that the moral

character of a work is defective, where it has one and it is related to its artistic nature, then its value as art is automatically lessened. The third is that to the extent a work is deeply obscene or morally perverse this constitutes grounds for censorship. I will argue that all three assumptions are fundamentally wrong. In essence they seek to domesticate, falsely, the nature and value of great art.

### The erotic and the pornographic

It is an intellectual commonplace that what is pornographic cannot be artistic. The erotic can reach the heights of great art but the pornographic can only be bad art (if it is art at all). The following discussion of Schiele is not untypical in this regard:

It is true that Schiele makes erotic drawings of adolescent girls, or paints them in watercolour, and it is also true that the girls let their nudity show. But although his works express the troubled beginnings of sexuality, their exceptional artistic quality saves them from the sin of pornography.<sup>2</sup>

Sometimes this is held to be true just by definition. The pornographic solely aims at sexual arousal whilst the erotic can have other goals including artistic ones.<sup>3</sup> This is nothing but moralistic prejudice masked by intellectual sophistry.

Nudes are not necessarily erotic or pornographic; they can be sexually explicit without being arousing or sensuous. The erotic needn't involve sexual explicitness. Titian's *Venus and Adonis*, Corregio's *Io*, Degas's portraits of ballet dancers, Robert Mapplethorpe's flower studies, for example, are all devoid of sexual

explicitness though they solicit sensuous thoughts, feelings and associations which aim to be arousing. Hence there are many things that are erotic but not pornographic. But that which is pornographic is erotic. The pornographic is a sub-species of the erotic or erotica – it seeks to realise the aim that all erotic works do but via distinctive means: sexually explicit representation. So we have no reason to suppose that what is possible with respect to the erotic generally is precluded regarding a sub-category of the erotic – namely the pornographic. It is true that most pornographic representations possess no artistic merit or intention. However the same is true of most watercolours, from those painted by children at school to those painted for birthday cards, but we don't thereby assume that watercolours as such can't aspire to the dizzy heights of art. One just has to look at watercolours by Turner, Nolde or Klee to see this is palpable nonsense. Yet the same rule hardly seems to apply to people's assumptions about the pornographic. Celebrated ancient Greek Dionysiac images from cups and vases show orgiastic scenes of buggery, fellatio and group sex. Indian temples and monuments, such as the tenth-century one at Khajuraho and the thirteenth-century one at Konarak, have façades adorned by numerous reliefs with multiple figures in myriad explicit sexual positions. Works by the later Picasso, many studies by Egon Schiele and Gustav Klimt, sketches by Rodin, much of Aubrey Beardsley's work, prints by Hokusai and Utamaro, illustrations to the Kama Sutra, to name but a few, all conform to the typical characterisation of pornography, and possess artistic intent and no little merit. Indeed, the sexual candour of much ancient Greek, Graeco-Roman, Roman and medieval Indian art may suggest that the paucity of pornographic works within the Christian-influenced civilisations is an anomaly rather than

the norm. Yet pointing to such works does little to convince most that the pornographic can constitute great art.

Part of the reluctance to concede the point depends on the assumption that pornographic sexual explicitness is inherently formulaic and fantastical and, as such, precludes artistic expressivity. But why should we grant that sexual explicitness in the service of arousal could never be expressive? Explicitness as such cannot be the problem. Lucian Freud's often highly explicit portraits of his nude subjects are highly expressive – the way the mottled flesh tones, contrasting textures of different parts of the body and differing proportions are conveyed prescribes a fascination with and understanding of what it is to apprehend another just as a body. Presumably the thought is that Freud as an artist has a choice as to whether or not to be explicit. Only if there is a horizon of possible choices available to a creator can the choice of what to represent and the level of detail chosen to represent it become significant. It is thought that in the case of pornography there is no such choice. Yet though there is little choice about whether or not to be sexually explicit in pornography, it does not follow that there are no expressively significant choices available. Choices remain concerning what should be rendered explicit and the degree of explicitness involved. More significantly there are multifarious choices concerning how the explicitness may be treated and conveyed. A host of possibilities remain: concerning, for example, which actions are to be represented, the angle of portrayal, the perspective used, which if any character's viewpoint is privileged, the kind of lighting evoked, what responses are portrayed, how the bodily movements are represented, for example whether they are aggressive or serene, what the facial expressions are, what parts are in or out of focus or what coloration is used. All

such choices could in principle be put to expressive use in an artistically interesting and significant manner. Different choices with respect to the features of the very same act may prescribe different ways of understanding what is being represented and how one is supposed to find it arousing. Hence sexual explicitness in the service of arousal does not in principle preclude expressivity. It can't follow from the fact that certain things are required to constitute the pornographic that no room is thereby allowed for artistic expression. We don't think that this holds in the case of religious icons, which must depict a saint or holy personage in the service of religious devotion, since what is prescribed still leaves a wealth of choices open to the artist concerning the details and manner of treatment that can be put to expressive use. So too in the case of the pornographic.

Consider, for example, many of Rodin's pornographic nude drawings, such as *Naked Woman Reclining with Legs Apart, Hands on Her Sex* or *Naked Woman with Legs Apart* (1900), his many drawings of lesbians and female nudes masturbating and his drawings that accompanied Octave Mirabeau's pornographic novel *Le Jardin des Supplices*. They are formulaic in virtue of explicitly representing female models singly or otherwise in various standard sexual poses and acts. But they are delineated via Rodin's newly developing method of 'instantaneous drawing'. Unlike standard academic drawing of the time, Rodin started from mere contour heightened by wash, drawing from the model's unstable pose without taking his eyes off her, resulting in many correction lines, heightening the sense of movement or animation. An additional effect of such incisive contour drawing, through foregrounding mass and volume with minimal shading, is to convey a sense of the subject's individuality rather than conformity to classical type. The manner of

representation Rodin developed in his line drawing was far from formulaic and served not only to convey but solicit sexual arousal from the viewer. The explicit focus on the models' genitals, sexual acts and sensuous stimulation is enhanced by Rodin's emphasis on the sense of movement and rotation of the body. In such drawings we have an emphasis on compositional and design elements, some of which are a striking deviation from classical nude studies, in order to evoke sexual stimulation by sexually explicit means – evoking sensuousness, fascination and arousal. The artistically innovative developments in Rodin's line drawing enabled him to characterise the lines of action, sexual embraces and actions in a more athletic, impulsive, vigorous manner which enhances the evocation of sexual arousal. It is perhaps no surprise that Rodin's sexual drawings were in great demand when compared to the formal, static and, by comparison, somewhat languid sexual fare that preceded him. Alternatively, consider the prints from the Japanese Ukiyo-e school by artists such as Hokusai and Utamaro. The Ukiyo-e school specialised in scenes from the courtly prostitute quarter depicting, amongst other scenes, prostitutes, bath-house girls, couples and even women with animals in varying degrees of sexual explicitness. In some cases explicit or enlarged sexual detailing is fairly graphic, conveying the ferociousness or subsumption of self in sexual arousal. The subjects of the Ukiyo-e school, their expressive pictorial structures and use of flat decorative colour in the compositions are formulaic. None the less, the formulaic elements are artistically deployed in a manner that serves not only to convey but, in many cases, solicit sexual arousal.

Perhaps it is the fantastical nature of the pornographic which is supposed to be artistically indifferent, since, it might be thought, fantasy cannot but fail to be true to life in any interesting sense.

Hence, according to Roger Scruton, the distinction between erotic art and pornography is ‘that between representation, which is addressed to the creative imagination and bound by a principle of truth, and substitution, which is addressed to the sexual fantasy and bound only by the requirement of gratificatory power. The latter must always offend against the proprieties of art, while the former may remain obedient to them.’<sup>74</sup> But if this is the thought then it is overly narrow and prescriptive about what good art should be in the business of doing. Gustav Klimt’s private drawings are a good case in point. We can get an idea of the nature of Klimt’s drawings by looking at his *Danae* (1907–8), see p. 158, which represents a naked woman, curled foetus-like in a state of somnambulant arousal, with a shower of gold hugging her rear. In his private drawings the female subjects are represented in even more explicit poses where they are revealing, prostrating, offering or caressing themselves before the viewer. The sole concern is with the women subsumed in sexual arousal directed towards soliciting arousal from the viewer. The scenes represented are formulaic – absorbed female masturbation, passionately or languidly embracing females and the like. There is no context, background or allusion to any further meaning or significance, just the isolated outlines of figures with little by way of detailed modelling of their bodies. The represented subjects’ passivity, provocativeness or autonomy is represented solely in terms of sexuality – self-absorbed in the sexual act, eyes averted or appealing to the viewers’ gaze. The sole focus of interest is on the sexual aspect of the female body: its sensual, aroused and arousing nature. Although the formulaic elements of pornography are manifest, in so far as sexual explicitness and the fantastical representation of women are in the service of sexual arousal, none the less the works are artistic. Formal artistic techniques are

deployed in a highly imaginative manner in order explicitly to emphasise sexual parts, features, actions and states – including the use of extreme close-up views, foreshortening, exaggerated perspective, distortions of posture and proportion, shifts in framing and heightened contrasts between right angles and curves of the body. The effect not only is beautiful, in terms of the grace of line drawing and structural composition, but serves to draw attention to sexual features such as the genitals, breasts, buttocks and open legs. The artistry gives form to our awareness of the states of sexual absorption, sensual pleasure or languid sexuality represented.

The Klimt nude studies are inherently fantastical in so far as they portray rather idealised, blank and even somnambulant subjects, and our interest in them is directed entirely towards their sexual features and aspect. But when art works are dismissed as merely fantastical this is because they are construed as a flight away from reality – they remain unconstrained by considerations of believability, plausibility or truth to life. But Klimt's explicit portraits of intimate sexual arousal do not obviously fail to be 'true to life'. As a study in sexual self-absorption, the line drawings capture certain kinds of sensual states rather well. And they do so in virtue of Klimt's imaginative, artistic treatment of the sexually explicit, formulaic and fantastical elements that constitute the pornographic. Thus even if works should always be evaluated in terms of whether they are true to life or not, it does not follow that pornographic works can't constitute good art on these terms. Conversely if we denied that Klimt's drawings were 'true to life', in virtue of their fantastical nature, it still would not follow that they're not good art. For 'truth to life' is not the only criterion of artistic evaluation and, moreover, it is not always applicable.



Gustav Klimt, *Danae* (1907–8), Private Collection © Bridgeman Art Library

There is a cluster of general criteria we apply in evaluating art works which concern the quality of the imaginative experience afforded. And there are many kinds of works, such as Goya's *Saturn Devouring His Son* (1820), where considerations of 'truth to life' are hardly applicable. Much non-pornographic fantastical work, from the Pre-Raphaelites, Chagall, Odilin Redon, Miro, Magritte, Max Ernst, Klee and M. C. Escher to Dalí, fantastical in one way or another, affords striking, complex and coherent imaginative

experiences and is valued highly as art. But such works are not meant to stand in close relations to the actual world. Thus they should not be evaluated on such a basis. Even if Klimt's drawings are fantastical this is irrelevant to the quality of the imaginative experience afforded.

Even showing that pornographic works can manifest great artistic skill and expressivity is not quite enough however. For one might think, as Kenneth Clark once suggested, that we cannot appreciate something both as art and as pornography at one and the same time.<sup>5</sup> This is the deepest reason for objecting to the idea that the pornographic can aspire to the condition of great art. There is something to the notion that the coarseness of sexual arousal, its crudity, strength, the kind of objectifying interest taken in the object of arousal, threatens to obliterate wholesale attention to a work's artistic aspects. In the heat of sexual arousal, attention to the peculiarities of artistic style, fascination and play with artistic materials, imagery and pictorial composition might wither and fade. This is true of most pornography, but then most pornography has little that is artistically interesting. When we consider pornographic works that are truly artistic, it turns out to be false.

Part of the objection relies on a notion of a pornographic interest that is crude and ill-conceived. Typically it is thought to involve something like an objectifying interest which precludes the represented person's subjectivity (their viewpoint, interests and desires).<sup>6</sup> But there are many works which solicit an interest which is objectifying in just this way and are appreciable on this basis as art. Just consider the work of Corregio, Rubens, the Pre-Raphaelites, Rodin, Eric Gill, the nudes of Courbet and Renoir through to the more recent fetishistic work of Allen Jones. And

some of these works, Corregio's *Jupiter and Antiope* (1521–2), Gervex's *Rolla* (1878), Courbet's *Le Sommeil* (1866), Degas's erotic sketches, depict explicit nudes where the subject's consciousness is precluded entirely. The viewer's attention is directed towards their body parts to solicit an objectifying interest which gives rise to sensuous thoughts and arousal. Our attention is drawn to the tones and contours of flesh, and the sexual parts are framed by the structural compositions of the works. The eyes are closed and the subjects asleep so our attention is solicited only with respect to the physical nature of their bodies. Yet we wouldn't be tempted to say that we cannot appreciate such works as art.

It's also the case that the kind of objectifying interest usually identified seems to mark out a depersonalised one.<sup>7</sup> It's assumed that we are not interested in the subject, as a person, whom we take a pornographic interest in. Yet, at least in many cases, taking a pornographic interest can be essentially interested and personal. One way of naturally eliciting sensuous thoughts and arousal is to cultivate interest in someone's viewpoint, interests and desires with respect to sensuousness and arousal. Unsurprisingly this is something pornographic art often does. Torii Kiyonobu I's *Erotic Contest of Flowers: Scenes of Lovemaking* (1704–11), perhaps the finest erotic scroll created by the originator of the Torii school, consists of eleven (originally twelve) scenes of lovemaking. The vibrant colours, juxtaposition of postures, fluidity of line all enhance the sense of explicit sexual arousal. But the figures' focused direction of gaze, the gestures of responsiveness and curiosity also serve to enhance the sense of particular individuals, sexually aroused by and interested in each other as persons. Similarly, to return to the Japanese Ukiyo-e school, Utamaro's *Two Lesbians* (c. 1788) is pornographic in the same kind of way. It shows two women, nearly

touching, attending to and anticipating each other's sexual arousal. The one on the right has a large dildo strapped to her, the one on the left is reaching out to caress the base of its top. Just as the viewer's attention is directed towards the fleshly signs of arousal, so too is that of the women represented. And this is enhanced by attention to the pictorial composition, the artistic enlargement of the genitalia, the diagonal planes of the woman's posture on the left towards the centre and the woman's posture on the right, again directing our gaze firmly down centre, towards the sexually explicit. The denial that such works are pornographic is driven by the idea that all good art civilises. Pornographic art threatens this assumption because it speaks directly to sexual instincts, desires and drives which often threaten to overwhelm our higher natures. That is why they are troubling. Attempting to domesticate them by pretending they do not is to avert one's gaze both from their artistry and from our own nature.<sup>8</sup>

A rather different kind of worry about pornographic art, which sometimes generalises into worries about art more generally, takes something like this recognition as its starting point. Consider Rodin's drawing from his models 'without taking his eyes off them'. To some the phrase might suggest a visual caress, but to others it may intimate a form of molestation, as if the ways of looking implicated here constitute something akin to fondling or groping the body. Rodin once declared that 'people say I think too much about women. But what is there more important to think about?' His well-documented renown for sexual relations with models and the ways in which some of his drawings are styled suggest that the very act of looking in such cases can be sexually charged and possessive. Now think back to the examples of pornographic works being adduced as good art above. It might

well be asked whose sexuality, drives, desires and interests are 'we' concerned with here? The artistic stylisation and devotion towards sexual interest all seem to assume a heterosexual male viewer. In speaking to such a gendered gaze, the thought goes, such paintings perpetuate an asymmetry in sexual relations: women are to be considered as passively receptive to male desires whilst men actively seek out the objects of their desires, women, and mould them according to their will. The pleasures of looking involve a kind of visual molestation or possession by reducing the women represented to pliable, fungible sexual objects. In assuming such a viewer, pornographic paintings, and perhaps painting more generally, is to be condemned for aesthetically camouflaging morally pernicious pleasures.<sup>9</sup> Laura Mulvey's critique of Allen Jones's fetishistic representations of women suggests how the worry generalises:

By revealing the way in which fetishistic images pervade, not just specialized publications, but the *whole of the mass media*, Allen Jones throws a new light on woman as spectacle. The message of fetishism concerns not woman, but the narcissistic wound she represents for man. Women are constantly confronted with their own image in one form or another, but what they see bears little relation or relevance to their own unconscious fantasies, their own hidden fears and desires. They are being turned all the time into objects of display, to be looked at and gazed at and stared at by men. Yet, in a real sense, women are not there at all. The parade has nothing to do with woman, and everything to do with man. The true exhibit is always the phallus. Women are simply the scenery on to which men project their narcissistic fantasies. The time has come for us to take over the show and exhibit our own fears and desires.<sup>10</sup>

We should be wary about overgeneralising too quickly. There are lots of art works, including many which represent the human body, which are not a function of or do not implicate sexual desire. Moreover, it doesn't follow from the fact that a work assumes a male heterosexual viewer that therefore the rewards to be derived from looking at and appreciating it as art are themselves gendered or accrue only to such a viewer. Consider an analogy to religious art works. It doesn't automatically follow from the fact that a work was made assuming a particular religious belief system that therefore its value as art can only be appreciated by those with the assumed religious beliefs. In both cases it may be that the underlying assumptions in question embodied in the work are either irrelevant to appreciating it as art or, where relevant, may be entertained. This is not to deny the force of the worry as such, just its generalisability.

Art historically it seems true that most pornographic works, and indeed many non-pornographic ones, do presuppose a male interest in a manner which is bound up with heterosexual desires. But it needn't be the case that all painting is or must be like this, hence there is nothing to preclude the creative development of more historically marginalised sexual interests and desires or to critique standard male heterosexual ones. Indeed, strands of the art world from the early 1970s on have set about doing just this, from Sylvia Sleigh's various male nudes in *Turkish Bath* (1973) to some of Cindy Sherman's series of untitled photographic self-portraits which make use of the erotic conventions of film stills. In a different vein, artists like Robert Mapplethorpe seek to enshrine the exaggeration of perfect form, tone and movement of the male body, in ways which speak to male homosexual desires, or play with female stereotypes as in his series of studies of the female body

builder *Lisa Lyon* (1981–2). Where works are predicated upon sexual desires, of whichever sex and orientation, it may be that our gaze is invited in to see things as we may not have seen them before, or to entertain ways of looking predicated upon desires we may not happen to share. But it doesn't follow that such works cannot be appreciated unless we actually possess those desires.

None the less, many nudes and pornographic works do seek to speak to actual desires, which art historically have been predominantly male and heterosexual, and may do so in ways which are morally problematic. It can't be the case that all these works do so merely in virtue of speaking to desires, since sexual desire as such isn't morally problematic. So for such works to be morally problematic it must be in terms of some further account of the misapplication, distortion or form of the desire spoken to. In the characterisation above, what seems to do the work is the representation of the desired object, woman, as reducible to passive pliancy in conformity to the male viewer's gaze and thus desires. I suggested above that pornographic works need not be like this. Torii Kiyonobu I's *Erotic Contest of Flowers: Scenes of Lovemaking* (1704–11), for example, depends upon an essentially personalised interest in both the represented male and female viewpoints and desires. Gustave Courbet's *Woman with a Parrot* (1866) conveys a sense of the vitality, animation and singular interest of the represented female subject. If that is the case, then not all pornographic works are subject to the kind of criticism being considered. But undoubtedly many are not like this. Consider again the earlier description of Klimt's erotic sketches, with their somnambulant subjects, Allen Jones fetishistic women in corsets, high heels and exaggerated body proportions, or Degas's erotic sketches, in which there is little to no interest in the viewpoint, particular desires or

even consciousness of the women represented. Now it is not clear that representing, looking at or considering others in terms of sexual desires which objectify in this way is *necessarily* morally problematic. However, that is a controversial matter. Let us just take it for granted that at least sometimes, where, say, there is a link to contempt, disdain or a failure to respect female autonomy, it certainly is. What it shows is that good art can be prurient or solicit morally dubious attitudes that should not be endorsed, not that such works can't be artistically successful. The difference between pornographic art works and ordinary pornography is that the former deploy artistry in imaginative and interesting ways and thus can be appreciated as pornographic art. Indeed, this enables some such works to reveal something to us about the nature of sensuality, desires and the human condition. In some cases, looking at such works, or responding to them, may be morally problematic. But to condemn pornographic pictures as necessarily bad art or unappreciable as art is nothing short of puritanical wishful thinking. Pornographic works can be great art indeed. Of course, we may want to allow this to be true whilst holding that the morally problematic nature of a pornographic work may constitute an artistic defect. But this depends upon the more general claim that a moral defect, where artistically relevant, thereby constitutes an artistic one. Whether we should subscribe to this general claim is a matter to which we must now turn. Is the moral character of a work at all relevant to its artistic value?

## Moral questions

A little sincerity is a dangerous thing, and a great deal of it is absolutely fatal. The true critic will, indeed, always be sincere in his devotion to the principle of beauty, but he will seek for beauty in every age and in each school, and will never suffer himself to be limited to any settled custom of thought, or stereotyped mode of looking at things . . . The critic should be able to recognise that the sphere of Art and the sphere of Ethics are absolutely distinct and separate. When they are confused, Chaos has come again . . . Art is out of the reach of morals, for her eyes are fixed upon things beautiful and immortal and ever-changing.<sup>11</sup>

Thus Gilbert speaks, a cipher for Oscar Wilde in his *The Critic as Artist*.

In the late nineteenth century Wilde was perhaps the most renowned spokesman for aestheticism. Alongside figures like Walter Pater he stood opposed to Ruskin's waning creed that truth and moral sentiment in art were all important. 'Ethical sympathy' he took to be 'an unpardonable mannerism' in any art. The clash between these views mirrors an age-old conflict. On one side there are those who consider the moral character of a work to have a bearing on its value as art, from Aristotle, St Thomas Aquinas, Hume, Ruskin and Tolstoy through to the feminist, post-colonial and socio-political criticism often favoured today. On the other there are those who are adamant that the one is entirely separate from the other, from Kant, Nietzsche, Wilde, Bell and Fry through to the kind of art criticism found in Greenberg, Fried and Sylvester. For the latter, as Nietzsche put it, 'the struggle against a purpose in art is always a struggle against the moral tendency in art – against

its subordination to morality. Art for art's sake means, Let morality go to the Devil.<sup>12</sup>

Aestheticism does have much to be said for it. It needn't subscribe to simplistic formalism or deny that the moral character of a work may indirectly affect its artistic value. Many works do not have a moral character but, where they do, the moral assessment of a work is in principle distinct from the artistic assessment.<sup>13</sup> By analogy we might allow that a picture frame can indirectly affect our appreciation of a painting. If the frame is too heavy to put up, too grandiose and rococo for us to be able to concentrate on looking at the intimate watercolour it surrounds, then the frame is getting in the way of appreciating the painting. But we wouldn't be tempted to say that the frame as such lessens the artistic value of the watercolour. So too the moral character of a work might get in the way of our appreciating a work. Perhaps one might find it hard to attend properly to the artistic aspects of a work if the materials used are deeply repulsive, partly constituted by a foetus say, or the attitude profoundly abhorrent, glorifying rape. But all that shows, for the aestheticist, is that we're not in a position to appreciate a work as art, not that our moral qualms are relevant to its artistic value. No artistic creed has ever made such a strong case for the importance of the quality of an artistic experience nor been at such pains to emphasise how great works can convey ideas, beliefs and attitudes one might find detestable. It is a great buffer against ignorance and crassness. Grünewald's *Crucifixion* (1515) may dwell too lovingly on Christ's pain, Titian's *Rape of Europa* (1559–60) eroticises an abduction for the purposes of sexual assault, Marinetti's futurism lovingly aestheticises the nature of war, Schiele's genitally fixated portraits of young girls are ferociously sexual and much of Bacon's work viscerally conducts a sensation of

the diseased, rotten and corrupt nature of humanity. But all these works, over which one might have many moral qualms, are great works indeed. The violent reactions of moralisers who respond only to a picture's content can be tempered by aestheticism, so they learn to attend to the quality of a painting, the artistic mastery, its beauty, independently of the truth or falsity of its claims. But the truth of a doctrine does not follow from its utility. Aestheticism is false.

As we saw in chapter 3, common art critical appraisals of works as profound, subtle, interesting, insightful or trivial, sentimental, banal and callow can't always be made without reference to criteria such as intelligibility, coherence, explanatoriness or truth. Aestheticism's conceptual separation between the quality of an artistic experience and its content is problematic, for the quality of an artistic experience will sometimes depend upon whether what is conveyed is worth conveying. Hence, where a work has a moral character, assessing its artistic quality often gives rise to questions concerning its intelligibility or appropriateness.

Critics may qualify their praise, and viewers be subject to conflicting responses, where a work commends, extols or glorifies that which should be condemned.

But why think this must be right? Because of what many art works strive to achieve. As the creative expression of an artist's imagination and vision, many works aim not only to engage us but to get us to respond to them – perceptually, emotionally and intellectually. So it is internal to the purpose of many works, as art, that they aim to get us to respond in certain ways. The way the paint itself is shaped and coloured, the posing of the figures, the structural composition, the facial expressions, figurative gestures, allusions, allegories and metaphors we find in paintings are all

there, in the way they are, in order to shape our responses in some way. So it is a mark of a work's success if it gets us to respond in the way that it is shaped to do. Sometimes failing to respond as solicited is a mark of a failing, lack of sensitivity or ignorance in ourselves, but often the failure is down to faults in the work. Perhaps the rendering of the figures is unconvincing; perhaps the intended sympathetic grin looks more like a grotesque grimace or the supposedly erotic, noble or admirable scene depicted is just downright horrifying. In all such cases a work fails in certain respects. For it fails to get the response it aims at, as art, owing not to a failing in the viewer but to a failing in the way the artistry, figure or scene is represented to us. Moreover, as we saw in the last chapter, part of a work's value is tied up with whether or not the experience afforded deepens our understanding. To the extent it does so, that is an added artistic virtue. In some cases this will be linked to the work's moral character as it is artistically represented.<sup>14</sup>

Compare, in this light, the *Roettgen Pietà*, see p. 170, and Michelangelo's first *Pietà* (1499), see chapter 1 p. 43.

The *Roettgen Pietà* (1350) is an unattributed wooden sculpture, around three feet high and one of the finest examples of the *Pietà* tradition from northern Europe. A *Pietà* is a representation of the grief-stricken Mary holding Christ's dead body on her lap. The point of the work was to engender empathic meditation and devotion on the part of the viewer. Traditionally *Pietà*s were placed in side chapels for veneration all year round but they were given particular prominence during the Holy Week of Easter, particularly Good Friday, for the contemplation of Christ's redemptive wounds. Mary's oversized face inclines to the viewer's left, her eyes directly on Christ's head, drawing the viewer from her gaze to her prostrate son. Her facial expression is one of blank,



*Roettgen Pietà* (1350). Courtesy of Rheinisches Landesmuseum, Bonn

mute horror, as seen in the brow, sunken eyes and stark cheekbones, shot through with desperate sadness, emphasised by the down-turned lips and mouth. The rest of her body seems static, frozen as she holds out her son for our contemplation. Christ's figure is rigid, grotesquely distorted, his outsize head snapped back, looking heavenward, in a mask of death. Here, Christ's wounds are exaggerated in scale and rendering, the size, scoring, gashes and bloody coloration pouring out, drawing our attention to them. The overall composition of the piece is additionally striking in its echo of a mother struggling to hold her newborn child, and the distortions in scale of Christ's figure are not unlike the disproportioned figure of a baby. The horror of the piece is even more striking because of the jarring incongruity between the pose and harrowing grief. The point of the piece is to convey a particular attitude, and solicit a certain kind of response, towards the divine sacrifice. One is invited not merely to take up an attitude of devout piety but to dwell on the sheer sense of physical violence, the grotesque horror of the assault on Christ's body and Mary's searing sorrow. It is the sacrificial annihilation of Christ as victim which is given by far the greatest prominence. Mary's expression is itself a guide and mirror for the attitude the devout contemplator is to take up; one should be rent with anguish at the nature of the sacrifice required. Furthermore, unlike Mary who was born without the taint of original sin, we all shoulder the responsibility. Jesus is held out towards us not just for the benefits of contemplation but as if to say, 'Look what you have done, what you are responsible for. You too are at fault for the death of my son.' Adam and Eve's revolt against God in the Garden of Eden severed the human condition from divine will. As such all mankind partakes in the original sin responsible for the rupture from God. Thus our

very nature is at fault in requiring such a sacrifice from Christ. For without expiation humanity cannot be cleansed of the defilement of sin. It is only through Christ's sacrifice that divine grace is available to all and we can come to be forgiven. So it is that the *Roettgen Pietà* seeks the recognition of human guilt and an attitude of thankfulness at the violent mercy shown to we who are not worthy. There may be many for whom such a vengeful conception of human nature, no matter how great the artistry involved, qualifies their appreciation of this work, for conceiving of ourselves thus or responding as the work solicits us to do is not an intelligible option for them.

Michelangelo's first *Pietà*, by contrast, plays down the grotesquery and violence to the point of vanishing. Part of the reason for this work's greatness lies not just in its breathtaking beauty but in the way Michelangelo revolutionised the *Pietà* genre. But what is crucial is what that revolution served: a deep sense of Mary's beatific sacrifice. This marked a radical shift in the way Christ's sacrifice was represented. The much more naturalistic representation of Christ's body conveys a sense of peace and rest, his wounds are marked by barely visible points, and he is cradled by a youthful Mary who looks down on his body in resigned sadness. Mary's youthful face and pose echo the Annunciation, suggesting the acceptance of her sacrifice was embraced years before in the moment she acceded to God's wishes for her to bear his son. Notice that Mary's face, instead of directing us towards Christ's face, directs us towards the middle of his prone body. By doing so the viewer is encouraged to see Christ as cradled by his mother first and foremost (as opposed to the *Roettgen Pietà* which directs us to his deathly face). By enlarging the size of Mary's legs, disguised by the folded drapes, Michelangelo was able to

show Christ's figure as being fully supported in her lap. Thus far from seeing Mary as thrusting Jesus awkwardly towards us in an accusatory fashion, we see it in terms of a wholly private, personal scene in which she contemplates and comforts her dead son's body. This is given added weight by her eyes being wholly downcast, closed off from the viewer. Jesus' figure, his curves of flesh, prominent ribs and slumped posture reminiscent of sleep, is wholly naturalistic and fully human. There is no impression of deep physical violence or grim, gruesome sacrifice but a sense of sorrowful serenity. The attitude conveyed, and responses solicited, towards Christ's sacrifice are markedly different. In dwelling on Mary's restrained, resigned sorrow and Christ's prostrate naturalistic form, it is the human psychological cost that is given greatest prominence. Again Mary's expression is a guide and mirror for the attitude the devout contemplator is to take up, but this time it is one of sorrowful resignation. Furthermore, rather than distancing the devout contemplator from Mary, as the *Roettgen Pietà* does, we are encouraged to identify ourselves fully with her. Jesus is to be mourned for as one mourns for any son, indeed as the Son of Man. Far from emphasising the bloody horror of the sacrifice, the work implies that it is no more than Jesus having returned to the Father from whence he came. None the less the marks of the crucifixion, subdued but still there, remind us that his death ushers in a new reconciliation with God. His and Mary's sacrifice makes available forgiveness for all for the human condition in which he has shared. Thus has our salvation been made possible. For this we should give thanks to Christ and Mary.

The moral character of these works could not be more radically distinct. The *Roettgen Pietà* prescribes an understanding of ourselves as defiled, contaminated and unworthy. Its conception of

Mary and Christ as radically distinct in nature from the viewer, the suprahuman nature of the violent sacrifice required, and our guilt in it, would seem to many aggressive, vengeful and cruel. The world the *Roettgen Pietà* opens up and invites us to inhabit, with its concomitant internalisation of guilt and self-mortification, is one that has passed for many. Its attitudes and self-understandings are not live options. Hence the responses and attitudes it is artistically designed to solicit from us seem alien and inhumane. As depraved and wicked as human nature can be, and we often do underestimate the dark depths of the human heart, a religious world-view according to which we are wholly debased in this way seems antipathetic. The point is not one about religious belief being beyond us. Rather it is that a particular medieval conception of Christianity and our place in the world seems to most of us, in Nietzsche's words, a 'crime against life'.<sup>15</sup> Looked at in this light, the work's savouring of the grotesquely violent details can seem morally problematic, since a picture of humanity which solicits our self-abasement in this manner seems only a notional possibility. For this reason we may find its artistically shaped moral character much harder to appreciate and thus we may evaluate it less highly as art than Michelangelo's *Pietà*. Michelangelo's work emphasises the fully human nature of both Mary and Jesus, the sacrifices required of them and the pain to be embraced in order to realise what is good. Such a conception seems more intelligible in a post-Renaissance or secular world, and one we may be more sympathetic to, hence we may appreciate it more highly. Although Christ's sacrifice is foregrounded, so too are the virtues of love, forgiveness and mercy. For many this world view is closer and more intelligible, hence it is psychologically more open to us to respond to the work as solicited. Thus the moral character of a work may affect its

intelligibility, and in so doing be relevant to how we appreciate and evaluate a work.

### Moralising art

On this basis it would seem that where the artistry of a work shapes its moral character, at least to the extent this is relevant to its intelligibility, then it is relevant to its value as art. We can entertain and accept all sorts of speculative, fantastical and mythological scenarios. But with respect to a work's moral character, we should ask ourselves whether the perceptions, responses and attitudes solicited are open to us. We should also ask ourselves whether we learn anything interesting, profound or insightful. In considering both questions we were able to see just why many appreciate Michelangelo's *Pietà* more highly than the *Roettgen Pietà*. So far so good. But recently certain philosophers have wanted to go much further. The underlying thought is that intelligibility as such isn't just what is at issue. Rather, where artistic means shape a work's moral character, a moral defect in the work constitutes an artistic vice and a moral virtue constitutes an aesthetic virtue.

Aristotle held that for a work to constitute tragedy it must have a certain moral character. The central figure must be morally admirable in order for us to sympathise with him and regret his downfall as tragic. Were we to judge him to be wholly undeserving of sympathy, to deserve his fate, we would consider his end not as tragic but just. Noël Carroll takes this consideration to show that at least sometimes a work's morally defective character counts against it artistically.<sup>16</sup> But the thought can be extended more generally. In Hume we find the following:

Where the ideas of morality and decency alter from one age to another, and where vicious manners are described, without being marked with the proper characters of blame and disapprobation, this must be allowed to disfigure the poem, and to be a real deformity. I cannot, nor is it proper I should, enter into such sentiments; and however I may excuse the poet, on account of the manners of his age, I can never relish the composition . . . where a man is confident of the rectitude of that moral standard by which he judges, he is justly jealous of it, and will not pervert the sentiments of his heart for a moment.<sup>17</sup>

In fact Hume's articulation of the position has probably been the most influential amongst contemporary philosophers arguing for the moralist claim. Berys Gaut, for example, has argued that where 'a work manifests ethically reprehensible attitudes, it is to that extent aesthetically defective, and if a work manifests ethically commendable attitudes, it is to that extent aesthetically meritorious.'<sup>18</sup> Works try to get us to respond in certain ways and, where the response makes essential reference to moral attitudes, whether they succeed depends upon conformity to the right ones.

A big worry is that this thought encourages critics to reach too quickly for moral denunciations at the expense of artistic sensitivity.<sup>19</sup> Moral provincialism myopically lends itself to the overly emphatic, generalised and judgemental in evaluation. It is important to recognise there are many different kinds of art works. Many have no moral character at all and those that do are often highly complex in terms of subject matter, genre, evoked responses, attitudes and their interrelations. John Ruskin, for example, is one whose criticism conforms to the moralist's stance and it does tend to flatten out the topography of the artistic landscape. In the *Stones of Venice* Ruskin charts the artistic decline of the Renaissance in

terms of declining moral temperament and the moral character of their art:

the phases of transition in the moral temper of the falling Venetians, were from pride to infidelity, and from infidelity to the unscrupulous pursuit of pleasure. During the last years of the existence of the state, the minds both of the nobility and the people seem to have been set simply upon the attainment of the means of indulgence.

And, in the next section, he goes on to claim that

the architecture raised at Venice during this period is among the worst and basest ever built by the hands of men, being especially distinguished by a spirit of brutal mockery and insolent jest, which, exhausting itself in the deformed and monstrous sculpture, can sometimes be hardly otherwise defined than as the perpetuation in stone of the ribaldries of drunkenness.<sup>20</sup>

The tendency of Ruskin to allow his own moral obsessions to betray his critical judgement, to see baseness, corruption and self-indulgence in the art of the late Renaissance, cannot be denied. More recently the critic Peter Fuller unfavourably compared Francis Bacon with Graham Sutherland on a similar basis:

Bacon is an artist of persuasive power and undeniable ability, but he has used his expressive skills to denigrate and degrade. He presents one aspect of the human condition as necessary and universal truth. Bacon's work is currently more highly esteemed than that of Sutherland, but this may merely tell us something about the values of those who express such a preference. Bacon's skills command our

admiration, but his tendentious vision demands a moral response, and I believe, a refusal.<sup>21</sup>

Although we can appreciate why Fuller goes on to make the claim he does, his moral concerns are clouding his critical judgement, for it is hard to see how Sutherland could be the greater artist. But the fallibility of critics in allowing their moral concerns to weigh too heavily in their critical judgement shows nothing about the truth or falsity of the moralist's thesis. It only shows that critics can err. And note that moralist criticism need not be insensitive to differences in subject matter, genre constraints and the inter-relations of responses and attitudes. Moralists can recognise that a work can be great art for formal reasons alone. Where the work has a moral character, how it is assessed depends upon how we are to understand the genre, whether it be historical, mythological, portraiture or still life studies, and artistic concerns. And even though a work may be morally flawed it may still constitute good or great art – as Fuller acknowledges even with respect to Bacon. Such a worry doesn't yet touch the moralist's claim.

In addition to arguments concerning the appropriateness of responses and what we learn from works, Hume also offers another consideration sometimes taken to underwrite moral criticism. To start with Hume suggests an analogy between blameless differences in the kind of friends we may choose and those artists we tend to prefer: 'We choose our favourite author as we do our friend, from a conformity of humour and disposition.'<sup>22</sup> Owing to individual differences in character, or between distinct ages or cultures, we may vary in our evaluations of particular works. This is akin to the way in which we may blamelessly differ over the kinds of friends we choose to keep. None the less, 'where a man is confident of that

moral standard by which he judges, he is justly jealous of it, and will not pervert the sentiments of his heart for a moment, in complaisance to any writer whatsoever'.<sup>23</sup> For this to be consistent with the friendship analogy it looks as if Hume assumes that a certain level of moral agreement in both cases is required for us to respond as sought. For me to pity my friend I must share certain core assumptions and values with her, for example that the slight she received was unjust. For me to respond with horror and acceptance to Francis Bacon's work I must assume, with Bacon, that the human condition is corrupt and that we should accept it as such. Where the moral assumptions are essential to a work, it supposedly follows that a certain level of agreement is required for the work to succeed. Where they are not shared, we supposedly cannot properly appreciate the work's other artistic aspects – just as where the relevant moral assumptions aren't shared with my friends I'm not in a position to appreciate their other qualities. Thus, it might be thought, Bacon's work is flawed because its success depends upon assumptions and responses which, morally speaking, many of us do not share and none of us should accept.

Let's start by assuming the analogy to friendship. As articulated, it seems far too moralistic.<sup>24</sup> We can and often do appreciate friends whose values are radically at odds with our own; in some cases this may be one of the very reasons we're drawn to being friends with them in the first place. Perhaps there must be some sort of shared interest or understanding but it doesn't follow that what is shared must be basic moral assumptions. We may be friends with someone who is witty, vivacious, likes particular kinds of movies, art or bars. It may be that our moral attitudes in many respects are radically at odds. She thinks manners a form of hypocrisy, I think them part and parcel of social intercourse; she

thinks minor shoplifting is fun, I think it immoral and so on. Yet her attitudes in these moral respects do not preclude my appreciation of her finer qualities and responding to her with empathy and understanding. That may make it difficult for me to separate them out psychologically, so perhaps her other qualities have to be that much finer to disentangle them from the divergences in moral attitudes. But so too with art works. We can enjoy and appreciate many works whose moral assumptions are at radical odds with our own. If, like Bacon, the artistry is skilful and imaginative enough, we find our resistance to them can be overcome. Such works are artistic successes indeed.

The defender of the moralist thesis might resort to the point about genre constraints. Yet such an appeal does no good. What it is for something to be in a certain genre is carved out in terms of the characteristics of a particular artistic form, style or purpose. Even granting that all works can be so characterised, the general moralist thesis cannot apply across the board. In genres such as satire, a morally defective perspective can enhance rather than hinder the realisation of its purpose. The point of satire is to ridicule. One of the standard means employed is the gross exaggeration and distortion of recognisable features of the character or institution being ridiculed. A character may be exaggerated by concentrating wholly on her faults without recognition of her virtues or rendered absurd by concentrating on irrelevant yet easy to lampoon mannerisms. George Grosz's satirical drawings, which appeared in *Die Pleite* and *Der Bluteige Ernst* before 1933, when he fled Nazi Germany, are a case in point. His targets were the corruption of the Weimar Republic, the racketeers, businessmen, the remnants of the military and what he took to be a thoroughly diseased culture. In Grosz's caricatures absolutely everyone is on

the make, sly, coarse, selfish, greedy and lecherous. Contemporary humanity is portrayed as inhabiting a modern Bosch-like garden of earthly delights where everyone manifests the most venial desires and appetites. As Grosz himself said, 'I made careful drawings, but I had no love of the people, either inside or out. I was arrogant enough to consider myself as a natural scientist, not as a painter or satirist. I thought about right and wrong but my conclusions were always unfavourable to all men equally.'<sup>25</sup> The exaggerated scenes in restaurants, of racketeers dining in luxury, in nightclubs, of men prowling for predatory prostitutes, and of slums, where everyone is trying to get one over on everyone else, betray a profound disgust and revulsion at humanity in general. Such a response is hardly wholly morally appropriate or adequate. Not all men and women are equally disgusting, self-serving, repulsively grubbing around or seeking to prey on others. Addison once suggested that ridicule 'is generally made use of to laugh men out of virtue and good sense by attacking everything that is solemn and serious, decent and praiseworthy in human life'.<sup>26</sup> But recognising the morally problematic aspects of satire should not puritanically blind us to how important and effective it can be. To achieve its aims, satire, caricature and ridicule are often unfair, morally distorted and vicious. The work of artists such as Hogarth, Rowlandson and Gillray are evidence enough of this. But such morally dubious distortions enable their works to debunk authority and challenge the unquestioning acceptance of attitudes, activities, institutions and cultures. Here we have a genre where a morally defective character can enhance rather than hinder the achievement of its artistic aims.

Furthermore, even considered as a claim limited to certain genres, the moralist's claim is dubious. The most limited version

of the claim concerns the case of dramatic tragedy; a tragedy cannot succeed as such if we're to pity someone who's not morally admirable. Similar considerations often seem to apply to historical, mythological and biblical paintings. In many paintings pity or sorrow is sought for the central characters and the fate that befalls them. But one can feel pity for those one does not admire. We may feel compassion or sorrow for one who is tortured just in virtue of that fate befalling them, independently of whether we admire them or not. Perhaps true epic, historical or mythological paintings don't concern ordinary mortals and thus might fail to elicit admiration in the right way. We might feel compassion for anyone tortured but that's different from sorrow for the fate of one who is deeply admirable and yet brought low. So let's grant that the qualities of central figures in certain genre paintings must be exceptional, in order to elicit admiration for them in particular in the right way. David's *The Death of Socrates* (1787) and *The Murdered Marat in his Bath* (1793), Delacroix's *Heliodorus Expelled from the Temple* (1852–61), Puvis de Chavannes's *The Beheading of St John the Baptist* (1860s), Rubens's *Samson and Delilah* (1609–10), Caravaggio's *Crucifixion of St Peter* (1600–1) all fit nicely with this requirement. But even this is a million miles from the requirement that they be morally admirable. The motif of a *morally* admirable figure violating social taboos or attitudes, thus giving rise to their sorrowful fate, makes sense of many historical, biblical and mythological paintings. But it hardly fits works such as Van Dyck's *Samson and Delilah* (1619), which gives the impression of comic farce arising from the fallibility of mere mortals, Velazquez's *Triumph of Bacchus* (1628–9), where all are brought low by the god of wine, and Titian's *Danaë* (1554), where Danaë's openness to Jupiter is associated with prostitution through the shower of gold coins being collected, to

name but three. The central figures of historical, epic, biblical, mythological or historical paintings are often, but need not be, of exceptional natures and, where they are, they need not be morally admirable.

Still, the moralist could wave aside genre considerations. The claim remains that, where artistically relevant, a moral defect is always an artistic vice and a morally commendable character an artistic virtue. It is true that the moral character of a work is often partly constitutive of a work's artistic value. Comparing Michelangelo's *Pietà* with the *Roettgen Pietà* looked amenable to this kind of claim. But the moralist stretches too quickly towards the general claim. For the moralist, if a work tries to get us to respond, morally speaking, as we ought not to, then the work's artistic value is marred. If that means that Grosz's satirical caricatures are lesser works for all that, so be it, and if Bacon's work is shot through with a jaundiced view of humanity, so much the worse for Bacon. Why, the moralist will ask, should we respond to works in ways we deem to be immoral (no matter how artfully constructed they are)? To show moralism is false we need only advert to two kinds of cases. The first, where a work's value is lessened in virtue of its morally admirable character, we shall look at directly. The second, a case where a work's value is enhanced owing to its immoral character, requires a section of its own.

Norman Rockwell is a famous American painter, though one would not find him mentioned in many dictionaries or encyclopaedias of art. By the end of 1930s he was a national institution in the USA. He specialised in homely portraits of ordinary folk, families, kids, scruffy pets, domestic scenes, which fitted perfectly with the iconography, attitudes and indulgent sentimentality of middle-stream America. Rockwell's well-known Four Freedoms series was

inspired by a speech of Franklin D. Roosevelt's, articulating the basic freedoms all should have: freedom from fear, freedom from want, freedom of speech and freedom of worship. The sentiments and attitudes manifested are deeply admirable and the paintings are far from artistically poor. *Freedom from Fear* (1943), for example, has a strong pictorial composition. The line created by the standing father intersects with the horizontal line of the sleeping children's bed. The mother's hands and forearms, drawing up their sheets, form a diagonal line which is mirrored by the paper held in the father's hand. Her upper body, crooning over the sleeping children, forms a mid-plane between the upright father and the diagonal of her forearms. The style is unadulteratedly naturalistic, rendered with high technical skill. Yet for all that the painting's artistic value is fairly low. The visual interest is in the service of morally good sentiments which are cheaply won. The father is holding a paper whose headline indicates bombing by the Germans in London, and the contrast with the safety of the comfortable children is vulgar. Of course we want our children to be safe, not vulnerable to the destructive, blind rampages of war. There is nothing of interest to be won or learnt from looking at this kind of morally sound painting. Its moral character, appropriate as it may be, counts against rather than for its value as art.<sup>27</sup>

### Immoral art

Francis Bacon, considered by many in the 1980s to be Britain's greatest living painter, first made an impact in 1945 with the exhibition of his *Three Studies for Figures at the Base of a Crucifixion* (1944), see pp. 186–8. The viewer is presented with three separate

canvases, reminiscent of a triptych, each depicting a strangely anthropomorphic animal-like form. The figure on the left is crouching on a table, huddling itself in a bird-like manner, its vaguely human face a quarter on and turned away. The central figure is side on, the elongated neck stretching from the bulbous, ostrich-like body, bringing its face in full confrontation with the viewer. The threatening, repulsive, mouth of lips and teeth is somewhat agape, and where there should be eyes the face is bandaged. The mouth emerges directly from the neck rather than belonging to a distinct face. The third canvas represents a sharpened, cow-like body, its elongated neck bringing a viciously howling mouth into three quarter view. The neck opens up into rows of teeth, an ear placed behind the lower jaw juts out, the mouth stretches open in a scream, extended in a manner impossible for any human skull. These frightened, blind, raging figures are visceral in their impact, jolting one into sensations of fright, horror, isolation and angst. Their force derives from the fusion of bestial forms with anthropomorphising faces. We react to them as self-conscious creatures, their postures and expressions revealing feelings of petrified isolation, searing horror, pain and blind confusion. But the heads, though recognisably akin to human faces, are distinctly anything other than human. The painful emotions we feel in response to them are shot through with the recognition that these creatures both are and are not akin to ourselves. In a profound sense they both portray and threaten our conceptions of what it is like to be an embodied human being. For here are creatures, ugly, deformed, who suffer deeply in their self-conscious condition, and yet are radically removed from something we would recognisably call human.

It is tempting to think of Bacon's work as being in a lineage familiar from the work of Edvard Munch and German







Francis Bacon, *Three Studies for Figures at the Base of a Crucifixion* (c.1944) © Tate, London 2003

expressionism. Distorted figures, vivid colours, themes of isolation, horror and angst chime with the expressionist impulse to convey heightened inner states and sympathise with those represented. Yet Bacon always disavowed such an attribution and considered himself to be a realist, albeit of a very particular kind. In what sense did Bacon consider himself a realist? The iconography of Bacon's works is familiar. Isolated, often single figures, howling, despairing, as in his *Study for the Head of a Screaming Pope* (1952), are evoked with smeared paint, twisted, smudged and blurred faces. The corrupted, distorted, distinguishing fleshly features carnivorously emerge from embodied structures. His use of religious imagery, particularly crucifixion motifs, and vicious forms reminiscent of the savage furies of Greek legends, all heighten the visceral sensation that clamps on to the viewer's nervous system. The pictorial space sets up a sense of isolation, as if the viewer watches their plight, distanced, through glass pane rather than being invited in to share their plight. It is no accident that some of Bacon's richest source material consisted of books on oral disease, repulsive medical conditions, photographs of human bodies and animal locomotion. The clinical gaze one sees displayed in medical texts of skin diseases is generalised by Bacon to the entire treatment of the human form and condition. Mankind is seen as animated meat, decayed flesh, driven by rage and pain, devoid of higher emotions, finer feelings or any sense of belonging. It is a cold, distanced, aestheticised eye on a corrupted world of brutish decay, suffering and isolation. It is difficult to think of another painter whose view of the human condition is so intensely bleak, bereft and base. Expressionism invites pity for its romanticised conception of the human condition. Bacon's work shows a world of embodied pain we are to observe, feel and accept.

I take it that we should not accept Bacon's conception of humanity. The physicality of the paint, the whorls, smears, fungibility of the faces, the distortions of the figures, the intense colours are all in the service of a denial of life: ordinary life made up of the higher aspirations, finer feelings and social relations which make it worth living. No one doubts that in our darker moments life can seem as Bacon paints it. But it is not so unremittingly, as a permanent condition from which there is no escape. At a stretch Bacon's disgust, repulsion and acceptance might make sense against a background of religious belief which promised a heavenly world to come. But Bacon goes out of his way to preclude any such possibility. His recurring use of crucifixion motifs and papal figures is no accident. Perhaps the most famous is his *Study after Velazquez's Portrait of Pope Innocent X* (1953). Here we have a seated figurehead of the Catholic Church, *the* chosen representative of Christ on earth in apostolic succession, who is held to have an enduring and unflinching relationship with God. In Bacon's garden of earthly pain we are presented with the symbolic representative of the one hope that might redeem our base lot. And how is the pope presented to us? Enthroned, alone, almost caged, his indistinct, white hands gripping the edge of the armrests, his mouth wide open in horror, screaming, as the dark pain all around bleeds into the foreground, runs down his face and almost blinds him. There is no salvation, no relief, no redemption from the horror. And what kind of attitude does Bacon recommend to his jaundiced vision of the world? A passive acceptance which constitutes a refusal to recognise or aspire to the things which could make such a condition bearable. Pain is our lot and this we should accept. No more and no less. In certain ways Bacon's vision is a humiliation of humanity, an attempt to reduce us to raw embodied appetites and feelings,

self-consciousness only serving to heighten our pain by dint of self-awareness. We are diseased, corrupt, repulsive and plastic of form. It is no wonder that Bacon gave rise to such condemnation at the same time as giving rise to great praise. Bacon's is a vision of humanity which, morally speaking, we should reject. Yet at its best his painting is amongst the best of the latter half of the twentieth century. It pulls one back time and time again.

### Forbidden knowledge

The value of a work depends partly on the quality of the experience the work affords and the insight or understanding it conveys to us. Many works enhance our understanding in terms of getting us to perceive the world aright or getting us to respond as we should. None the less, some works are both intelligible and insightful despite, or sometimes because of, the ways in which they get us to see or respond to things we would not actually deem to be right, good or true. The core thought is that, as in Bacon's work, we are sometimes prepared to suspend our actual moral judgements because of the potentially insightful rewards engaging with a morally problematic work might bring. Where a work yields up such rewards, it is valuable in part due to its morally defective aspect. The claim depends upon the assumption that, for creatures such as ourselves, experience is a primary means of understanding. We come to discriminate, appreciate and grasp many things on the basis of experience. Not only does this extend to the moral sphere but we also require comparative experience. We must have experienced, in some sense, the bad in order to understand the good. Someone whose life is utterly charmed, who has never experienced

betrayal, deceit, tragedy or failure, may be able to appreciate many things, but it is unlikely they will really know certain things about friendship, love, morality or great art. They might be unable to see how friendships could be open to betrayal, how people can be easily tempted into doing the wrong thing or the myriad ways in which art works can turn out to be crass, vulgar or deeply mediocre. A true appreciation of such things requires an understanding of the ways in which they can go wrong. This applies not only to being subject to morally bad experiences but to being implicated in them in morally problematic ways. It is one thing to find out by experience that some people like fighting; it is another to find out that you too could derive pleasure from the infliction of violence upon others, a far more unsettling insight by far. Similarly it is one thing to know that some view humanity as corrupted, diseased, blindly animated meat; it is another to see how one could come to view humanity as such oneself. One needn't actually be drawn into actual physical violence or actually believe humanity to be such to find these things out about oneself; there are more indirect means. One of the most powerful is art.

I remember first seeing Bacon's *Three Studies for Figures at the Base of a Crucifixion* (1944) as a child and being transfixed with horror, revulsion and fascination. Even now the effect is undiminished and the fascination endless. It is a mark of Bacon's artistic success, rather than failure, that it yields up such appreciation despite its morally problematic nature. This is because there is something about Bacon's vision which is intelligible to us. It is not wholly false, just a peculiarly partial conception falsely generalised. Bacon is a permanently bleak painter. But we all know what such a mood is like – from time to time the world seems bleached of humanity; it strikes us that we are driven by base appetites and

humanity itself is dirty, wicked, corrupted. Hence we respond to Bacon's expression of such a mood, which he smears over the entire world. We are more than this. But Bacon's general conception does rest on recognising a truth about particular aspects of our human nature – something from which we often shrink or self-deceivably push to the back of our minds. We can be good, altruistic and driven by noble feelings, and appreciate refined sentiments. But part of us does remain revolted and fascinated by the ways our brutish animal natures can flatten out our higher nature, thus leading us to be appalled at the horror of existence. In particular, though the human figure can be beautiful, we too can see it as a piece of meat, deformed flesh, animated by drives and desires devoid of human will. As a general conception of humanity, it is not only false but morally pernicious. But that cannot prevent the recognition that there is something important about ourselves we can come to recognise in Bacon's work or that we can and should respond to Bacon's work as solicited. For the intensity of that vision, its sincerity and the sheer mastery of paint which gives rise to its peculiar effects make it great art indeed. Bacon succeeds because he shows us a deeply intelligible conception of the world and we respond accordingly, even though in actuality we may take such a vision to be distorted, jaundiced and myopic. What matters can't be reduced to whether or not the vision and responses sought are, morally speaking, the right ones. It is whether an artist can get us to see, feel and respond to his vision as he intends us to. Bacon succeeds, at least for many, and in so doing we come to learn something about ourselves and the world. Despite its general falsity, we learn that we could come to see humanity's corporeality as a curse, react with disgust to the physicality of others and refuse to see altruism, finer feeling or nobility of attitude in anyone.

Someone may refuse to appreciate Bacon fully because they cannot or will not bring themselves to entertain radical differences in world-views. But such an inability doesn't automatically reflect a defect in Bacon's work. No doubt most of us respond to Bacon's work in ways which are at odds with what we take to be plausible and morally adequate regarding the human condition. But psychologically speaking we can entertain Bacon's view because it relies on something close to a mood we sometimes find ourselves in and because the artistry of the work is so vivid, intense and convincing. Bacon's artistry enables us to take up such a stance because it renders intelligible and psychologically close certain things we already incipiently entertain and think. The suspension of moral judgement, from what we actually believe, is no different from Coleridge's suspension of intellectual belief. We can and do appreciate both intellectually and morally problematic works. By default where a work is morally defective, other things being equal, its value as art will be lessened. But other things are not always equal. For we can learn from great works in virtue of the ways in which they are morally defective.<sup>28</sup> So the moralist's thesis is wrong. Immoral works, where they deepen our understanding, can be better rather than worse works of art for so doing. It is no accident that some of the greatest works of art not only deal with evil but are shocking because they solicit thoughts, attitudes and responses which are morally problematic. Great art, after all, can be deeply shocking indeed – because we have found things out about ourselves that we would rather not have known.

## Obscenity, censoriousness and censorship

If the argument above is right, then it can't be the case that all great art civilises nor that great art is necessarily exempt from charges of prurience, immoralism or obscenity. But just what is it for a work to be obscene? For the notion to be an interesting one it can't just pick out works we think are particularly immoral or in very bad taste. If that were all that were meant then the term would be merely a rhetorical one. True, sometimes that's all that seems to be going on. People occasionally say things like 'displaying that work is obscene', as some claimed regarding Harvey's *Myra*, or 'to render beautiful the suffering of others is obscene', an occasionally made condemnation of works which aestheticise the forlorn, dispossessed and dying. But such uses of the term seem only loosely related. Nor is the notion directly tied to causal considerations. Obscenity is often assumed to concern the likelihood of inducing morally problematic attitudes and behaviour. Hence, for example, a lot of obscenity debates about pornography centre on whether the sexual objectification involved is likely to cause immoral attitudes and behaviour towards women. This can't be right. Even if we granted that there are causal links from obscene representations to immoral actions, the causal assumption would apply to many representations we wouldn't judge obscene. Many Klimts, Pre-Raphaelite works, paintings by Frederick Leighton, Alma-Tadema and Allen Jones represent women as dependent, empty, flighty, fantastical or sexually objectified. We might worry that where someone's artistic diet consisted solely of such works then *perhaps* they may cultivate morally dubious attitudes or behaviour with respect to women but we wouldn't automatically condemn such works as obscene. Moreover, certain works by the photographer

Joel-Peter Witkin, which invite a compulsive interest in the freakish and deformed, Jake and Dinos Chapman's circle of child mannequins, with genitals protruding in place of mouths and ears, or Rick Gibson's *Human Earrings* (1985), featuring real foetuses attached as earrings to the ears of a mannequin, would be considered obscene without assuming they would affect anyone's attitudes or behaviour with respect to the disabled, children or the dead. So whatever judging something to be obscene consists in, it is prior to and conceptually independent of causal concerns.

A clue to what this is can be found in the typical subject matter judgements of obscenity cluster around. Marks of the obscene involve certain kinds of subject matter, sex, violence, death and the corporeal, or certain kinds of objectifying responses, interests and attitudes, such as disgust, repulsion and curiosity. But this is not enough for something to be judged obscene. Monet's portrait of his dead wife, Cézanne's depiction of his dead child or Lucian Freud's work, for example, all solicit an objectifying interest in our corporeal nature, the folds and tones of flesh that constitute our bodily nature, but such works are not obscene. Obscenity is a matter of the *ways* in which such subject matter and interests are treated by representations – which is a question of the kinds of desires and attitudes a work speaks to concerning the subject matter.<sup>29</sup>

There are at least three distinct responses or attitudes obscene works seek to cultivate. The first concerns the indulgence of basic motivating desires deemed to be morally wrong, misdirected or excessive. Consider certain pornographic works by Schiele, with their explicit sexual interest and genital fixation in the representation of young girls. Sexual desire is not as such wrong, but where it is fixated on the very young it is misdirected. Desire for sexual

power over, domination of and sexual congress with those who appear young is not that uncommon; consider the age and appearance of many younger supermodels. But some of Schiele's pornographic works are obscene since they evoke a sense of sexual excitement, desire and arousal towards the very young who, morally speaking, we should be prohibited from thinking of in that way. Similarly, with respect to certain representations of violence, suffering and death, a work may solicit responses that speak to desires to see others suffer or savour their annihilation. Consider a series of untitled photographs by Sue Fox (1996–97) of cadavers. We are presented with corpses in various stages of being cut open, examined and left after autopsies. There is nothing wrong with examining corpses in a dispassionate way. This is what doctors themselves must do in seeking out the cause of death, and clinicians must distance themselves from their normal human reactions in order to realise their goal of discovering the cause of death. But in Sue Fox's work we are presented with dismembered, butchered corpses for the sake of aesthetic delight. We are to savour the colours, the hollowed out chest cavities, the folded, sunken in flesh, and tonal contrasts of red, white and yellow for our aesthetic pleasure. What does the work here is the thought that we are witness to the destruction of a body, which we cannot help but think of as some person. To solicit delight, for its own sake, in the destruction and annihilation of the human body in this way is morally problematic. It is something we ought not to be encouraged to do (in the same way we would worry about someone who sought out medical pictures of the diseased, crippled and deformed to delight in). Similarly Peng Yu's *Curtain* (1999), which uses more than 1,000 lobsters, grass-snakes and bull frogs pierced through their guts and strung up to die, solicits contemplation of and delight

in suffering. Again such desires and the capacity to delight in them are common enough. Given the opportunity to actually fulfil such desires a morally decent person would not act on them, would feel overwhelmingly repulsed by witnessing such actions and would feel no excitement at the prospect of so doing. But the force of moral prohibition slackens when confronting mere representations and it is easier to feel the pull of the desires spoken to.

The second kind of response obscene works often speak to concerns the desire to be morally transgressive or to delight in feelings of repulsion and disgust. It is a common enough aim in contemporary art to seek to shock, repel or disgust. This is insufficient for something to be an obscene work. But one of the ways in which such shock and horror can be achieved is by moral transgression. So the aims of the works cited above may not just be to get us to delight in pain, annihilation or misdirected sexual desire. Part of the aim could also be to solicit excitement, interest and delight in moral transgression as such. No doubt many people find such an appeal delightful, since the desire to break free from the fundamental moral norms and mores we standardly take to be binding is not uncommon. We are not attracted to do so in real life because of the high moral costs to oneself and others and the likely prudential costs. But such costs are far less with respect to representations which indulge such desires but do not obviously involve harm to anyone. Hence, again, a work may successfully solicit the pull of morally prohibited desires in us.

The third kind of response concerns the attraction of cognitive interests such as curiosity or fascination. The work of the photographer Joel-Peter Witkin, for example, foregrounds an interest in the freakish, deformed and mutilated bodies of persons. Our attention is focused on their deformations and in some cases the

recognition of them as individual persons is blocked off by their wearing masks. Such curiosity is not uncommon – as testified to down the ages from Plato’s characterisation of Leontion in *The Republic*, who delighted in the appearance of executed corpses, through to the fascination of many for the death, disaster and car crash television programmes that attract high audience ratings.

Obscene works elicit or commend to us, in repulsive ways, morally prohibited responses which we none the less find attractive for some of the reasons articulated above. It is important to emphasise here that many works which might appear to be obscene aren’t. The charge of obscenity is often too quickly and easily made. For example, take Tierney Gearon’s photographs depicting her six-year-old daughter and four-year-old son. Her partly naked son urinates in the snow in one and, in the other, they are both looking at the camera, wearing nothing but theatrical masks. The depiction of the children, and the responses called upon, are in no way morally problematic. It is perhaps understandable why people may mistakenly judge them to be obscene, since they look very similar in some respects to the kind of photograph someone interested in indulging sexual desires for young children may take an interest in. No doubt they could be looked at in such terms – just as clothing catalogues could be looked at by such people in sexual terms. But that they could be misused in such ways doesn’t make them obscene.

Context and purpose make a difference. If photographs like Gearon’s were grouped together on a paedophilia collage or website they might become obscene, for they would be being grouped together in order to arouse sexual desires for pre-pubescents. The same may be true of medical photographs of diseased bodies or cadavers. Individual photographs may not be obscene in any way

but where a collage of such photographs is arranged to delight in the pain, suffering or death represented, then they may become so. In a similar light consider the Body Worlds exhibition, put on in Brick Lane, London, in 2002 and previously displayed all round Europe. The exhibition consists of anatomical displays of real, dead human bodies, and various other animals which have been preserved using the technique of plastination developed by Dr Gunther von Hagens. From cross-sections of the brain or lungs, anatomical displays of the different layers of the body through to the fibrous, tendril-like patterns of arterial circulatory systems, the exhibition was fascinating, in parts beautiful and educative. Part of the exhibition is potentially disturbing. For example, a woman lying prone in a pose reminiscent of art historical portraiture has a cross-section of her belly removed to display a foetus in her womb. No doubt some found this upsetting. But the purpose of the display is not to delight in the annihilation of persons but to marvel at the nature, complexity and beauty of the human body – of which we are all made and yet think and know so little about. So the purpose and context makes a difference and we should be careful to pay attention to such matters before being moved to condemn representations as obscene. Some might be tempted to say such considerations exonerate Sue Fox's photographs from the charge of obscenity, since they too are presented in the context of an art world for artistic appreciation. Yet whereas Gearon's photographs do not themselves solicit sexual attention towards the children represented and von Hagens' anatomical displays do not solicit delight in the thought of the death of others, Fox's photographs seem to draw the viewer in to savour the annihilation of persons. *If* that's right, then they are indeed appropriate objects of judgements of obscenity.

The recognition that works may be immoral or obscene in character does not provide grounds for censorship. The denial that works can have such a character is often driven by well-meaning concerns that the floodgates barring censorship would otherwise be overwhelmed. For the censorious amongst us would happily prohibit the display of many works deemed to be deeply offensive. But this is really an act of intellectual cowardice. It amounts to a tacit concession that the case against censorship can't successfully be made if we openly acknowledge that works can be deeply immoral, obscene and offensive. But nothing could be further from the truth.

One of the classical liberal arguments against censorship, stemming from John Stuart Mill, relies on the harm principle: the idea that unless something constitutes a harm it should not be prohibited.<sup>30</sup> Mill's argument emphasises that we are fallible creatures who may be mistaken about what is the case or fail to appreciate why something is true. Hence banning the articulation of views which are offensive can only serve to stifle understanding in the service of truth. Only where more harm than good is likely to result, in a manner which involves the infringement of more fundamental rights of others, should the expression of a view be prohibited in a particular case. It is not the view as such that is banned, since it may be articulated elsewhere or in another form where harm is unlikely, but what is prohibited is its articulation in scenarios where there is likely to be provocation of harm to others. Thus an extreme fascist speaker may be banned from speaking in the East End of London on a particular occasion, since it is judged the likelihood of violence being inflicted on others will be high, though the views as such should not be prohibited.

Mill's view has two components. First, that freedom of expression is premised on the articulation or representation of views

serving truth and understanding and, second, that only in particular instances may this be overridden owing to considerations from harm. Now in the case of many art works that are deemed deeply offensive, it's far from clear that they involve the articulation of views or opinions which are in the service of truth or understanding. At least, views that could not otherwise be articulated in ways deemed to be less offensive. For example, Harvey's *Myra*, displayed at the Royal Academy's Sensation exhibition, may be artistically interesting, in virtue of the way it is constructed from the handprints of children, but it doesn't obviously add anything to the debate about how and why someone like that could come to participate in the murder of children or what the right response to Myra Hindley's punishment should be. So it is not clear that such a work is protected under Mill's characterisation of freedom of expression in the service of truth and understanding. We could try to suggest that this is a mistake. This work and others like it do in some way add to our knowledge of ourselves and others, along the lines articulated in chapter 3. But this would already be to concede too much – as if the non-censorship of art works *depended* upon whether they enhanced our understanding. Let's just assume that some such works do not.

Now it is often claimed that works constituting a deep affront to others may constitute a harm.<sup>31</sup> Why? The first reason is that things found to be morally disgusting give rise to fundamentally unpleasant emotions of abhorrence, loathing, repulsion and anger. Not only is the nature of what is displayed found morally loathsome but sometimes there is a sense of someone's deepest personal commitments and identity being attacked. The thought is that we have a right to be protected from unpleasant feelings and attacks on our identity, just as we have a right to be protected from

the unpleasantness and vulnerability that results when someone is harassed, stalked or intimidated. Notice that the claim is not that we have the right to have our morality respected as such; rather it is the right to be protected from an offence which makes us feel vulnerable and deeply disturbed.

But the appeal to deep offence is no good. It's not the case that everyone finds feelings of disturbance and vulnerability threatening. If this were the case then it would be nigh unintelligible as to why so many people go to horror movies, or enjoy mountain climbing, roller coaster rides or literary works which challenge, confront or threaten their feelings, assumed views and identities. Some people enjoy the thrill of fear and others embrace the opportunity to entertain possibilities their beliefs are fundamentally at odds with. Why should such people be prevented from doing so merely because some people find them disturbing and unpleasant in ways they find difficult to cope with? No one forces them to go to galleries, read books, watch horror movies or go mountain climbing. More importantly, even if a work does disgust nearly everyone, this is still insufficient reason to ban it. Why do such feelings of repulsion arise in the first place? As a result of moral, social or aesthetic judgements of the vile nature of an image or its represented attitude. But the frustration of desires concerning what others ought to say, do and think is based on a moral, social or aesthetic judgement. And no one has the right to impose their conception of the right, good and beautiful on others. This is not to say that we cannot be profoundly mistaken. We can. But the point of a liberal society is to protect and honour the individual autonomy of its citizens – and that includes the right to make, and the responsibility for, one's own mistakes, as long as the rights of others are not so infringed. And the display of deeply immoral

works in no way does so – as long as it is made clear what is being exhibited so people can choose to avoid it or engage with it as they wish.

A distinct but related thought construes deep offence as public indecency.<sup>32</sup> Perhaps it's not the Myra Hindley image as such which is so offensive but its presentation in a public exhibition by the Royal Academy. Public indecency is a matter of displaying an image or committing an act in public that should essentially be considered private. Hence the display of highly explicit sexual images is typically regarded as indecent. However, this view itself depends upon a particular moral conception of the nature of sexual activities and relations. Matters should be organised or regulated such that those likely to be offended by exhibition material are not readily exposed to it against their will, yet this is not the same thing as censorship. Deep offence is a function of moral qualms about images, attitudes or public display. But moral judgements as such have no business influencing what is or is not permissible in a liberal state. The function of the law is to protect and honour our capacity to lead our lives as we choose – and that of necessity includes the possibility of choosing to display, engage with or create works which are obscene or immoral. It is a matter of individual responsibility. This is true even if, in particular cases, doing so may be a bad thing.