



# art & obscenity

KERSTIN MEY

I.B. TAURIS

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# Art and Obscenity

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# Art and Obscenity

Kerstin Mey

I.B. TAURIS  
LONDON · NEW YORK

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# Introduction

Lust is always criminal.

*Peter Gorsen<sup>1</sup>*

The 1995 portrait of the Moors murderer Myra Hindley by British painter Marcus Harvey produced from numerous children's handprints caused outrage when it was put on public display at the Royal Academy in London in 1997 as part of the exhibition *Sensation: Young British Artists from the Saatchi Collection*. When the show went to the Brooklyn Museum in New York in 1999, Chris Ofili's *The Holy Virgin Mary* (1996) and many other seemingly 'bestly' and 'blasphemous' works sparked political and religious outrage there, as well as iconoclastic impulses: the urge to damage or destroy images. Not only is the 1998 Turner Prize winner's Virgin rendered in an abstracted and sparkingly decorative and cartoon-like fashion as a black woman, but the painting is also adorned with clippings of pornographic details and was propped up on two clumps of elephant dung, one labelled Virgin and the other Mary. Some religious believers regarded the picture as highly obscene. Since then, quite a few more feathers have been ruffled by contemporary artists. Many of Tate Modern's recent Turner Prize exhibitions have stirred up considerable controversy. Tracey Emin's *My Bed* (1998–1999) in 1999 and the Chapman brothers' *Insult to Injury, Sex and Death* in 2003 are perhaps the most prominent cases that have scandalised British society because of their explicit sexual and/or excessively violent overtones. But then, provocation and shock have been part and parcel of western art from the modern period onwards – testing, pushing and expanding the established aesthetic parameters closely linked to intellectual, religious, ethical and legal concerns of the time.

And it is more than just the realm of art that has been pervaded and affected by images and objects that cause offence. Recently, the public exposure of photographs and

video footage of American and British soldiers torturing and thus deeply humiliating Iraqi detainees in newspapers, on television and the Internet was compared to sadomasochist porn.<sup>2</sup>

Obscenity and pornography look like birds of a feather, though they are not fully congruent. Like a cuckoo, they roost in the boughs of art and the undergrowth of the plantation that is culture. More or less camouflaged, notions of obscenity permeate – to a greater or lesser degree – the sites of cultural production and consumption of contemporary society, especially where these intersect with society's ethical imperatives and legal frameworks.

What actually is obscenity? Obscenity is a valorising cultural category of relatively recent origins that is applied to representations to denote, generally speaking, their indecent and vulgar, dirty and lewd, gross and vile and thus morally corrupting and potentially illicit character. The obscene then functions as the other of the aesthetic, where it intersects with moral standards and the law.

Obscenity does not reside in the content-form dialectics of the cultural product per se, whether it is an artwork or a press photograph, but in the discursive context, that is in the way it is discussed publicly, in relation to its production, circulation and reception. No object or event is obscene in itself. Obscenity is an argument about the qualities, public exposure and traffic of an object or event. It is an evaluation of its effects. As an argument, obscenity is closely bound up with the segregation between high and low culture and their modes of production, and the private/public dichotomies that lie at the foundations of bourgeois society. As a cultural category, the obscene emerged with the establishment of means of mass reproduction of texts and images, and therefore their increased promulgation and accessibility in the public arena (and the perceived need for their regulation).

As all arguments do, the obscene depends on the concrete circumstances in which it is developed and fought out. Like the aesthetic – to adopt a common phrase – obscenity lies in the eye of the beholder. And as obscenity is not restricted to the visual domain but concerns literature, poetry and pop music, for instance, notions of the obscene are developed as a matter of interpretation and agreement in relation to respective cultural domains, the dominant value systems in society and its underlying social, political, economic and technological conditions.

Obscenity as the 'dark' side of established cultural categories has been employed in practices of representation as a potent instrument of transgression and resistance against dominant social norms and hierarchies, and oppressive regimes of discipline and control. As the other of art it is inextricably linked to the functions of the latter. Art has come to serve as a projection screen for ideas, thoughts and processes, and no longer performs as a window onto the world, a microcosm that represents the macrocosm outside itself. It exists as a potent experimental field with fluid and dynamic parameters within the public domain. Those parameters are defined by elaborate and layered discursive networks, channels of public mediation and debate that – like a spider – ensnare art. The discourses of art history

and art criticism, public and private art collections, art education, art theory and the media keep it suspended and elevated in the aesthetic sphere. Yet, as social practice, art does not exist in an ivory tower, rather it is osmotically embedded and enmeshed in the cultural make-up of society at large.

With the immense mobility and fluidity of images across different cultural territories due to the accelerated production and circulation of images by the new digital (multi)media technologies, art has not only become more exposed and visible, though this may sound like a contradiction in terms; it also competes with huge increase of images produced in other cultural domains. Its influence on other cultural productions may have increased too, but so has its own permeability for visual material and effects that have their origin in other cultural areas such as film, advertisement, animation, the World Wide Web, fashion and the decor of every day life. In fact, the rapid advance of imaging, and information and communication technologies has blurred and eroded previously relatively stable delineations of cultural domains, their constitutive discursive networks and social control with the help of legal instruments. All this has impacted on the power of images, on their economies and mechanisms, on the way they are disseminated, consumed and regulated, how they function as means of communication and knowledge production.

What, then, is this book about? It is not a book that seeks to determine and establish the meaning of obscenity in relation to visual art production or the workings of censorship. The former would require, first, the impossible task of also defining 'art' as an opposite of obscenity. Yet to attempt an essentialist definition of art and its manifestations is an extremely treacherous affair, particularly in the complex and dynamic contemporary situation. Secondly, it would necessitate the (momentary) abstraction of the operational and dynamical terms of the obscene and the aesthetic from those critical factors that constitute the pragmatic environment in which they enfold their meaning and potential.

This book aims to trace central arguments and decisive aspects that mark the relationship between art and obscenity in the West from a contemporary perspective. The terrain for this thematic enquiry is the cultural situation of global capitalism that suggests that there are very few cultural limits and taboos left intact that can still be transgressed or resisted. Instead, almost any area and aspect of culture has been commodified – not least sex and violence – incorporated into the mainstream, aestheticised, appropriated and thus neutralised. And this includes to a large extent apparent countercultural currents and gestures of dissent.

Drawing on a selection of examples from across recent and contemporary western visual arts and engaging in a close reading of aesthetic strategies, the chapters map out the complex territory in which the obscene operates vis-à-vis the aesthetic. It considers the codes, conventions and technological and media aspects of visual or multimedia representation as factors that exert a significant influence on the modes of production and consumption, and on the cultural circulation of still and moving images, of authorship and agency. Those historical and cultural media conditions inform what is judged to be situated within or out of the bounds of the aesthetic, and how that in turn shapes the

understanding of the category of the obscene, its applications and their repercussions for the parameters of art.

Implicit in the following discussions of visual art practices that have been regarded to be (too) graphic, carnal, crude or smutty, and thus potentially morally corrupting and in need of regulation or prohibition, are theoretical reflections and ideological currents in which the aesthetic-obscene relation is meandering and entangled.

The format of this publication dictates an exploration of the relation between art and obscenity in a concentrated and compact manner by looking at key aspects and moments. A complete overview of that extensive field is beyond its scope. And, as art and obscenity are relational categories informed by subjective judgements, so is this text. My views as author are inevitably present in the theoretical perspectives employed, in the particular (audio)visual works and debates I have chosen to engage with and my critical stance in relation to them. Yet, it is hoped that this book will open up new and other vistas for thought and debate on how the aesthetic and the obscene are incessantly rewritten through vibrant, fluid and hybrid cultural practices through dynamic conditions and rules of representation.

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## Chapter 1

# 'I Know It When I See It'

## On the definition and history of the category of the obscene

After having immured themselves with everything that was best able to satisfy the senses through lust ... the plan was to have described to them, in the greatest detail and in due order, every one of debauchery's extravagances, all its divagations, all its ramifications, all its contingencies ... There is simply no conceiving degree to which man varies them when his imagination grows inflamed.

*Marquise de Sade*<sup>1</sup>

Let's begin with the question: what is obscene? Generally speaking, obscene signifies something that offends or outrages, because it defies accepted standards of decency, civility or modesty. Obscenity is connected to feelings of repulsion and disgust. Within the context of the law, it is regarded as something that has the tendency to morally corrupt or deprave.

The obscene has often been used synonymously with the pornographic and in close alignment with indecency. Yet, crucially, there are significant differences between obscenity and pornography. 'Obscenity' covers a far broader area than sexually explicit and alluring representations seeking to gratify the desires of the flesh that come under the term of pornography. 'It is also applied to the unacceptable horrors of everyday life: the obscenity of war, poverty, wealth, racism, murder ... obscenity most often connotes excess, violence and transgression.'<sup>2</sup>

There is an important link between obscenity and taboo. Anchored in the prevalent historical notion of public morality and cultural customs, every society places certain areas of human practice and modes of conduct off-limits, marking them as forbidden and guarding



them vigilantly as taboos. Enforced social prohibition applies particularly but not exclusively to matters of sexual engagement: incest, i.e. the sexual intercourse between very close relatives such as brother and sister; paedophilia, the sexual abuse of children; necrophilia, the sexual interaction with dead bodies. Transgressions of such taboos, which also include cannibalism, are considered obscene in the sense of abhorrent, repugnant and objectionable.

The term 'obscene' has been linked to the Greek term *ob skene* ('off stage'), as violent acts in Greek theatre were committed away from the eyes of the audience: offstage, behind the scenes. Descending into the Latin *obscensus* in the sixteenth century, this sense was kept alive, coming to mean that something should be kept 'out of public view'.<sup>3</sup> Then, it was mainly used in a legal context to describe expressions that deviate from prevalent norms especially of 'sexual morality'; and it was applied as a characteristic particularly when obscene representations were employed as a means to criticise religious and/or political authority, for instance, in the context of carnival and caricature. Only in 1857 did the term enter the authoritative *Oxford English Dictionary*.

Definitions, connotations and pragmatic applications of the term have differed over time and still vary in and between cultures, communities and amongst individuals. The varying use of the term obscenity and the criteria for its definition in the history of western culture reveal important aspects of the changing concept(s) and attitudes beneath it. As a value category its common associations with the 'off-the-scene', with social norms, manners and customs, with official culture or art and jurisdiction prove equally significant.

In relation to the offstage, or off-the-scene, obscenity came to cover those aspects of cultural (life) practices and processes that should remain hidden from public view like sexual intercourse, urination and defecation. Expressing an aesthetic aversion – the horrible and repulsive – its concept is inextricably linked to the gradual emergence of a private-public dichotomy as a feature of a developing bourgeois society and the onset of modernity in the fifteenth century. It is interwoven with the establishment of a historically dynamic, socially and culturally defined faceted sense of shame and modesty related to bodily functions and sexual matters. Those evolving norms of social conduct and their display were highly inflected by hegemonic gender and racial relations and informed by the morals of the time.<sup>4</sup> There is an 'aesthetic alliance of the culturally and historically defined sense of shame with the ideal of beauty – the uninhibited representation offends the shame and soils the beautiful', as Georges Bataille, the French writer, anthropologist and philosopher, has argued with regard to the transgressiveness of the erotic act.<sup>5</sup> The exclusion of sexuality from aesthetics is anchored in the Cartesian split between body and mind that has been confounding for western thought for centuries. It is undeniable that the Church had an intensely formative and long-lasting influence on this constellation in the Judaeo-Christian societies in and beyond Western Europe. For the emerging and established bourgeois culture there, 'just-sublimation' and aestheticisation gained primacy, at least officially, rather than an unqualified permission of sensual pleasures and carnal lust. But then, capitalist culture, as the German philosopher Marx so aptly analysed, is fundamentally defined by double standards.

Walter Kendrick, an American specialist in English Literature, observes that obscenity as a cultural phenomenon and discursive category concurs with the emergence of the 'secret museum' in the late eighteenth and early nineteenth centuries, i.e. those hidden archives of material barred from free public access, be it indexes of restricted material or 'uncatalogued holdings' or locked rooms. It lies at the centre of the regulation of cultural consumption on socially defined moral and legal grounds. The British Lord Chief Justice, Sir Alexander Cockburn, proclaimed in 1868:

I think the test of obscenity is this, whether the tendency of the matter charged as obscenity is to deprave and corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall.<sup>6</sup>

In terms of its performative dimension, i.e. in the way it 'works' in the use of language, the obscene does not only denote act(ion)s or objects that 'inspire disgust' and moral depravation. The term does not merely signify that something is shifted beyond the accepted social and cultural norms for the articulations of carnal desires, and libidinal drives – those psychic and emotional energies that are associated with instinctual biological energies. The term obscenity is itself constituted through the performance of public/legal/cultural discourse around those objects and actions in tandem with gradually emerging and expanding, and increasingly sophisticated, mass-communication and information networks: print media, broadcasting, and the Internet.

The obscene in the context of official jurisdiction is located in the field of cultural representation, be it text, visual, audiovisual or multimedia material. More precisely, it is situated at the interface of the domains of the aesthetic, the legal and the moral, and it is constructed through the public debates and mediations of these value systems. In other words, nothing is obscene per se. Like the aesthetic, the moral and the legal, the obscene essentially is a value judgement and a cultural category produced through processes of reification. In such a process, an abstract value-inflected idea becomes attached to or embodied in a concrete object/act/event, which, in turn, functions as a precedent, benchmark or test case for the application of the concept to other objects/acts/events.

Throughout its history, however, attempts to establish a clear, watertight and consensual definition of the obscene and what it entails have constantly encountered immense difficulties. The popular statement 'I know it when I see it' conveys a standard attitude in this regard. As received opinion, it has verbally informed judgments in legal cases, where the charge of obscenity has been levelled at objects or acts (and its initiators, producers or exhibitors); and, with that charge, demands for the enforcement or challenge of official censorship measures have been raised. Yet, only in 1964 was it set down in writing for the first time, when US Supreme Court Associate Justice Potter Stewart included this sentiment in his 'conurrence' on a particular disputed motion picture film in a censorship court case, admitting, "Hard-core pornography" was hard to define, but ... "I know it when I see it"<sup>7</sup>

This brief remark, on the basis of which the film in question was acquitted, summarises aptly the contested territory and dynamics that are the hallmark of the obscene.

The French philosopher, Michel Foucault, has demonstrated that the process of categorisation is inextricably linked to power and control. It works in the interest of those who impose distinctions and the values these promote and affirm. In the first volume of his unfinished project *The History of Sexuality*, he describes the processes through which sexuality has entered public speech from the Enlightenment period onward:

There was a steady proliferation of discourses concerned with sex – specific discourses, different from one another both by their form and by their object: a discursive ferment that gathered momentum from the eighteenth century onward.<sup>8</sup>

Foucault emphasises that licit as well as illicit discourses were on the increase at that time. Whilst the ‘tightening up of the rules of decorum likely did produce, as a countereffect, a valorization and intensification of indecent speech’, it is important to note that the ‘discourses concerning sex in the field of exercise of power itself’ multiplied:

an institutional incitement to speak about it [sex], and to do so more and more; a determination on the part of the agencies of power to hear it spoken about, and to cause it to speak through explicit articulation and endlessly accumulated detail.<sup>9</sup>

In Foucault’s view, such an incitement was provided through the Catholic ‘confessions of the flesh’. In the twentieth century, other forms of discourse and knowledge production, such as psychoanalysis, fuelled this development. Whilst the language for those kinds of reporting on sexual desires and behaviour became increasingly refined and veiled, the scope of depiction expanded significantly too. What the Church had begun was continued by the sciences – psychology, biology, medicine and economics too. Sexuality became not only more and more regulated and controlled through public discourse(s), it also became pathologised – all that in order to impose a form of sexuality in support of a functioning social system.<sup>10</sup> In other words, the category of the obscene is not at all innocent or neutral. It has been subject to political interests and instrumentalisation for the purpose of maintaining or contesting social power and control by social (and religious) group(s), prompting and justifying the device and application of censorship measures. These measures are administered to monitor and suppress cultural practices, expressions and discourses deemed deviant, perverse and pathological, and therefore morally corrupting and potentially socially dangerous or destabilising.

For western society, Foucault attests a gradual substitution of discourses and knowledge produced on sexuality based on elements of erotic arts. *Ars erotica*, that is the self-reflective, autotelic art to induce pleasure ‘understood as a practice and accumulated by

experience', was superseded by a *scientia sexualis*, a science of sexuality.<sup>11</sup> The latter can be understood as 'procedures for telling the truth of sex which are geared to a form of knowledge–power strictly opposed to the art of initiations and the masterful secret'.<sup>12</sup> In a civilisation that did not endow itself with a developed, if any, *ars erotica* – unlike other cultures such as China or India – sex(uality) became increasingly exposed to interrogation, interpretation and medicalisation. This included an implantation of sexual perversions for practices outside the accepted heterosexual norm, and varied forms of repression anchored in the establishment of truth(s) values, rather than emotional and physical excitement and fulfilment.<sup>13</sup>

Definitions of the obscene are informed by an assessment of its projected damaging effects on the recipients of actions or objects. The German writer and philosopher Ludwig Marcuse, who concentrates his discussion of the obscene on the pornographic, pronounces that those effects are not just detrimental physiological stimulations, but also 'unhealthy' incentives to the imagination.<sup>14</sup> Such an approach, however, raises the question of who is making that judgement for whom here. Certain social groups were considered to be morally vulnerable and in need of legal protection from the smutty and excessive through the obscenity laws that emerged during the mid nineteenth century across Europe, followed by the USA towards the end of that century. They came from those social sections that were in the process of gaining wider access to and participation in cultural consumption (and production) due to a democratisation of culture: women and the lower classes.<sup>15</sup> The democratisation of culture was founded on advances in industrial production and, in particular, on the new means. Moving on from the fifteenth-century Gutenberg press and forms of manual reproductions such as the wood, engraving or etching to photography and lithography in the nineteenth century enabled a more labour- and cost-efficient mechanical mass reproduction of texts and images, and thus fuelled their broader and 'promiscuous' circulation and accessibility. As Kendrick observes: 'There has never been a society – until our own – in which all representations were available equally to any observer at any time.'<sup>16</sup> This situation produced a greater need for the regulation and control of all representations through a number of interrelated mechanisms, including censorship, policies for the funding of art and culture, interventions into the market, etc.

The democratisation of culture has been bound up with an amplification of the cultural divide between high art and popular/folk culture, with the gulf between cultural elitism and mass production/consumption. The modern concept of obscenity is intertwined with the advances in mass reproduction, information and communication. It has assumed a divisive role as a separating force between different areas of culture. It also functions as a gauging support for the polarisations between erotic arts and pornography, high and popular culture, cultural industry and autonomous, elitist art. This dividing function has remained intact despite the growing fluidity and mobility of visual images and objects between different cultural domains such as fine arts and graphic design or advertising, video art and video games, mainstream and independent or art-house film, for example.

When discerning what might be obscene by considering the potential effect of an object/action/event, the context that informs and is informed by its pragmatic dimension and the intentions of its producer(s) with regard to the object/action/event's desired effect play a crucial role. This might be even more applicable for the closely connected category of the pornographic, insofar as the arousal of carnal desires depends on the situation of its incitement. For instance, the explicit representation of sexual organs in the context of sex education and health promotion campaigns relating for instance to sexually transmitted diseases, or the depiction of violence in campaigns against drink-driving as well as the gruesome details of anatomic displays are usually not considered obscene on the basis of their enlightening function. They are seen to predominantly appeal to the intellect rather than to the flesh.

The same may hold true for homoerotic depictions in the context of gay rights publicity that are directed at public enlightenment and advocacy. On the other hand, the showing of lesbian love scenes in magazines for men or in the tabloid press is openly and above all directed at the sensual stimulation of the male readership. In this sense, the pornographic is more aligned with leisure and hedonism rather than with education and enlightenment. For Marcuse, amongst others, the intention of the producer plays a decisive role for the perceived effect of the work, i.e. whether a textual (audiovisual) or multimedia representation was made with the direct intention to arouse or deprave.<sup>17</sup> Yet moving along such a slippery slope immediately raises – by inference – questions regarding the status of the producer and it points to those valorising institutional frameworks, groups and individuals, who have the power to confer such status.

In the educational context, however, 'innocent' intentions or the context of art do not always provide a safeguard against the perceived powerful effects the display of explicit sexuality (and violence) as the example of the *Venus of Willendorf* (30,000–18,000 BC) demonstrates. Although the small limestone artefact would not have been labelled obscene in the context of her origin but rather used ritualistically in the service of a sustained and enhanced fertility, her bold nudity and 'unequivocal sexuality' kept reproductions of the work out of US art textbooks for much of the twentieth century.<sup>18</sup> Such a decision is rooted in a narrow focus on the formal appearance of the *Venus of Willendorf*, rather than on its cultic meaning and application. In other words, definitions of the obscene largely depend on what are deemed to be explicit and excessive representations of sexuality and violence, and on how the meaning and functions of such representations are judged – whether they are considered enlightening, therapeutic and liberating, or detrimental, damaging or depraving. Such an assessment, of course, depends on the (perception of) the respective context(s) of their circulation and thus can vary considerably.

Like any other value judgement, an assessment of the character and quality of a cultural product is inevitably informed by a degree of subjectivity. The verdict of obscenity has been linked not just with a moral condemnation; it has been equated with a denial of any aesthetic values. Therefore, judgements on obscenity usually determine the potential exclusion of the work/act(ion) from the echelon of high art and from the sphere of the

morally acceptable, the legally permitted and thus the intellectually superior. An exclusion from the interface of those domains confines what thus might be considered coarse, gross, filthy or lewd to the margins of official culture, recognition and support. Yet, the offensively indecent, improper or shameless displays that lurk in the seemingly shady and suspect 'backrooms' of mainstream culture do not preclude such material from being subject to commodification and money-spinning consumptive circulation. Quite the opposite: sex and violence sell exceptionally well. They are an integral part of the highly profitable cultural industries as much as they flourish in the 'marshes' of high art. Despite the 'rise of religious and social conservative movements' in the latter part of the twentieth century, particularly in the USA and compounded by an 'antagonistic administration', the market for obscene material of (m)any sorts booms like never before in contemporary culture: 'Pornographic revenues – which can broadly be constructed to include magazines, Internet Web sites, magazines, cable, in-hotel-room-movies, and sex toys – total between 10 and 14 billion dollars annually.'<sup>19</sup> Propelled by the digital revolution and its efficient means and networks of information, communication and (virtual) consumption, as the American attorney and author Frederick S Lane III has vividly demonstrated in his overview text *Obscene Profits: The Entrepreneur of Pornography in the Cyber Age* (2000), it has developed into one of the foremost growth areas of the capitalist economy in the West – if not globally – with unflinchingly robust profits yields.<sup>20</sup> Walter Kendrick sketches out the reasons for the torrential spread of pornography:

That we are rapidly approaching such a condition [of ubiquitous sexualisation of society] (or have reached it) is the result of complex social transformations: rising literacy, increasing urbanization, and the accelerated enticement to control all things, especially the forbidden, by making them subjects of discourse. Ironically, in the movement toward promiscuous representation, 'pornography' stands not as a roadblock but as an important stage of process – a sort of shadow zone between highly selective darkness and indiscriminate light.<sup>21</sup>

Sex is not only a 'hot' commodity in western culture; society as a whole has become increasingly sexualised. 'Since the 1960s sex in the media – mediated sex – has increased quantitatively as, in qualitative terms, it has become more explicit.'<sup>22</sup> The number of popular television programmes and the amount of print material retracing and reconstructing sexuality, its history/ies, its (specialised) practice(s) and various cultural representations and mediation(s) has been vastly growing over the past decade as has the (moderately) explicit display of sexuality in mainstream films. Linda Williams has suggested that sex has been tamed since the 1970s by becoming more visible in society and moving from off-scene to on-scene. It has gradually come to feature much more prominently in public discourse. She argues, 'If telling all, showing all, has become a national preoccupation, it is because an apparatus of power and knowledge has been at work to organise the

confession of increasingly explicit details of sexual life.<sup>23</sup> Thus, perhaps not surprisingly, the 1980s and 1990s saw a renewed move towards a 'polarisation and line-drawing' between a 'properly' sublimated and distanced erotic art and untamed and immediate pornography, that was exemplified for instance through the law suits against the exhibition of Robert Mapplethorpe's work in Cincinnati, USA, in 1989, and the fact that 'high-end' art venues that overstepped the line were more rigorously persecuted than low-end porn establishments.<sup>24</sup>

On that note, it is worth bearing in mind that the display of excessive violence and human suffering and demise across a whole range of genres of video and computer games, mainstream (B and A) movies as well as the news and documentary broadcast and print mass media sectors has also become more extensive and intensified since the late 1980s. This has not just occurred in the service of a heightened realism, as could perhaps be argued in regard to an immediate and authentic representation of military conflicts, natural or man-made catastrophes and human suffering, past and present. While western society has been largely sanitised of first-hand experiences of violence as spectacle, such as public hangings or bull fights, scenes of war and disasters, the visibility of and focus on violence and its effective (rather than affective) staging in video and computer games, appears to have amplified proportionally.

Judging by the chronic popularity of hyper-realist blood-splatter films and video games, it seems that viewing expectations and the emotional thresholds of audiences in general have changed during the second half of the twentieth century compared to previous decades, moulded by and moulding emergent imaging technologies and their promise of increasing immediacy, transparency and immersion from the safety of the armchair.

The persistent ambivalence and contestations of the public discourse(s) vis-à-vis considerations of (in)decency and moral depravation become nowhere more obvious than in the nine o'clock 'watershed' on UK television, after which more explicit programmes can be broadcast albeit preceded by obligatory verbal warnings against explicitly sexual images, the representation of violence and/or the offending use of language. Whilst the modest cover-up of wo/men's genitals before the watershed is well established, the veiling of infants' and children's genitalia in documentary programmes seems to be a fairly new development caused by recent, highly publicised incidents of child pornography. The 'f-word', like several other sexually connoted derogative, is still generally bleeped out in public broadcast or asterisked in some of the daily and Sunday newspapers, both broadsheet and tabloid. All this has been put in place to safeguard 'public morality'. Reports on cases of public outrage caused by 'art' incidents such as the 2004 Turner prize display at Tate Modern or censorship interventions like Betsy Schneider's show of photographs of her young daughter in the nude in a London gallery of the same year, continue to probe and affirm the validity, operationality and reinforcement of the category of the obscene. With a continuing 'liberalisation' of mass/global media and the legal frameworks in contemporary western society – though with considerable national differences in direction and emphasis – obscenity as a complex category has not disappeared. The final frontiers between the

licit and the illicit, the moral and the immoral, and the aesthetic and its Other have been re-aligned. Nowadays they run broadly speaking along the lines of paedophilia, necrophilia and cannibalism.<sup>25</sup>

When it comes down to an exacting definition of the obscene in relation to the aesthetic, the difficulties inherent in such endeavour become equally obvious, because obscenity and art are birds of a feather in that both are concerned with representation. Telling the two apart, paradoxically, the difficulty lies not so much with obscenity but with the concept of art, to which it is inextricably linked. In western thought of the modern period, notions of art have been more or less founded on a set of assumptions that concern the location of the aesthetic and its understanding and functions. The former situates the arts, not only the literary but the visual too, in the mind, primarily as the result of the work of the imagination and the intellect, rather than the expenditure of physical labour and the efforts of manual skills. It habitually locates the art and the beautiful in the artwork itself and from there determines what 'good' art is or should be. Closely connected to such a qualitative approach is the notion of the (male) artist as genius, who, endowed with a powerful mind and special talents, translates his ideas into significant material appearance conducive to an aesthetic experience. Generally speaking, the long-held belief that art should be first and foremost beautiful rather than merely convincing and/or original, still lingers today. In other words, only when one can assert what is art, can one assert what it is not, what counts as non-art and/or obscenity.

Obscenity is bound to conventions of representation as much as art of any form is. These cultural codes and rules and the values they are connected with as well as the institutional framework which carry them forth, come tangibly to the fore in and are tied to the shifts and changes that affect our ways of seeing, thinking and judging what is aesthetic and what falls outside of its constantly re-negotiated dynamic and flexible parameters. The relationship between art and obscenity is echoed in the relationship between erotic art and pornography – albeit in a narrower sense. Whilst the erotic describes 'the space of permissible sexual representation', the label art attest aesthetic qualities to material that aims at arousal.<sup>26</sup> Pornography – often considered as the negative Other of erotic arts – maps the territory of sexually explicit representation that is inflected by restrictions, prohibitions and, broadly speaking, the non-aesthetic.

Susan Sontag, amongst others, has proposed to consider the possibility of pornography as art. Situating her argument mainly in the area of literature, she seeks to distinguish between good and bad pornography, the good having artistic value and its own aesthetic rules. Umberto Eco, in his lucid description of what makes a pornographic film, argues that an accumulation of everyday situations, banal (inter)actions and a lot of (narrative) 'coasting' or freewheeling are necessary features to emphasise the sexual deviation. It therefore constitutes an important formal standard of pornography.<sup>27</sup> Repetition and simplicity have been considered key attributes of the pornographic, whilst the complexity and variety of erotic art is often highlighted to affirm its aesthetic credentials and (sublimative) motivations, and distinguish it from the mere titillating of the pornographic.



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