# Introduction

Recent research by feminists and social historians of art toppled the nude from its lofty pedestal of ideal and timeless beauty; as the genre crashed to the ground, it took any pretence of disinterested aesthetic pleasure with it. Publications on nineteenth-century art by Carol Armstrong, Charles Bernheimer, Anthea Callen, T. J. Clark, Hollis Clayson, Carol Duncan, Tamar Garb, Anne Higonnet, Lynda Nead, Linda Nochlin, Carol Ockmann, Griselda Pollock, Alison Smith, and others have reconceptualised the genre as a fissured and contested field of both practice and discourse.[1] This exceptional research shaped my interest in the genre of the nude in the late nineteenth century.

This book focuses on the nude and its spectatorship in relation to the ideals of democracy, republicanism, femininity, and art in the early Third Republic in France. Social historians of art use the term 'spectatorship' to connote the complex entanglement of social relations and subjectivity in the experience of looking at images. The concept of spectatorship proposes that the substratum of looking is potentially replete with pleasure, anxiety, power, conflicting identifications, and unconscious processes as well as semiotic complexity and uncertainty. Spectatorship denotes looking as a psychosocial process, even if unconscious processes are by definition difficult to discern from historical materials.[2] Looking at images of women is thought to be particularly fraught given the configurations of gender and sexuality in late nineteenth-century France. Because the genre of the nude has come to be understood as an art form defined by men, I was particularly concerned to ask whether women could engage with the art of the nude, and if so, how. I found that whereas women were generally excluded from the genre as artists and critics – and, as models, were denied a representational practice – there were important exceptions to this exclusion in the early Third Republic. The exceptions reveal how the discourse on and artistic practice of the nude could be adapted or reformulated to accommodate the subjectivity, social positioning, and historical experiences of women.

The discourse on and artistic practice of the nude determined who could create paintings or sculptures of the nude; they also set parameters for the nude's

pictorial qualities, meanings, and exhibition contexts. At the beginning of the Third Republic, most nudes were subject to a process of approval prior to their public display. Paintings of the nude exhibited in the Salon, the immense, official exhibition held annually in Paris, had first to be approved by the Salon jury. Prints or photographs of the nude intended for public circulation had to be approved by the censorship administration, a government bureau. In the 1870s this censorship administration assessed images of women and gave or denied artists, photographers, publishers, and printers permission to reproduce and distribute them.

In the early 1880s the bureau was dismantled. Now images suspected of affronting public decency were evaluated by the courts after the images had circulated in public, that is, if charges were laid. This judicial process was more complicated than the work of the censorship administration – partly because it was open to challenge, but mostly because the legal system needed to forge the principles and arguments it would use in evaluating affronts to public decency in a democracy. These had to be articulated not only in relation to the principle of a free press but also against an expanding and increasingly complex culture of images in France. The popularisation of the academic nude through print technologies such as photography and through illustrated journals gave the nude a widening audience, one outside institutional control. At the same time, innovative artists were breaking with the principles and conventions of the ideal nude, and some of these changes were integrated into the illustrated press. These changes to the image of the nude and its audience left the public without familiar markers for decency. How should these images be viewed? If thought indecent, how were they to be analysed by the courts? The criteria and process used in the early Third Republic for distinguishing art from obscenity have important implications for our understanding today of the spectatorship of both the modern nude and its academic precursor.

In the courts and bureaucracy of the early Third Republic, obscene nudes were assessed in relation to the prerogatives of science and the ideals of art. Nudes in medical or scientific illustration, indelicate in most contexts, were acceptable as part of a scholarly or professional publication if it was priced and marketed accordingly. The criterion for nudes as art was a more complex matter. The female body as seen in nature had to be transformed into an ideal body – a body that did not manifest biological processes, body hair, or pubic detail – located in the distant world of history, myth, or biblical narrative. This artistic ideal was undermined, however, as artists pushed, with individual and aesthetic imperatives, at the boundaries of academic artistic practice. Artistic experiments and new ways of displaying or distributing images strained and sometimes challenged the premises surrounding the nude, including its spectatorship.

For example, in 1886 Edgar Degas exhibited a suite of nudes at the Impressionist Exhibition. The pictures were widely reviewed in the press, and the reviews are notorious because some critics accused the artist of being a misogy-

nist whereas others defended his work from such readings. The debate comprises an unusual moment in which the representation of women's bodies was publicly discussed. The controversy was provoked by Degas's bathers, but it was fuelled more generally by tensions in the spectatorship and meaning of the nude. The debate was also indebted to the discourse on obscenity and censorship. In discussing Degas's images, reviewers elaborated some of the paradoxes in the institutional construct of the academic nude, and they accepted or disagreed with the terms and definitions of censorship. Seeing how the images negated the ideals of the nude, some reviewers argued Degas's bathers were the result of scientific observation. The ideals of art, the strategies of science, and the crudeness of obscenity were key points in this controversy, and these were used to defend, denounce, or dismiss the nudes.

Degas's supporters were critical of the commercialisation and popularisation of the nude, brought about by the liberalisation of the press and by new print technologies. In 1888, two years after Degas's exhibition, the courts were asked to evaluate this unsettling phenomena. The publishers, artists, and printers involved in two publications featuring the nude were charged with affronting public decency. *Le Courrier français,* an illustrated journal, and *Le Nu au Salon,* the first edition in a series of illustrated books featuring the nudes exhibited at the Salon, were seized and censored within weeks of each other. By looking at the legal process and the responses from artists and the press to this censorship of the nude, we can understand more fully the tensions and conflicts in the spectatorship of the nude, particularly those that were aggravated by the display of the nude in the illustrated press.

Having explored the challenges to the genre of the nude in art and in the illustrated press and the spectatorship of the nude in the courts of the early Third Republic, this book turns to the issue of challenges by women to the discourse on the nude. In the history of this art form, it was primarily men who created, contemplated, theorised, and exchanged images of the nude. In the late nineteenth century, it was primarily women who posed as the silent object of the masculine gaze. This gendering of the nude as female and the artist and audience as male was institutionalised in art schools, private studios, exhibition reviews, and in the constitution of pictures themselves. Given the exclusion of women from life-drawing classes and the constraints placed on women by feminine propriety, it is not surprising that women artists produced few nudes of note and none with the reputation of *Olympia* (Manet, 1863) or *Les Demoiselles d'Avignon* (Picasso, 1907). In fact, the women who participated most actively in the genre were not the middle-class artists but the working-class models. Although these working women earned their living through the genre, they themselves left little record of their experience. Their presence was registered in the images made by the artists they worked for; their own experiences of and reflections on modelling remained unarticulated. Indeed, the poverty of information about women models drove one art historian, Eunice Lipton, to write a fictional

biography of Victorine Meurend, the model for Manet's *Dejeuner sur l'herb* and *Olympia,* those provocative visual critiques of the academic nude.[3]

The second chapter centres on this most typical form of women's participation in the genre of the nude, their work as models. It examines an article by Alice Michel, 'Degas et son modèle', published in a leading French literary journal, the *Mercure de France,* shortly after the artist's death. This remarkable narrative is written from the point of view of a model called Pauline and represents the experience of modelling in Degas's studio. Pauline appreciated the steady income modelling for Degas provided, but she found the artist's poses to be arduous and his temperament difficult. Her relationship to the aged artist was largely one of frustration and incomprehension, although there were occasional lighter moments. The article shows Michel to be a reflective observer of Degas, his artistic practice, his cultural elitism, and his domestic arrangements. Michel also reveals Pauline's thoughts and elaborates her differences of opinion with the artist. In this way, the article undermines the almost universal reduction of the model to the mute object of the look, to a human apparatus for artistic research. Instead, through her article, Michel returns the observer's gaze, finds a point of view, and articulates a working-class woman's subjectivity against the cultural politics of its invisibility.

The third chapter examines how women artists negotiated the genre of the nude, a genre that society considered unfeminine and improper. It begins by summarising the important works by feminist historians that examine the conditions under which women were excluded from the art of the nude and the implications of such exclusion when the pinnacle of artistic practice was to represent the human body. Women were barred from the serious study of the nude by the constraints of feminine propriety, which meant that they were also excluded from the principal art institution in France, the École des beaux-arts. In *Sisters of the Brush,* Tamar Garb reveals how women lobbied for access to full artistic training and how, in the case of the École, the issues of an artistic education and the study of life drawing intertwined. That the École was deeply held to be a place of masculine privilege may be seen in the riot and subsequent month-long closure that ensued when women were finally admitted in 1897. A more hospitable but less prestigious atmosphere for education in life drawing was offered after 1868 to women by a private teaching studio, the Académie Julian. Marie Bashkirtseff began studying there in 1875. Her diary entries about her endeavours indicate how she, as one of the first women permitted to formally study the nude in a studio setting, negotiated a practice and a discourse defined as antithetical to bourgeois femininity. Her published journal entries, edited after her death by her mother to conform to the ideals of femininity, are useful conduits into the nude as seen through the lens of feminine propriety.

The conflict between the genre of the nude and feminine propriety can also be seen in the artistic quality of life drawings and finished nudes by women. Weaknesses in the representation of the figure reveal women artists' lack of

knowledge, skill, or verve when confronted with the human body. Compositional strategies tended to reestablish feminine modesty against the risks of life drawing. In addition, most nudes by women were exercises for the development of artistic skills, not finished works of art for public display. Mary Cassatt and Louisine Havemeyer escaped the risks of and strictures on women's artistic engagement with the figure through their connoisseurship. They asserted women's spectatorship of the modern nude and acquired select examples of the genre. A related form of appropriation can be found in Berthe Morisot's oeuvre. In 1884 and 1892 Morisot copied nude figures by François Boucher. Although these copies seem to be mere studies, the repositioned figures evoke a subtle and intriguing relation to meaning, narrative, and history. In 1892 Morisot copied the image of two nude river nymphs from Boucher's painting *Apollon révélant sa divinité à la Bergère Issé* (1750). In the original painting, the river nymphs, their bodies lying entwined, are minor figures, onlookers to Boucher's larger mythological narrative. In Morisot's copy the entwined figures are isolated from the larger narrative. Here, paradoxically, they acquire a double meaning. One meaning arises from the painting's relationship to the Boucher painting, to the mythological narrative, now their subtext. The second meaning is shaped by their new context. In the Boucher painting, the women hold each other as they watch Apollo reveal his identity – and certain departure – to the shepherdess who has fallen in love with him. Morisot selected this fragment from Boucher's mythological painting shortly after her husband's death, and the myth has an uncanny resonance in her life circumstances. Although the original painting has not literally been erased, Morisot's 1892 painting becomes an Impressionist palimpsest of comfort over grief and separation. It is also homoerotic, perhaps the only such image painted by a woman in the late nineteenth century. Morisot's earlier copy of a Boucher painting had also blurred the edges of art, domesticity, and family. In 1884 she copied two female nudes from Boucher's, *Les Forges de Vulcain ou Vulcain présenant à Vénus les armes pour Enée* (1757). The two figures originally rested on clouds above the central narrative. Morisot extracted them from their mythical context by installing the new painting above the door of her salon, where she not only entertained family and guests but which also served as her painting studio. Mythic history was supplanted by everyday domestic, familial, and artistic activities. In her copies, Morisot gave Boucher's nudes new narrative, domestic, and artistic contexts, and the chapter explores the nuances of meaning, history, and subjectivity evoked by this reframing.

Having elaborated the relationship between the genre of the nude and women models and artists, the last chapter of this book examines the work of Marie Amélie Chartroule de Montifaud, better known as the art critic Marc de Montifaud, who wrote about the nude in the mid-1870s and early 1880s. Montifaud's identity as a woman is not especially obvious in most of her art criticism, but her apparently ordinary reviews raise absorbing questions. Why is her feminine identity not more apparent? Were there discrepancies between the discourse of

the nude and how a woman saw and understood the genre? And if so, could such discrepancies be articulated in print? To write art criticism about the nude was, in itself, unusual for a woman, but as an author, Montifaud also incorporated her interest in figurative art in other writing, in her historical studies, and in fiction. In particular, passages featuring the nude in her fictional works contrast radically with her mostly conventional art criticism.

In one of her articles, Montifaud complains that the poorly lit corner reserved for and deliberately obscuring the nudes at the annual Salon was like a funeral plot held in perpetuity. Her lament indicates her keen interest in the genre, an interest that defied feminine propriety. Indeed her writing, including some pieces on art, transgressed the limits of respectable femininity, so much so that she was charged four times for affronting public decency in her work. Thus the issues of censorship raised in the first chapter are, in the last, analysed in relation to a woman who was an author and a critic. Montifaud's knowledge of the genre of the nude, her searching and defiant experiments with writing about it, her masquerade in masculine authorship, and events in the public reception of her work offer a surprising and fascinating glimpse of an area in which women were largely consigned to silence: the spectatorship of the nude.

Marie Bashkirtseff, Mary Cassatt, Louisine Havemeyer, Alice Michel, Berthe Morisot, Marc de Montifaud, and Suzanne Valadon broke with the strictures on women's participation in the discourse on the nude. Their images and texts speak from the various positions through which women could attempt to participate in the genre: as models, artists, viewers, critics, and connoisseurs. The historical gaps between their attempts is the result of a paradox – women were central to the genre as an image but were excluded from it as practitioners. Yet women had crucial things to say about modelling for the nude, painting the nude, and viewing the nude, judging from the evidence that has survived. These documents, along with the views of artists, art critics, republicans, senators, bureaucrats, judges, lawyers, and publishers, demonstrate the diversity, complexity, and instability of spectatorship of the nude in the early Third Republic.

ONE

# Decency in Dispute

## Viewing the Nude

At the École des beaux-arts, artists learned to paint the nude in stages. They began by copying old master prints or drawings of body parts and drawing fragments of figurative sculpture. They then attempted the entire body using art from the past and live models. The acquisition of artistic skills was complemented by a rigorous education in anatomy, the science of the structure of the body.[1] These artists also studied literature, history, and mythology – subjects that provided the narrative contexts in which the nude could be depicted. Learning to paint or sculpt the nude was a disciplined and prolonged apprenticeship, requiring patience and intellectual commitment. In the 1870s and 1880s this practice of the nude was challenged by artists critical of the conventions of the academic nude and the institutional structure of apprenticeship. Avant-garde painters sought to modernise the nude, painting it in contexts from contemporary life instead of myth, literature, or history. Modern experimental processes in which innovation was more important than mastering predefined skills replaced the slow acquisition of methods for drawing and painting the nude. In challenging the artistic conventions defining the practice, form, and narrative of the nude, avant-garde artists also challenged the conventions of viewing and understanding the nude.

Avant-garde artists were not alone in challenging the genre of the nude in the 1870s and 1880s, however. The illustrated press also sought to modernise the genre, which it did by mass-producing, updating, demystifying, and ridiculing the nude. Using commercial artists and evolving technologies in the mass production of photographs and prints, illustrated books and journals redefined the circumstances in which their readers viewed and understood the nude. The changes in print culture had far-reaching implications made more urgent by the politics of the new Third Republic, which held its first election in 1871. One key event for the nude in the early Third Republic was, in 1881, the dissolution of the censorship administration – the bureau that had, among its other activities, inspected images of women before they could be displayed in or distributed to the public. The bureau's dissolution freed print culture from prepublication cen-

sorship, but many people became concerned about the moral effects of this liberalisation.

The issues important to a democratic state – freedom of the press, the separation of church and state, and the meaning of republican dignity – were debated and haltingly put into practice in the early Third Republic. The conventions of displaying images of the nude in public and the meanings of the genre were profoundly affected by the republican reform of state institutions. The republican ideal of freedom of the press – which could be interpreted as including the freedom to publish images – came into conflict with the republican ideal of public dignity – which could be understood as prohibiting the display of women's bodies in public. This conflict is most apparent when commercial print culture is considered, but the issue is also apparent in high culture, in the discourse on the fine arts.

In this chapter, I discuss censorship as a form of spectatorship more than as an apparatus of repression. By all accounts, if the censorship of images of women aimed to repress these images, it was a stunning failure: censored authors and artists often benefited from an increased interest in their books or images; the conservative public complained that obscene images of women were everywhere available; the police, the courts, and the republicans lamented that the state and its functionaries were powerless to suppress the industry in images of women. For this reason, it makes sense to examine censorship as a form of spectatorship shaped by tensions in republican ideals, state institutions, theories of viewing, and the liberalisation of print culture. Censorship sometimes succeeded in repressing authors, artists, or images, especially prior to 1881, but after the republicans held a majority government, attempts to repress print culture were ineffective. In the republican state, the censorship of images of women was largely a public demonstration of censorial spectatorship.

With the abolition of the censorship administration, censorship could be effected only through the courts and after the public distribution of an image. In 1888 an illustrated journal, *Le Courrier français,* was censored for publishing images of the nude. This was followed by the seizure and censorship of a book featuring black-and-white reproductions of the nudes from the 1888 Salon. The journal and book were not the only mass publications of images of the nude, but the censorship of them was an official, coordinated attempt to slow the traffic between the academic nude and commercial print culture. Concerns with the academic nude and commercial print culture were likewise apparent in the fine arts: in 1886 the issues became acute in the public reception of an exhibit of pictures featuring bathers by Edgar Degas. Degas's images broke with academic tradition in representing the nude, and reviewers responded by articulating in detail how these unconventional images should be seen and understood. The ensuing debate was informed by issues surrounding the nude both in the fine art tradition and in print culture, including issues of pornography and censorship.

Through these events it is possible to examine in detail how the nude was understood by certain kinds of viewers or audiences, from artists to censors. As critics struggled to understand Degas's images, as judges evaluated images of the nude in the illustrated press, as artists defended images, and as republicans debated censorship, modes of appreciation were argued and elaborated. Accounts of these exchanges give us an intimate glimpse of various nineteenth-century viewers as they looked at and understood the genre of the nude and innovations within the genre, as they witnessed an audience for the nude expanding outside its institutional roots, and as they grappled with the implications of democratic freedom for writing, speech, and images.

## Freedom of the Press, Affronts to Public Decency, and Images

When France moved towards republican government in 1870, it inherited laws severely curtailing the freedom of the press. Among these was an 1835 law that gave the Ministry of the Interior and the prefects of departments control over images that were published, sold, or displayed in public.[2] In Paris, images were submitted for approval to the censorship administration, the bureau of the Ministry of the Interior mentioned ealier. As Robert Goldstein explains, the bureau was not obliged to provide reasons for its decisions. Its assessments were administrative rather than legal, and its decisions could not be challenged through the courts.[3]

Until 1881, when administrative censorship was abolished, the bureau regulated what kind of images could be circulated in public. Many of the images the bureau vetted were political caricatures, but it was also supposed to review any image intended for publication or public circulation, including illustrations for novels or for historical studies. Moreover, the censorship administration could refuse permission to publish an image of a public figure unless the individual depicted gave consent in writing. It vetted satirical cartoons and their captions, although the captions were outside the bureau's purview according to the letter of the law.[4] Failure to submit images for approval by the censorship administration was a violation of the press laws, as was the distribution of an image judged inappropriate for public circulation.

Among the pictures vetted by the censorship administration were images of women. The censorship administration ruled which images were forbidden and which were approved, but it also restricted the circulation of some approved images. Certain depictions of women, it stipulated, could be sold but could not be openly displayed. Others could be sold only in specified locations. Although the bureau prevented some images of the nude from being seen – and thus perhaps contested in a larger public sphere – the images that it did approve were not sanctioned in any legal sense; artists, printers, and publishers could be

charged with affronting public decency for distributing an image that had the bureau's approval, just as they could be charged for distributing an image rejected by the bureau.

Affronts to public decency were considered violations of the press laws. Traditionally, the trials of those accused of affronting public decency took place before correctional tribunals. The *Tribunal correctionnel* was a magistrates' court where judges presided without juries. The judges had long used a variety of vague and undemocratic press laws to censor political opinions communicated in print and images. They were notorious for their prejudiced decisions, and public resentment of their authority was widespread. With the founding of the Republic in 1871, liberal politicians thought that the press should be held accountable through a democratic process, by a jury of impartial citizens, rather than be prosecuted before the Catholic and monarchist judges appointed for life under previous regimes. Conservatives thought that citizens would respect decisions made by a jury, circumventing public distrust.[5] Legislation passed in April 1871 thus established jury trials for most press offences, including affronts to public decency.[6] The move freed the press from the correctional tribunals' arbitrary and authoritarian control over written expression. The tribunals continued to have jurisdiction over affronts to public decency through drawings, engravings, lithographs, paintings, and emblems, however.[7] In the new Republic, democratic debate and its cornerstone, freedom of opinion, were embodied in speech and writing, not in images.

Although the democratic privilege of jury trials for written publications charged with affronts to public decency lasted for four years, the legislation was virtually meaningless in practice. In reality, a state of siege and martial law existed in response both to France's war with Prussia and to the Communard revolt and continued during the Republic's early years of social and political unrest. From 1871 to 1875, under martial law, publications were controlled by military commanders, prefects, and the minister of the interior.[8] No cases of affronting public decency appear to have been tried before a jury in these years.[9] In December 1875, legislation passed revoking the state of siege for all but four departments, and numerous press violations were returned to the jurisdiction of the magistrates' court.[10] Authors and editors suspected of affronting public decency now rejoined their counterparts in visual culture who were deprived of jury trials and whose cases were heard by the judges of the correctional tribunals.[11]

The regression in freedom of the press was characteristic in the government of Moral Order, a conservative-dominated legislature that held power from 1873 to 1877. Many of the practical changes needed to establish democratic processes in France thus were stalled until the spring of 1877 when elections returned a majority of committed republicans to the Chamber of Deputies. The transformation of state institutions then began in earnest. Among the most important of these transformations was establishing the freedom of the press, and in 1881 the