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THE CRIME OF PASSION

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Andrea Mantegna, the court painter to the marquis Ludovico Gonzaga in Mantua, had an unpleasant dispute with a printmaker, Simone di Ardizzone, in 1475. Mantegna accused Simone of making engraved copies of his work and thus of stealing his ideas for profit. At this point in history there was no legal protection of artistic ideas, no copyright. Mantegna activated his own cruder justice. The ultrarefined poet of the brush and student of archeology hired a gang of thugs, ten men according to Simone's complaint, to assault his competitor in the street. When the intimidation failed, Mantegna persuaded "certain knaves" to accuse Simone, before the magistrates, of sodomy. Sodomy was a capital offense, but inconsistently prosecuted. Simone di Ardizzone did not burn. He only had to leave town, with a safe conduct supplied by Mantegna's own patron Ludovico.¹

In filing an accusation of sodomy Mantegna was supposedly speaking on behalf of an outraged society. The victim of the crime was society itself, offended by the affront against nature. The cry of accusation amplified the community's outrage. An accusation gathers talk, rumor, and hearsay into a cry of indignation and carries it over the threshold of publication, makes it public. The outcry condenses a diffuseness of loose talk, gossip and rumor. The voiced complaint, the clamor or alarm, is already contained in the word *crime*. In many dictionaries "crime," Latin *crimen*, is still tied to *cerno*, *cernere*, to sift or to distinguish: the criminal is the one who is singled out. *Crimen* would then be cognate with *discriminate*. But already Max Müller, the nineteenth-century philologist of myth, doubted this etymology. The better account, he thought, derives the word from an Indo-European root that predates the split between the Romance and the Germanic languages, such that the Latin *crimen* is cognate with Old Icelandic *hrina*, to scream,

¹ Ronald Lightbown, *Mantegna* (University of California Press, 1986), 235-36.

and Old High German *scrian*, to scream, source of modern *schreien*.² Both *crimen* and the Latin *querela*, or “grievance,” descend from these same roots. So, too, does the Greek *krizo*, to creak or screech.

The *crimen*, a cry of grievance, is iterable and imitable; it moves quickly from one association to another. The *crimen* begins as the victim’s anguished cry for help. Next the *crimen* is the righteous collective cry of condemnation, now no longer directly emitted by the victim but merely repeated. Finally, the *crimen* is the *act itself*, the crime: the crime, in effect, cries its own guilt. Sodomy accuses itself. Sodomy was listed in a catechism from Basel of 1514 among the *peccata clamantia*, the “shouting sins”.³ Sodomy declaims its own denaturedness, gathering up pain, and indignation into a single depersonalized voicing. The displacements cut off the cry from its notional source in suffering, or at least in passion.

Mantegna’s strong-arm tactic, his notification of the authorities, was a speech without authority. For there was possibly never any such talk in the streets of Mantua about Simone, no hidden crime of passion at all. The offense may have been an *invenzione* by Mantegna, one of his bold fictions. Like a work of art, the outcry creates retroactively its own cause. As if to say: such an accusation *must* be backed up by well-informed hearsay. Hearsay is powerful because it has no authority, because it “one” who speaks, over and over again. “Everyone knows” about the artist Simone de Ardizone.

The cumulative structure of reputation is brought out also by the many judicial documents of the time which show how the hand of authority was forced by a build-up of defamatory rumor into an outcry, a term that resonated with the Biblical account of Sodom and Gomorrah (Genesis 18: 20-21):

Then the Lord said, “How great is the outcry against Sodom and Gomorrah and how very grave their sin! I must go down and see whether they have done altogether according to the outcry that has come to me; and if not, I will know.”

The city of Sodom was destroyed for the sin of sodomy: the men of Sodom had wanted to rape the male angels who had visited Lot in the night.

The mobility of the cry, or *crimen*, suggests that a cry is not so easily tracked back into an *origin* in aggravated existence. The cry points backward, but it is hard to say at what.

² Karl Brugmann, “Lateinische Etymologien,” *Indogermanische Forschungen*, no. 9 (1898): 353-54.

³ Helmut Puff, *Sodomy in Reformation Germany and Switzerland, 1400-1600* (University of Chicago Press, 2003), chap. 1.

It is always interesting to know something personal and existential about an artist. If only one knew more about the righteous artist Mantegna! His sleek works are always testing the ratio of desire and power, for example the painting in London of Samson sprawled insensate on the lap of Delilah, a maternal scene gone all wrong. Or the writhing martyr St. Sebastian in Vienna, a painting conspicuously signed in Greek that may have functioned as a votive offering and as something like a personal emblem for the artist. What did Mantegna really think about sodomites? About Hercules, for example, a subject of several of his works, a prodigious consumer of male lovers.

But this is a badly posed question. It is impossible to reverse-engineer Mantegna's works back to a sensibility, impossible to blaze a path back from metaphor to metonymy, from figuration to experience. That way is blocked by the angel with the flaming sword. Experience is transmuted by the tropes. Creation is an irreversible passage from the private to the public, from dark to light; a passage from the formless momentariness of experience into the recognizable formedness of a depiction, suddenly cut off from lived time.

There is a parallel here with the accusation we were considering a moment ago. The *crimen*, the cry, began as a bringing of experience into the light, as an initial public figuring of experience. But then successively the cry slips out of contact with experience, and ends finally as a mere *formula*. The divided nature of the cry, or crime—its double nature as originating in an experience of pain but reappearing as a formulaic expression of principled outrage—is a clue that permits us to approach again the enigma of art and experience. This paper is about artistic authorship and artistic autobiography, or better: what I would call “auto-phania,” self-manifestation. It is about the possible matches and mismatches between experience and the figuration of experience, or between the passion and the crime, proposed from within the project of artistic authorship.

To return to those Mantuan experiences. Mantegna ratcheted up the violence against Simone by designating him one who is always already a passive victim. He legitimated the vendetta by pointing to the unnatural passivity of the sodomite. The passive pederast is the *pathicus*, a Latin word that adapted a Greek word, *pathikeuomai*, “to be sexually passive,” from *pathos*, “that which happens to you.” The *pathicus* is the one who allows himself to be used like a woman. But even the “top” is passive in the sense that he allegedly abandons the pursuit of women. He abandons the hunt and instead returns to what he knows, to the familiar, to the darkness and the deep indoors. He turns away from the pursuit and conquest of an Other and instead returns to a mirror image of himself, perhaps a younger self-image. The artist Simone's invisible bedroom crime matched his stealthy

workshop crime: for Mantegna had accused him precisely of a sterile copying, plagiarism.

This passive withdrawal is the essence of the etiological myth of the origins of homosexuality succinctly narrated by Ovid in *Metamorphoses*, 10: 78-85:

Tertius aequoreis inclusum Piscibus annum
finierat Titan, omnemque refugerat Orpheus
femineam Venerem, seu quod male cesserat illi,
sive fidem dederat; multas tamen ardor habebat
iungere se vati, multae doluere repulsae.
ille etiam Thracum populis fuit auctor amorem
in teneros transferre mares citraque iuventam
aetatis breve ver et primos carpere flores.

(Three times the year had gone through waves of Pisces,
While Orpheus refused to sleep with women;
Whether this meant he feared bad luck in marriage,
Or proved him faithful to Eurydice,
No one can say, yet women followed him
And felt insulted when he turned them out.
Meanwhile he taught the men of Thrace the art
Of making love to boys and showed them that
Such love affairs renewed their early vigour,
The innocence of youth, the flowers of spring.)

Mantegna himself depicted the final moment in the narration, the enraged Bacchantes or Maenads beating the singer-theologian Orpheus to death. It is a compressed tangle of bodies, a painted citation of an ancient sarcophagus. There is no context to explain the cold fervor of these exterminating angels. Mantegna painted this scene in the years immediately preceding his dispute with Simone, in one of the grisaille spandrels in the Camera degli Sposi in the Gonzaga palace in Mantua.

An Italian engraving of the period, designed not by Mantegna but by someone who knew his work well, gives a fuller account (fig. 1).⁴ Here Orpheus is on his knees, wearing only a *chlamys* or cloak, apparently on the verge of penetrating his uncomfortably childish partner: for the pederast's target is represented here as a mere toddler who flees, casting a backward

⁴ David Ekserdjian, "Mantegna's Lost 'Death of Orpheus,'" in *Gedenkschrift für Richard Harprath*, ed. Wolfgang Liebenwein and Anchise Tempestini (Munich: Deutscher Kunstverlag, 1998), 144-49.



1. Anonymous Italian, *Death of Orpheus*, engraving, c. 1480, Hamburg, Kunsthalle.
Photo: Art Resource, NY.

glance, as the women wielding giant clubs set to their task. The backward glance parodies Orpheus's own earlier, confirming backward glance at Eurydice, on the journey home from Hades, that had cost him for a second time his wife and triggered the depressive withdrawal from the company of women whose outcome is depicted here. The child's backward glance also invokes the disobedient backward glance of the wife of Lot, who when fleeing the wicked city of Sodom had been instructed not to look behind her at the destruction, the fire and brimstone descending on the city. The child, like the wife Lot, looks back in horror upon the destruction visited on sin.

The anthropomorphic lute in the foreground, with its black aperture, is the body double of the boy, as if the lute had been discarded in favor of the boy.

The artist counts on a knowing audience who will recognize the story, perhaps an audience who knew the drama by the poet and scholar Angelo Poliziano, *La favola di Orfeo*, which had its premiere very probably in the very Camera degli Sposi in Mantua with its frescoes by Mantegna, around 1480 or a little earlier:

Ecco quel che l'amor nostro disprezza!

O, o, sorelle! O, o, diamoli morte!
 Tu scaglia il tirso; e tu quel ramo spezza;

See there is he who scorns our love. Oh, Oh sisters, Oh, Oh, let us give him death. Seize my thyrsus, do thou break down that branch.

The drama is proto-operatic; it is tragical and comical at once. The engraving captures its spirit.

The displacement of the myth towards the comic, in Ovid and in the fifteenth century, reproduces in the aesthetic sphere the persistent misnaming or non-naming of the crime in the legal records. Sodomy, we saw, was a “shouting crime,” and this relieved clerks and theologians of the mortifying task of naming it again. Sodomy was the unnameable crime, indeed already in the middle ages it was the vice that dared not speak its name. In many texts from the Scholastic corpus and later German juridical records, sodomy is designated as the “mute” crime: *non debet homo loqui de peccato istu* (Guilelmus Peraldus, 13th c.); *... est gravius omnibus aliis peccatis, propter quod mutum, vel indicibile dicitur, eo quod ipsum nominare pessimum est* (Joh. Heroldt, 15th c.); *... mit der ungenannten unkeuschait* (Joh. Geiler von Kaisersberg, *Die siben hauptsünd*, 1511).⁵

However, there was in Germany at least one pronounceable name for sodomy: namely, *florenzen*, or “florencing.” Sodomy was the Italian vice, the vice cultivated and condoned in the lax Babylons of Florence and Venice. Albrecht Dürer, the ambitious German printmaker and painter, came to Venice in 1494 at the age of 23. In that very year, Dürer made fine drawn copies of two engravings by Mantegna with pagan subjects, the *Bacchanal* and the *Battle of the Sea Gods*, an image about envy and slander; examples of the agitated montages of nude figures that Dürer and his friend Willibald Pirckheimer admired. *Pathosblätter*, or “passion-sheets,” as Aby Warburg would later call them.

In 1494 Dürer made a splendid pen-and-ink drawing, not a study or an experiment but a finished work of art, based on the Italian engraving of the Death of Orpheus; or possibly based on another, lost work, but at any rate closely modeled on the composition we know (fig. 2).⁶ This was

⁵ In Puff, *Sodomy in Reformation Germany*, chap. 3.

⁶ Friedrich Winkler, *Die Zeichnungen Albrecht Dürers*, 4 vols. (Berlin: Deutscher Verein für Kunstwissenschaft, 1936-1937), no. 58; Edgar Wind, “Hercules’ and ‘Orpheus’: Two Mock-Heroic Designs by Dürer,” *Journal of the Warburg and Courtauld Institutes* 2 (1938/1939): 206-18; Fedja Anzelewsky, *Dürer-Studien* (Berlin: Deutscher Verlag für Kunstwissenschaft, 1983), 26; James Saslow, *Ganymede in the Renaissance: Homosexuality in Art and Society* (Yale University Press, 1986), 49 and no. 79-80; Helmut Puff, “Orpheus after Eurydice (According to Albrecht Dürer),” in Basil Dufallo



2. Albrecht Dürer, *Death of Orpheus*, pen drawing, 1494, Hamburg, Kunsthalle.
Photo: Art Resource, NY.

the very year that Poliziano's play *Orfeo* was published, in Bologna. Dürer produced a work much finer than its model. In the seventeenth century the drawing was owned by Joachim Sandrart, an artist and the first historian of German art, the German Vasari. Sandrart said that the drawing is "von allen Kunsterfahrnen...für das allererste und curioseste von des Authoris Hand gehalten": considered by all cognoscenti to be the supreme and most curious of Dürer's drawings.⁷ The work stood on the threshold between the public and the private: finished, signed and dated, yet not displayable, only ever visible to a few, the insiders. It was like the poems that were circulated and read privately, among friends, in antiquity and in the Renaissance, poems never set in type.

Dürer emends his printed source: he transforms the lute into a classical lyre. He replaces the city on the hill with the trees that with his music Orpheus had persuaded to gather round him. He suspends a book of music from the tree (fig. 3). In it the word "fama," reputation, is legible. Most important, Dürer added a scroll, a label: "Orfeus der erste puseran," Orpheus the first bugger. *Buseran* was a word derived from Venetian slang, *buggerone*, meaning bugger, sodomite. This is one of the earliest recorded

and Peggy McCracken, eds., *Dead Lovers, Erotic Bonds and the Study of Premodern Europe* (Ann Arbor: University of Michigan Press, 2007), 71 ff.

⁷ Joachim Sandrart, *Academie der Bau-, Bild- und Malerei-Künste von 1675: Leben der berühmten Maler, Bildhauer und Baumeister*, ed. A. R. Peltzer (Munich: Hirth, 1925), 317, 332.



3. Albrecht Dürer, *Death of Orpheus*, detail. Photo: Art Resource, NY.

uses of the word in German. Later the word would be used by Luther and others as a slur on the Pope and Roman prelates.

The scroll pulls the scene away from its mythic double, the death of Pentheus, the king of Thebes who resented the new vogue for Dionysian excess. Women under the spell of the long-haired guru Dionysius were practicing wild rites in the mountains. Pentheus, outraged but curious, disguised himself in order to spy on the Bacchantes. The women unmasked him and tore him to pieces. A drawing on parchment by the Paduan artist Marco Zoppo, a workshop mate of Mantegna, might depict this scene, but it might equally depict the death of Orpheus (fig. 4).⁸ The fleeing rabbit, the Venerian animal, is echoed, seemingly, by the tail-turning putto, Orpheus's boy lover, in the Orpheus engraving.

Zoppo and Dürer crave the structural rhymes that invite unchecked sliding from story to story. They have been liberated into this story-world by humanistic scholarship. In the 1470s, artists learned to read the stories independently of the convergent, normative scriptural and typological readings that had dominated the reading of Ovid in the middle ages.

In Dürer's drawing, the name, a denotation and a strong overcoding, temporarily arrests mythic substitutions and blocks other names. The scroll with its urban slang term pulls the scene away from the *gravitas* of the Passional, the book of Martyrs, and pushes it deep into the territory

⁸ Lilian Armstrong, *The Paintings and Drawings of Marco Zoppo* (New York: Garland, 1976), chap. V.



4. Marco Zoppo, *Death of Pentheus*, pen drawing on vellum, 1464-1475, London, British Museum.

of the comic. Dürer is showing us a parody of an initiation rite. The tone is mock-heroic, a tone of worldly skepticism towards the boasting legends, the tone that often guided Ovid's stylus just as it does Dürer's pen. This is the positive side of street talk, or rumor: it is realist and disillusioned. Realist desublimation licenses the representation of this unrepresentable act in the first place.

The engagement with the thematics of pederasty wore a double face: on the one hand, Neoplatonic sublimation: the thematics of "bittersweet" Orphic love, revolving around an exalted concept of *voluptas*, licensing the engagement of scholars with pagan religion.⁹ On the other, an arch, salacious wit, as in this drawing by Marco Zoppo depicting a group of putti in a city street, one inserting a bellows in the anus of another (fig. 5). The children are obvious *Doppelgänger* of the urbane men who discreetly observe, arms interlaced, each flanked by a boy. It is a simple code, too simple for publication, for these are private drawings, pen on parchment and bound in an album, the same album that contained the *Death of Pentheus* discussed earlier.

Shielded by wit, encouraged by unambiguous mentions of same-sex love in ancient texts, the humanist scholars in the cities and courts of Italy

⁹ Leonard Barkan, *Transuming Passion: Ganymede and the Erotics of Humanism* (Stanford University Press, 1991).



5. Marco Zoppo, *Putti Playing*, pen drawing on vellum, 1464-1475, London, British Museum.

created a safe zone where the topic could wear a semi-public face. The ped-
erastic scholar was enough of a cliché that Ariosto could write to Bembo:

Senza quel vizio son pochi umanisti
ch fe' a Dio forza, non che persuade,
di far Gomorra e i suoi vicini tristi.

(“Few humanists are without this vice which did not so much persuade as
force God to render Gomorrah and her neighbor wretched!”)

Poliziano was no exception.¹⁰

Rumor about artists and their relations with their boy workshop assistants surfaced in letters and judicial documents of the period.¹¹ Leonardo da Vinci was denounced as a sodomite in 1476. Later he made erotic drawings of his apprentice Salai. This is the context for Mantegna’s accusation. No one was punished for these offenses. Dürer himself had a reputation, at least among his best friends. In a letter to Willibald Pirckheimer of March 19, 1507, Lorenz Beheim mentions a new beard that is slowing down his

¹⁰ Barkan, *Transuming Passion*.

¹¹ Rudolf and Margot Wittkower, *Born Under Saturn* (New York: Random House, 1963), 169-75.

work pace: “Sed sua barba bechina impeditur, quam sine dubio torquendo crispatur quottidie [...]. Ma il gerzone suo abhorret, scio, la barba sua. (“But he is impeded by his pointed beard, which he doubtless curls every day, [...] But I know his boy abhors it, the beard.”)¹² Note the lapse into Italian slang, *gerzone*, boy, referring to Dürer’s apprentice, presumably. One imagines Dürer perched on a knife’s edge between the private and the public, between ambition and curiosity, using learning as a cover. Consider the portrait drawing by Dürer of his great friend, the scholar Pirckheimer, a profile in pale silverpoint, now in Berlin. The inscription that makes learned, but otherwise unveiled mention of the dread act: ἀρσενος τε ψωλε ες του προκτον (arsenos te psole es tou prokton), meaning: “With erect penis, into the anus” (not necessarily a man’s, it should be noted).¹³ As far as we know this is not a citation from Greek literature. Still, the Greek words elevate the crime above the shameful precincts of vile rumor and of the magistrate’s chamber and into the sphere of ancient letters. The inscription on this private drawing is near the head. Who is speaking? The voicing is ambiguous. It is thought that both the inscription and the monogram by Dürer were penned by Pirckheimer himself.

In his woodcut of an imagined male bathhouse, a fantasy of public near-nude bathing in his own local German setting, Dürer embedded portraits of his friends (fig. 6). On the right is the sensualist Pirckheimer, in the foreground the brothers Paumgartner. On the left is Dürer himself, preening behind the herm-like post with spigot; unless Dürer is the flute-player. It is Greece in Nuremberg. Dürer is happy to move on this level, the level of recordings, of proliferating “occupations” of the characters of myth, not excluding the *Imitatio Christi*, the Christomorphic masquerade.

This is the “subject in process,” the subject as an open-ended series of inscriptions and reinscriptions inside the mythographic text. Dürer’s somatic interventions into his own mythographic fictions distribute the process or project of personhood across time and space. Dürer’s occupations and apparitions do not add up to anything like a confession or a balance-taking of the conscience. This is not autobiography. The non-linguistic quality of the occupations makes it difficult to connect them syntactically into a statement or story. The occupations may be *appended* to myth, but they do not immediately cohere such that they are intelligible as a new myth. And because apparitions are voiceless, they do not contribute to any defining alignment of speech and act, the alignment expected by magistrates and clerics. For the judicial self is a stable self.

¹² Albrecht Dürer, *Schriftlicher Nachlass*, ed. Hans Rupprich, 3 vols. (Berlin: Deutscher Verein für Kunstwissenschaft, 1956), vol. I, 254.

¹³ Winkler, *Die Zeichnungen Albrecht Dürers*, no. 268.



6. Albrecht Dürer, *Men's Bath*, woodcut, c. 1496-1497, Washington, National Gallery of Art, Rosenwald Collection.

It is revealing to draw a comparison with poetry, of the sort written by humanists in the Italian Renaissance, erudite and allusive poetry guided by the pagan fictions, like Poliziano's *Orfeo*. The poets, liberated into an intertextual playing-field, were free now to entertain the dangerous possibility of a reevaluation of values, even a relativization of Christian authority. But the poet's opportunities to *occupy* his fictions were limited. This is because the poet is already pinned into one powerful role that precedes all other roles, namely, authorship. It is as author that the poet—the poet himself, the person—enters into the series of alignments, first, with other authors; and second, with the reader; the series of alignments that constitute writing and reading. In writing, the poet creates a fiction of himself that overlaps with the fiction that Ovid created of himself. In reading, the reader creates a fiction of himself that enters into an exchange with the author. These ideated subjectivities are invisible to one another, and yet they produce one another. Such doublings—author and author, author and reader—are so *preoccupying* that there is little likelihood that the author could break free and appear as well inside the fiction. It is difficult to find language that would permit us to talk about an alignment, say, between Angelo Poliziano and his character Orpheus. Poliziano's source text, Ovid, delivered Orpheus to him in already literary form. Orpheus was already

a poetic artifact, and Poliziano the real existing man, in sliding Orpheus from the source text into his own text, had no real chance of intervening.

It is different for the artist. When Dürer depicts Orpheus, he extracts him from the source-text and so immediately de-poeticizes him. He gives Orpheus a body, and so gives us Orpheus in the first instance *as a man*. Then Dürer has the option of re-poeticizing him with his own, post-textual means. But meanwhile there is this body, this apparition of a body, and it proposes a new set of alignments which are not identical to the author-reader alignments we invoked earlier, but happen alongside them, or below them. The depicted body enters into implicit alignment with the body of the artist, and with the body of the beholder. For the artist, who sets the process in motion, there is a clear invitation to imagine the depicted body as his own body-double.

Such a body-to-body fastening seems more resistant to tropological transformation than ordinary signification. It seems to precede and to stave off the tropes. In this respect, the body-double is like a proper name; it may even be stronger than the name. And yet, because it is *not* linked to the real world, a real person, by a label, it lacks the performative, social force of the name. This makes the body-double both a place of self-exposure and a place to hide. Dürer's round-dance of mythic identifications raises the promise of an overall relocation of the origin of art in the body. The doubling of the body in depiction proposes bodiliness as a foundation for the very idea of artistic authorship: a concept much less well-established in the visual arts, in this period, than in poetry. Dürer *as author* was not *seeking* his sexuality. Rather, he took it as his starting point. Remember that Ovid described Orpheus, too, as an author, the *auctor* or "founder" of pederasty in Thrace.

In October 1905 the scholar Aby Warburg, unable to resist the coincidence that both Dürer's drawing and the Italian engraving, which survives only in a single impression, were owned by the Kunsthalle of his native Hamburg, gave a lecture on "Dürer und die italienische Antike" in Hamburg, in the Konzerthaus, on the occasion of a congress of philologists. In this very text Warburg introduced for the first time his riddle-word *Pathosformel*, the "pathos-formula" or "formula of passion," a coinage designating a hieroglyph of extreme sensation and emotion, a strong and affecting symbol, inciting empathy or *compassio* and so linking us without mediation to remote scenes of trauma that ultimately make up the common matrix of experience where we all recognize one another.¹⁴

Warburg identified several ancient sources for the figure of Orpheus.

¹⁴ Aby Warburg, "Dürer und die italienische Antike" [1905], in Aby Warburg, *Die Erneuerung der heidnischen Antike*, 2 vols. (Leipzig and Berlin: Teubner, 1932), vol. 1, 443-449.

Dürer's and other Renaissance works, he argued, show the vigor with which this archeologically authentic Pathosformel had taken root in Renaissance artistic circles.¹⁵ Renaissance artists found in antiquity "the extremes of gestural and physiognomic expression, stylized in tragic sublimity."¹⁶ Until now Aby Warburg had been interested in clothed female figures, whom he called "nymphs," whose animated parergal draperies, correlatives of libidinal energies, made visible an irrepressible ecstatic life-force. Warburg described the fruit-bearing woman in white prancing in from the right in Domenico Ghirlandaio's *Birth of John the Baptist* as a "Maenad transformed into a midwife" (*Mänade als Wochenstubenwärterin*). The supplement of animated drapery broadcasts her vitality.

In Dürer's drawing, however, the ecstasy has been transformed into implacable murderous determination. These nymphs' supplements are their clubs. Now, instead, it is the male figure, Orpheus, who is the subject of Warburg's lecture; as if the scholar were renouncing his earlier infatuation with the barefoot maidens of Ghirlandaio and instead choosing to look directly at the expression of fear. Orpheus's supplements are reduced to a minimum. It is the entire body, the disposition of its limbs, which serves as the formula of passion. But Warburg, captivated by the poise and balance of the limbs arranging themselves in an unforgettable hieroglyph of vulnerability, declines to note, or cannot grasp, that the pose is in part determined by the sexual positioning that had brought on the assault. Orpheus was *already* on his knees, even before the women showed up, because he was about to penetrate the child.

It is an aspect of the episode that did not escape Dürer's wit. His Orpheus is suspended between desire and fear. His limbs form a formula that does not express a single emotion but rather slides from one passion to another, from activity to passivity. Outside a narrative, such a formula is polysemic, hard to read. But the virtue of the *Pathosformel*, for Warburg, was its modularity, its iterability. It was supposed to travel across time and space reliably delivering its packet of energy. But what is the meaning of that energy? Passion, *desire*, is not the same as passion, *fear*. Yet Warburg says explicitly that gestures—and this is why they interest him, why he mistrusts words—are instantly, universally comprehensible, that is, not polysemic at all. He speaks for example in the essay of 1905 of the contemporary reactions to the excavation of a small copy of the Laocoon in 1488:

¹⁵ "zeigen...wie lebenskräftig sich dieselbe archäologisch getreue Pathosformel, auf eine Orpheus- oder Pentheusdarstellung zurückgehend, in Künstlerkreisen eingebürgert hatte".

¹⁶ "die in erhabener Tragik stilisierte Form für Grenzwerte mimischen und physiognomischen Ausdrucks".

The discoverers, even before they recognized the mythological subject, were fired with spontaneous enthusiasm for the striking expressiveness of the suffering figures and by *certi gesti mirabili*, ‘certain marvelous gestures.’ This was the vulgar Latin of emotive gestures, an international, indeed a universal language that went straight to the hearts of all those who chafed at medieval expressive constraints.

The authentic gesture, forged in a pre-time when expression was still unhampered by culture, generates compassion. The *Pathosformel* for Warburg is a privileged kind of picture-writing: iterable, combinable, and capable of travelling without decay of its essential meaning. And yet he himself provides the examples that undermine this thesis. He shows how the *Pathosformel* toggles back and forth between the expression of agency and the expression of passivity, for example in the *David* by Andrea Castagno, the painted shield in the National Gallery of Art, Washington. David the slingshot-wielding slayer of Goliath, a portrait of bold enterprise and vision, is a direct citation of the pedagogue, cowering under Diana’s arrows, from the Niobid group. A Greek figure of fear becomes an Italian, and Jewish, image of courage.

The trouble was already latent in the word *pathos*. For like *crimen*, the cry at once of resistance and of accusation, *pathos* is double and unstable. *Pathos*, as we saw, means suffering, to be subjected—literally, “that which happens to you.” This meaning is still primary in the Latin *patior*, to bear, support, suffer. But the word soon drifted and took on active, forcible senses. *Pathos* already in Greek also meant “movement of the soul,” corresponding to Latin *affectus*, to be used, subjected. Medieval Latin developed *passio* and *passionatus*, to be affected with passion. Thus even an active emotion could be understood as surrender, as suffering.

Warburg uses *pathos* in this expanded sense. *Pathos* reaches toward others and does not only recoil. Accordingly the specific content of a *pathos* formula is not so universally recognizable as Warburg claims. *Crimen* and *pathos* share the same structure, a “wobble” or pointing-in-two-directions-at-once. The wobble is a clue that guides us toward a better understanding of the overall problem of the existential bed of figuration. The origins of form in experience was Warburg’s overall concern. However, he shifted the focus away from the individual artist-author, who in Warburg’s late Romantic world loomed too large and about whose “life,” about whose ennui or spleen, he had heard enough, and instead located “experience” elsewhere, in an archaic past or in the collective circulatory life of the community.

Warburg was not much interested in Dürer’s adaptation of the Italian engraving. For he believed that the *pathos*-formula, once fixed in its form, can migrate from image to image without drift in meaning. He was not

interested in the way *Dürer* adopted the Pathosformel, drawing it into the sphere of *his* mythographic self-inscriptions. Warburg in his lecture did not mention, not even once, the subject matter of the engraving or the drawing. Warburg engaged in no local attributions of cause, no tracking of the emotions back into to a disposition in life, in a person.

The ambiguities of the drawing would seem to defeat any such back-tracking. It is impossible to tell from an image whether an open mouth is broadcasting a cry or a song. The drawing works across this threshold. Orpheus places his book in the tree and the lyre on the ground. He arrests his musical performance and sings a more intimate song. He commits the offense that is both unspeakable and mute, and the offense is bracketed by song and by a cry. The infant is no help, he *is* the speechless one, the *infans*.

Such ambiguities would seem to complicate any sighting of an *auto-phania*, a self-manifestation. But the self *is* complicated. The ambiguities are an invitation, not a warning.

The drawing moves around the core of the myth, the sexual act. The jealous women drag Orpheus back to the condition of the victim. His passion toggles back and forth from active to passive. His song had mimicked both the cry of pleasure and the cry of pain (*whose* pain? it is not clear). It is a call-and-response system, calls and songs passing back and forth across frontiers of violence. Left shrouded, as it so often is, is the question of violence at the core of the story, the question of the sex itself, the quotas of pain and pleasure and their equal or unequal distribution between the partners.

Stripped to its infrastructure, the story is easily mapped onto other stories. Pentheus, the Theban skeptic who scorned the devotions of women, is also present. He, too, like Orpheus, was destroyed by offended Bacchantes. Nietzsche, in the *Birth of Tragedy*, a key text for Warburg, had described Socrates as “the new Orpheus, “the opponent of Dionysius,” torn to pieces by the Maenads of the Athenian court. And so Orpheus can be understood as already Socratic, already one who levelled a rational critique of the Dionysian cult. Orpheus was an Apollonian, a sun-worshipper; even if Orpheus’s venerated sun, it would seem, was the *anus solaire*, the solar anus, a double offense to the anti-Apollonian Maenads.

This is mythic substitution, a patterning across stories that permits a switching among roles, a plural occupation of the person-shaped contours in stories. The individual who wanders out beyond the limits of his socially assigned personhood will seek to append himself to myths, extending the mythic narrations. It is the switching of value from scene to scene, the shifts in polarity from active to passive, from ecstatic to phobic, that clear out space for self-narrativization.

Orpheus is also a hunter, like Actaeon, the hunter who stumbled into a forbidden theophany, a sighting of the goddess Diana, the chaste hunter,



7. Dürer, *Carrying of Cross*, woodcut, c. 1498-1499, Washington, National Gallery of Art, Rosenwald Collection.

surrounded by her entourage but nevertheless exposed in her carnality—an accidental exposure, perhaps. Diana enjoins him not to speak, he tries to respond, she turns him into a stag and he is destroyed by his own hounds. The crisscrossings with the stories of Orpheus and Pentheus (who was Actaeon's cousin) are complex. Orpheus is Actaeon who turns away from hunting, from women. Actaeon focused instead on another hunter, Diana. For this his hounds punish him. But Orpheus is also Diana, who has turned away from men, rejecting Actaeon's advance, and instead seeking comfort among her own sex, her nymphs. She, too, is punished, for although she silences Actaeon, she does not succeed in suppressing rumor, which spreads outward from the sacred spring, despite her injunction, and ruins her reputation. Her fame *is* myth. The trail switches back from Actaeon to still another scene of hunting, to the death of Adonis, the hunter, killed by a wild boar possibly sent by jealous Diana, and here mourned by Venus. The substitutability of Adonis and Christ, a commonplace, leads to the substitutability of *Orpheus* and Christ. Orpheus's posture reappears in Dürer's engraving of the Carrying of the Cross (fig. 7). In this scene the god is engulfed by enemies but also by the women who sustain him. Enemies and lovers split along gender lines. In the end we arrive at the Lamentation over the Dead Christ, now a helpless god tended by women. The ciphers of lament rhyme with the merciless exertions of assault. Again the exchangeability of *pathos*.

The exchangeability of the pathos-formulas ought to block the path back toward experience, the self, reality. Instead it enables self-appearing.

The switchbacks of mythic citationality reveal the sphere of myth to be a mode of rumor and gossip, a sublimated form of rumor that is always about to be desublimated. Myth is prose about the gods and the heroes. Myth and rumor are narrativized talk that leaves places for you, holds places for you. Rumor or talk is appended to myth.

We have noted in the concept of pathos, in the concept of crime, a switching back-and-forth across the active-passive threshold. Such shuttling never allows talk to gather into a formula, a figure, a published report, a *category*. The shape-shifting, metamorphosing, decategorized person never gathers into a form that can be a target of an accusation. Outrage and justice require standing, not moving, targets. That is how they aim their accusations so surely.

The drawing creates a strong sense that *someone is there*. But the drawing does not say who. It does not say, does not *pronounce* or *announce*, anything at all. It is instead a place that hosts a *solar* shining forth of a body that also cannot be *denounced*.