

Transgression and Its Limits

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Edited by

Matt Foley, Neil McRobert
and Aspasia Stephanou

**CAMBRIDGE
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P U B L I S H I N G

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INTRODUCTION: THE LIMITS OF TRANSGRESSION AND THE SUBJECT

MATT FOLEY, NEIL MCROBERT
AND ASPASIA STEPHANOU

The genesis of the following collection was a postgraduate-led conference held at the University of Stirling in 2010. As organisers we were expecting to run a small weekend devoted to niche academic interest; however, we were taken aback by the response to the event. Rather than garnering interest only from those concerned with contemporary artistic extremity (though this essay collection does include many such contributions) the conference included work covering centuries of transgressive poetics and practices. The essays selected for this collection include explorations of transgression in cinema, photography, art, law, music, philosophy, technology, and both classical and contemporary literature and drama. As such, the difficulty of establishing a totalising definition of transgression is reflected in the range of transgressions discussed: sexuality, violence, and the figuration of the human body are understandably recurrent themes, but they are supplemented by investigations into the transgressive properties of such diverse subjects as demotic speech, gender issues, and anti-humanist music. Furthermore, the range of time periods represented at the conference—and in this collection—both confirms the shifting nature of transgression and yet, somewhat paradoxically, reveals a degree of continuum in what is, and has always been, considered transgressive.

The purpose of the conference was not, however, merely to outline the myriad cultural forms of transgression, but, as the title of this collection suggests, to also map their limits. Marcel Détiénne claims that “to discover the complete horizon of a society’s symbolic values, it is also necessary to map out its transgressions, its deviants” (1997, 19-20). Transgression and civility are, by default, co-dependent: the contours of each being defined in relation to the other. To breach the limits of the acceptable is to simultaneously define them, and as those limits expand to encompass that

which once contravened them, so are the limits of transgression temporarily affirmed.

One issue at stake here is that we may need to assess whether received understandings of transgression are still valid in a desensitised, late-capitalist culture. To what extent has transgression been nullified or negated by the co-option of the term as a marketing tool, and the financial sanction—indeed, incentive—to pursue the extreme and taboo? Surely, if the transgressive act, image, or concept originates not from an organically developed testing of the edges, but from a calculated use of the *idea* of transgression to create allure or hype, the project has already failed to transgress before it has begun. In this model, while the shock of the transgressive, for example in the current spree of “torture porn” cinema, is an aesthetic aim, the commodification and simulation of violence, as well as its mass appeal, put into question whether these films are transgressive in any tangible or real sense.

If they are then such a position perhaps inverts the relationship Détienné asserts: if transgression has become mainstream then are we all deviant? Certainly, from a Freudian perspective, there is a “death drive” at chaotic work within all of us and this may be understood as the illogical drive to deviate. Here, the “spirit of PERVERSENESS” that Poe wrote of in ‘The Black Cat’ (1843), some time before Freud’s post-World War I “death drive,” becomes not an exceptional circumstance in the subject but something that we all have to wrestle with: a drive to be life-affirming opposes a morbid impulse to harm and see others harmed. The cinematic and simulated transgressions of “torture porn” serve as an example *par excellence* of a medium and genre that satiates the modern spirit of perverseness; something that is further explored and complicated in the essay by Xavier Aldana Reyes that concludes this collection.

Paying closer attention to the simulated nature of modern transgression, Fred Botting’s centre-piece essay “After Transgression” attempts a timely repositioning of our understanding of transgression in the post-modern world of simulacra by applying the theories of Jean Baudrillard to the transgressive fiction of J.G. Ballard. The line between what constitutes pseudo-transgression and what constitutes transgression in the real is a difficult fault-line to map or trace but it is perhaps our only tool to assist in denoting empty transgression against transgression that affects the real. This issue underpins the collection in its attempt to engage with, but also update, the critical response to the subject of transgression. The Marquis de Sade, Michel Foucault and Georges Bataille appear frequently, as befits their canonical status in the pantheon of transgressive thought. However, received critical work is continually interrogated; nowhere more so than in

Professor Botting's timely discussion. It is clear that the critical consensus on transgression must be re-worked and contemporised in order for theoretical understandings to both reflect and map the shifting nature of transgressive acts and the orders that they violate. This does not mean that transgression in fiction has exhausted itself. As Iain Banks argues in his interview, here with Professor Roderick Watson, the transgressive in art can always be rejuvenated in reaction to contemporary taboos. For example, as explored by Lena Wänggren's essay, the female necrophiliac remains something almost unthinkable in modern phallogentric discourse. The dominant theories of transgression need to be made malleable to both contemporary concerns and the possible range of transgressions that may be staged across different mediums; Karin Sellberg's essay critiquing spatio-temporal transgressions in the work of Angela Carter and Salvador Dalí is such an example.

Even at the simplest level, the discourse of transgression is plagued by a multiplicity of meaning. To focus on one article of definition, in order to suggest these complexities, a "sin" is that which contravenes the moral imperative of religion. This may seem straightforward but a sin can be institutionalised, even made inherent to the functioning of an entire state apparatus, as well as overlapping with issues of command, duty and human rights. The intolerable sin of the Holocaust—an extreme example of moral transgression—was carried out by soldiers and doctors of The Third Reich who, in committing sin, refused to transgress and violate military commands, whilst grotesquely flouting the most basic of human rights. The blind-spots of Nazi law sustained a dark violence of unimaginable menace to human dignity that transgressed both religious codes and those of human decency, while establishing itself as a systemic norm. It is, in this case, a lack of subjective transgression—a lack of individuals rising up in opposition to this state-sanctioned atrocity—that still stupefies to the present day.

The excessive example of the Holocaust serves to throw into relief the innate complexities of the various economies of transgression that may surround any law-breaking act. Transgressive tactics may be carried out by an individual (for example, the Marquis de Sade's salacious writings, or James Joyce's flouting of grammatical norms in *Finnegan's Wake* (1939)), a gang or group (the London, Birmingham and Manchester riots of August 2011 or the French Resistance of World War II), or an institution (the recent discovery of the atrocities of Colonel Gaddafi's Libya). It is the former of these rather cursory classifications that will be of primary interest here, given the individual, literary and artistic focus of this collection. Indeed, taking an already cited example, a certain lineage can

be traced from the Marquis de Sade's erotic and grotesque writings to the dominant critical understandings of transgression that informed scholarly work in the twentieth century. These critical theories have as their genesis mid-twentieth century French artistic and intellectual thought but, whereas the Sadean libertine revels in the transgressive, the transgressive subject as recognised by these thinkers is always faced by the limitations integral to notions of transgression and subjectivity itself.

In 1930, after being excommunicated from the Surrealist movement in the *Second Surrealist Manifesto* (1929) on grounds of baseness and vileness by its spiritual leader André Breton, Georges Bataille remained defiant, reading de Sade's work in a manner that foregrounds its obscene and taboo content, whilst aesthetically justifying the grotesque. In "The Use Value of D.A.F. Sade" ([1930] 1995) Bataille argues that de Sade's writing consistently stages two innate human impulses: namely, appropriation and excretion. Bataille insists that de Sade's staging of

Sexual activity, whether perverted or not; the behaviour of one sex before the other; defecation; urination; death and the cult of cadavers (above all, insofar as it involves the stinking decomposition of bodies); various taboos; ritual cannibalism; the sacrifice of animal gods; omophagia [the practice of eating raw flesh]; the laughter of exclusion; sobbing (which in general has death as its object); religious ecstasy; the identical attitude toward shit, gods, and cadavers; the terror that so often accompanies involuntary defecation; the custom of exchanging brilliant, lubricious, painted, and jewelled women; gambling; heedless expenditure and certain fanciful uses of money, etc. [...] together present a common character in that the object of the activity (excrement, shameful parts, cadavers, etc. ...) is found each time as a foreign body (20, [our editors' note]).

This is an important passage, not only to prepare the reader for some of the topics that are to be covered in the essays that follow, but also given Bataille's insistence that de Sade stages these rather yoked together categories as "foreign bodies" (where sexual activity "whether perverted or not" is aligned with cannibalism; jewelled women with omophagia). Here, the influential theories of Julia Kristeva and the relationship between the unity of the subject and what Kristeva terms "abjection" can be seen as partly cognate, as can the theories of Kristeva's mentor Jacques Lacan.

For Lacan, an encounter with the more grotesque elements of Bataille's list, and even, as he puts forward in his *Seminar XX* (1973), "sexual activity," may be too close to what he terms an impossible exposure to the Real. These elements may often come to stand in for his formulation of the "*objet petit a*": that is, a hard kernel of the Real that the subject avoids through a fantasy that is propped up and perpetuated by "the function of

misrecognition that characterizes the ego in all [its] defensive structures” (2006, 80). This misrecognition of the self through construction of the other—in this case differentiating between the seamless “I” and the porous body—is in a sense not challenged by transgressive literature of the grotesque but presented in all its fullness: the horror of the Real of the body is laid bare, put on display, through extremities of violence, defecation and perverse copulation. Such a display is at the heart of transgressive cultural engagement with the physical; whether in the lurid fantasies of de Sade or the clinical, pseudo-pornographic gaze of contemporary horror cinema. Indeed, these two instances of transgression, though separated by centuries, may share both inspiration and agenda in their focus on the boundaries of the body and the moral implications for the subject—both victim and viewer—of a transgression of bodily limits. Literary and artistic works can shock by overwhelming and escalating into excess the unconscious opposition between the imaginary unity of the self and the fallibility and orifices of the body.

In some senses Kristeva’s theory of abjection complicates this notion of a binary misrecognition that props up the subject. For Kristeva, in general, “what is abject . . . the jettisoned object, is radically excluded and draws me towards the place where meaning collapses” (1982, 2). Such “radical exclusion” would seem to suggest a similar distance and distinction between the subject and the abject and Bataille’s reading of the excreted “foreign bodies” presented in de Sade’s oeuvre. However, Kristeva further articulates that “it is not lack of cleanliness of health that causes abjection but what disturbs identity, system, order. What does not respect borders, positions, rules. The in-between, the ambiguous, the composite” (4). Hence, a sense is given of why the staging of the abject in art can often be classified as the transgressive—there is a passing beyond of borders that is not in binary opposition to the self but located in a liminal space of the “in-between”; in other words, on the “limit” of subjectivity.

For Georges Bataille transgression is an indispensable part of the limit or taboo which it “transcends” and “completes” ([1957] 2006, 63) but does not destroy. The transgression and the limit are opposite and complementary concepts and are therefore interrelated (196). Transgressions, whether regular or repeated, can serve the limit, reinforce it and be its accepted complement (65). The existence of the limit is what guarantees the success of the transgression. While the limit calls to be obeyed, it also tempts with the possibility of its violation. In the opening chapter Rachael Gardner-Stephens argues that Propertius’ love elegy, within the context of a changing Rome and the stabilisation of the Augustan regime, questioned

Augustan idealism and the limits of his rule. According to Gardner-Stephens, his love elegy is a textual form of transgression that sought to engage with, rather than deny or affirm Augustus' propaganda, enriching the ideological and cultural landscape of Rome. Such textual transgressions participated in the building and fertilisation of ideological values by engaging and confronting boundaries that were stable and firm; thus, successfully transgressing and reinforcing Augustan law and ideology. Particularly intriguing, as Keith Currie addresses in his essay on Bataille, is whether the transgressive act can maintain its potency at a time of crisis in which the very limit meant to be exceeded and transgressed is in a state of suspension. Even for the Marquis de Sade, who did not fully conceive of this relation between the limit and transgression, the cruelty of his libertines was based on the defiance of a limit. Sade's imagined transgressive acts, his libertines' pleasure in the humiliation and torture of the flesh, depended on the recognition of limits that respect and value flesh and the other.

As such, transgression is always traced with, and limited by, its situation on the border of the norm and its reliance upon a limit. The norm in modernity is one that is turned in upon itself, reduced always to the level of the subject and its sovereignty. As Michel Foucault puts it:

By denying us the limit of the Limitless, the death of God leads to an experience in which nothing may again announce the exteriority of being, and consequently to an experience that is *interior* and *sovereign* ([1963] 1999, 59).

Articulated time and again by theorists such as Foucault, Bataille and Lacan, is the problem of thinking about transgression in a modern episteme in which the funeral rites of any God have already been pronounced. Such a passing beyond religious discourse leaves behind a certain economy at work between profanation, transgression and the sacred. Indeed, for Foucault, the sacred is no longer a structuring force of a regulated religious code but something felt and discovered *through* transgressing a secular norm:

Profanation in a world which no longer recognizes any positive meaning in the sacred—is this not more or less what we may call transgression? In that zone which our culture affords for our gestures and speech, transgression prescribes not only the sole manner of discovering the sacred in its unmediated substance, but also a way of recomposing its empty form, its absence, through which it becomes all the more scintillating (*ibid.*, 58).

Thus, transgression from Bataille through to Foucault, spanning the middle years of the twentieth century, leads us on a journey from the sacred to the sovereignty of the subject. What remains static, however, is the limit inherent to any understanding of transgression. A transgression does not represent a dramatic paradigm shift—such as the Copernican revolution, Darwinian thought, or the articulation of the Freudian unconscious—but instead folds back upon itself and “affirms limited being” (ibid., 61). In particular, the two predominantly Foucauldian readings by Douglas Clark and Nicholas Spengler in this collection still suggest the vitality of his theories in articulating the economies of transgression at work in a diversity of fiction, namely here early modern drama and the novels of Reinaldo Arenas. Clark’s essay on the early modern progresses to re-reading Foucault’s theories, a move suggested by the staging of female subjectivity in the plays Clark reads; his approach demonstrates a reciprocity in handling critical work that should be made paramount in interrogating the received theory on transgression. Context here becomes crucial in the choice of critical tool. Spengler’s essay on Reinaldo Arenas favours a Foucauldian over a Lacanian reading, given the context he is working within, which is suggestive of transgression spiralling in unison with the limit. However, reading the work of Raymond Carver, Catherine Humble argues that Carver’s textual transgressions stage a movement through the Lacanian triad of Real, Imaginary, and Symbolic that correlates with a shift in register from disorientating silent fixations to the meaningful and ethical. While Lacan and Foucault are somewhat at odds over the constitution of the transgressive act, their theories overlap in their understanding of the subject who is transgressing: theirs is a subject who lacks completeness or unity.

One contestation of the “limited being” postulated in theory may be a certain staging of the life of the hedonistic Sadean libertine; one that would suggest that the pursuit of pure pleasure could negate the limits of being through a joyous, erotic union of spirit, mind and body. Maurice Blanchot, in 1949, wrote of a basic ethics, a unifying philosophical standpoint inherent to de Sade’s works where

Sade’s stated principles—what we may term his basic philosophy—appears to be simplicity in itself. This philosophy is one of self-interest, of absolute egoism: each of us must do exactly as he pleases, each of us is bound by one law alone, that of his own pleasure (1995, 40).

Like the scholars who have contributed to this collection Blanchot was drawn to reading the extremities of the transgressive in order to ascertain what economies and systems may underpin the manifest content of the

transgressive material. In his seminar *The Ethics of Psychoanalysis* (1959-60) Lacan takes up where Blanchot left off, praising Blanchot's consideration of "[what] one might indeed claim [to be] the most scandalous body of work ever written" (2008, 247). However, Lacan, in characteristic fashion, seeks to delve somewhat deeper than any account of "simplicity," by focusing on the latent mechanisms underpinning the horrific response of the reader to de Sade's work. From Lacan's psychoanalytical perspective, engaging with de Sade "cuts the subject loose from his psychosocial moorings—or to be more precise, from all psychosocial appreciation of the sublimation involved" (248).

Importantly, Lacan here suggests that the disgust that comes from reading the literary transgressive isolates the subject from the sublimation that is initially involved in engaging with any artistic aesthetic. In other words, the redirection of the libido to higher, civilized and social aims is disrupted by the grotesque; suddenly the mechanism of sublimation is cut adrift *in media res*. In turn this dramatic failure of the sublimatory apparatus exposes the subject "to the central emptiness" at the subjective core that has always already been there. Indeed, it is this innate lack at the core of the subject that suggests the Sadean libertine is nothing more than a fantasy: the staging of an impossible subject who can be at ease with, and revel in, transgression without after experiencing a degree of self-disgust or emptiness. The fantasy of the Sadean libertine who wholly revels in the grotesque and the perverse is a direct challenge to post-structuralist notions of lack as a prerequisite of the subject.

What the work of de Sade also indicates is the way in which the transgressive can become canonised and incorporated into a norm of academic study. Scholars of de Sade have noted that, "the name 'Sade,' previously the cause of visceral disquietude and moral panic, now sends us directly to the archives. What was once scandalous is now part of our literary heritage, a 'classic'" (Allison et al. 1995, 1). The canonisation of the transgressive into the pantheon of literature is addressed in Meghan McAvoy's essay on the profanity of Scottish writers Tom Leonard and James Kelman. Kelman and Leonard are shown to typify transgression's problematic and transitory nature. Their embracement by a literary establishment that had been only recently resistant to such writings—an exclusion which the authors themselves used to define their roles as cultural "outsiders"—appropriately delineates the limits of transgressive practice, which is nullified by acceptance. Although famed for more grotesque renderings, de Sade's writing has become similarly canonical, so as to surrender its intellectual position on the boundary of the scholarly. Julia Kristeva ([1969] 1986) has noted that some time ago scholars of de

Sade had already begun to denounce a range of literary work as derivative of him. Kristeva bemoans “the pseudo-transgression [of] a certain modern ‘erotic’ and parodic literature [that], seeing itself as ‘libertine’ and ‘relativizing,’ operates according to a principle of *law anticipating its own transgression*” (41-42). Contrary to this literature of faux debauchery, for Kristeva, it is the polyphonic and carnivalesque “dream logic” of the novels of Joyce, Marcel Proust and Franz Kafka that, through their privileging of symbolic rather than causal relations, most destabilise the literary *status quo*.

That is not to say, however, that Kristeva’s understanding of Mikhail Bakhtin’s notion of the carnivalesque is one of lawlessness: “In fact, this ‘transgression’ of linguistic, logical and social codes within the carnivalesque only exists and succeeds, of course, because it accepts *another law*” (41). As Bataille notes, if transgression is to be lawless it becomes an unequivocal act of violence:

Often the transgression of a taboo is no less subject to rules than acts that are law abiding. No liberty here. “At such and such a time and up to a certain point this is permissible”—that is what the transgression concedes. But once a limited licence has been allowed, unlimited urges towards violence may break forth (2006, 65).

In turn, a transgression adheres to its own esoteric law, whether it is de Sade’s pursuit of pleasure, Bataille’s laws of appropriation and excretion, or the injunction to throw off and usurp societal power relationships by revelling in the carnivalesque. When a transgression is no longer bound by law, it becomes limitless, pushing towards an anarchy of unmediated violence.

Indeed, this articulation of the possibility of a violence that becomes limitless distinguishes Bataille’s thought from Michel Foucault’s. Foucault, although clearly indebted to Bataille, posits that the relationship between transgression and law

takes the form of a spiral which no simple infraction can exhaust. Perhaps [transgression] is like a flash of lightening in the night which, from the beginning of time, gives a black and dense intensity to the night it denies, which lights up the night from the inside, from top to bottom, and yet owes to the dark the stark clarity of its manifestation, its harrowing and poised singularity; the flash loses itself in this space it marks with its sovereignty and becomes silent now that it has given a name to obscurity ([1963] 1999, p.61).

Naturally there is a danger here of hypostatizing transgression through evocative language and imagery; Foucault's turns of phrase "flash of lightening" and "black, intense density of the night" giving a rhetorical power to theory that encourages a confusion between, on the one hand, the pull and connotation of rhetorical imagery speaking of transgression, and, on the other, the reality of a single transgression that may be witnessed *a posteriori*. This is an inherent issue that inflects any conceptualising of transgression, to paraphrase Friedrich Nietzsche, within the limits of the prison house of language. It is the variety of connotations inherent to transgression that still limits us today in talking about it in any unified, closed, or purely denotative way.

Within postmodern culture, the conditions that make transgression possible have changed. Critics have argued that the decline of paternal symbolic authority in contemporary society has altered the meaning of transgression and has transformed it into an act that has more in common with the norm. When prohibiting limits are no longer stable but fragile, transgressive acts become ultimately redundant within a society that recognizes no rules. Reading and appropriating the work of Lacan, Slavoj Žižek writes that,

For Lacan, the Kantian overcoming of the "dialectic" of Law and desire—as well as the concomitant "obliteration of the space for inherent transgression"—is a point of no return in the history of ethics: there is no way of undoing this revolution, and returning to good old times of prohibitions whose transgression sustained us. This is why today's desperate neo-conservative attempts to reassert "old values" are ultimately a failed perverse strategy of imposing prohibitions which can no longer be taken seriously . . . Prohibition against which we can assert our freedom is no longer viable, our freedom is asserted as autonomous, every limitation/constraint is completely self-positing (2006, 93-4).

That is why for Žižek, Bataille is "strictly premodern" because he insists on the dialectic of the Law and its transgression; the necessity to create limits in order to violate them (95). For Žižek it is the Law that transgresses the stability of our pleasure "as the shattering force of the absolute destabilizing 'heterogeneity'" (ibid.). With no proper limits, the freedom to transgress comes with the obligation to enjoy. Thus, the difficulty for today's civilised subject is to set their own limitations (90). The "law itself," Žižek writes, "is the highest transgression" (2003, 53) as enjoyment, which we experience as transgression, is never a free choice but always imposed on the subject (1991, 9). Thus the law becomes the only true transgression which changes "all the ordinary criminal transgressions into an indolent positivity" (30). The Law is then what

commands *jouissance*. Žižek explains that in postmodernity there is a turn from the figure of paternal authority to the one of the obscene primordial Father-Jouisseur, the uncompromising God who “does not have to *account* for anything He does” (1999, 318). The Law is split between symbolic law and its superego supplement that demands the subject to enjoy. However, the latter’s demand for enjoyment and the freedom to enjoy become a responsibility where the command to enjoy in the end bars access to enjoyment. The subject’s superego, no longer able to identify with a symbolic authority that defines a limit and punishes transgressions, is urged to transgress. However, without a Symbolic Father transgression is joyless. Once everything is permitted desire is placed into crisis. The lack of a proper symbolic prohibition imprisons the subject in a repetitive cycle of ineffectual transgressions.

Despite these supposed theoretical obstacles the urge (and ability) to transgress notions of taste, merit and convention through artistry seems undiminished. Recent years have seen the rise of a new sub-genre of cinema in films such as *Hostel* (Eli Roth, 2005), *Wolf Creek* (Greg McLean, 2005), and *Antichrist* (Lars von Trier, 2009). Favouring scenes of brutal—and often highly sexualised—violence these films courted controversy and were given the pejorative appellation of “torture-porn,” a designation that Xavier Aldana Reyes opposes in the final essay in this collection. He argues that far from pornographising bodily pain, these films instead work by problematising the viewer’s subjective position and enforcing a recognition of physicality, and thus mortality. Equally, more mainstream cinema has encroached upon the boundaries of acceptability in *Kids* (Larry Clark, 1995), *Irreversible* (Gaspar Noé, 2002) and to more comedic effect in *Four Lions* (Chris Morris, 2010). This last film, a comedy based around the ineptitude of a group of jihadists, trespasses upon a subject area still largely sanctified in the western world: the moral implications of terrorism.

The last two decades have also seen the persistence of literary transgression. Bestselling authors such as Chuck Palahniuk and Bret Easton Ellis have made their name as the *enfants terribles* of contemporary fiction. Ellis’ *American Psycho* (1991) is of obvious import to any history of literary transgression, continuing as it does the themes of perversion and sexualised violence made (in)famous by the Marquis de Sade. Kathy Acker’s *Blood and Guts in High School* (1974) foreshadows *American Psycho* by over a decade and paints an equally grotesque portrait of sexuality, violence and psychological decay. Indeed, in his essay here, Alex Howard contends that Acker’s *In Memoriam to Identity* (1990) is fundamentally transgressive courtesy of a textual excess that

breaks a series of phantasmatic structures that reify and imprison the post-modern subject.

Dennis Cooper's *Try* (1994), with its gratuitous depictions of sexualised violence towards minors, is a particularly problematic addition to this list of transgressive fictions, in an era of heightened anxiety regarding the safety of children. Indeed, the preservation of childhood innocence has become central to a contemporary perception of transgression. Not since the Victorian era has the child been so emblematic of besieged morality. Censorship campaigns are undertaken in the name of "saving our children," ratings systems are orientated around what is—and is not—suitable for a child to view, hear, or play, and above all looms the corruptive threat of paedophilia—writ large in an era of unsupervised (and anonymous) Internet access. Whilst paedophilia is entrenched in the public conscious as an act of abhorrent transgression, in this collection Kamillea Aghtan investigates the legal loopholes that surround virtual child pornography. The rapid technological advances in digital manipulation now allow the creation of sexualised images of virtual children. How, she queries, can the law and morality react to a crime in which there is no physical victim? In such a case is a transgression being committed, and against whom? The result is a certain reserve in talking of these images in discussions of legality that leads to blind-spots within a legal apparatus that is meant to prohibit and coherently legislate against such activity.

Visual artistry has also remained a medium of transgression. In her essay here, Laura Kremmel argues that the censorship of Robert Mapplethorpe's erotic photography is a microcosm that gestures towards wider issues of privacy and obscenity in the arts. Kremmel contends that Mapplethorpe's distinctly Gothic concerns blur and transgress boundaries of artifice, aesthetics and the self. The case of Mapplethorpe serves as an example of visual art's ability to shock in the late twentieth century. In Britain, the 1980s and 90s art scene was dominated by the Turner Prize which, since its inception, has prompted consistent controversy. Notable exhibits have included Damien Hirst's infamous pickled livestock *Mother and Child Divided* (1995), Jake and Dinos Chapman's sex-doll sculpture *Death* (2003), and Martin Creed's *The Light On and Off* (2002). Another transgressive piece of recent years is Marcus Harvey's *Myra* (1995), a facsimile of the ubiquitous headshot of child killer Myra Hindley, created from the handprints of infants. Its exhibition resulted in a public furore over decency and a request from Hindley herself that it be removed. Moreover, Gunther von Hagen's ongoing *Bodyworlds* exhibition, involving the preservation and posing of human cadavers, has received

both negative and positive vitriol. Contemporary culture, then, seems as committed as ever to pushing beyond the current zeitgeist.

Moving away from the visual to the auditory, a more philosophical approach to transgression is taken by Giuseppe Episcopo in his discussion of transgression in the work of apocalyptic neo-folk musicians Current 93. Their avant-garde project is discussed in conjunction with the anti-humanism of Michel Foucault and Gilles Deleuze in order to investigate the ways in which the soundscape of their album *Nature Unveiled* (1984) disturbs the history of music through the destruction of traditional episteme. Following Gaston Bachelard's notion of "epistemological rupture," and Foucault's use of the concept of "episteme," Episcopo argues that *Nature Unveiled* is paradigmatic of the "ostension" of a sound, an abstract sound that incorporates established motifs of composition from different eras so as to disrupt the nature of time. This transgression of humanism and traditional episteme through the irruption of an abstract sound is made possible by the recognition, repetition and differentiation of the canonical criteria of musical composition from different epochs.

The question remains whether these recent examples of transgressive art and practice actually succeed; and what would constitute such a success. In applauding cultural production primarily *because* of its transgressive qualities, the consumer moves to negate the transgression. Cinema provides a clear illustration of this. By incorporating the pejorative "torture-porn" into the marketing campaign the production companies commodify the transgressive intention of the work and transform it into a trend. As such torture-porn has ceased to break the rule and has instead become it. Rather than being discomfited by the excessive qualities of the film, the audience is instead there to witness the supercedence of previous limits. Terms such as shocking, sickening, or appalling are no longer pejorative terms, they are advertisement. The limited subject postulated by twentieth century thinkers such as Foucault and Lacan may still hold when it comes to instances of transgression in the real. However, it is the simulacra inherent to twenty-first century life that have led to the proliferation of a pseudo or simulated transgression in which the subject is viewer rather than participant. Even in the case of the English rioting of the summer of 2011, where there was organised and real destruction, the violators remained obedient to the laws of consumerism, as stolen goods and products became the bounty of the transgressor. If transgression is the act of breaking the rules then logic dictates that rules have to be established in order for transgression to occur; but, as Kristeva has noted of Bakhtin's carnivalesque, the transgression of one regulation may involve the transgressor following another law, be it esoteric or even

societal. The limits of transgression are not only imposed by the limitlessness of contemporary culture's tolerance for the simulated spectacle: sexual, violent or otherwise. They are inherent to the very conditions necessary for the transgressive act to take place.

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PART I:
HISTORICAL TRANSGRESSION

CHAPTER ONE

TRANSGRESSIVE TACTICS IN PROPERTIUS' LOVE ELEGY

RACHAEL GARDNER-STEPHENS

Augustan Love Elegy bore a brief flame. Whilst love poetry and the elegiac metre were centuries old, the genre, as represented by Propertius, took its distinct shape for just over fifty years. It was a constructed world of lovers dedicated to the expression of the supreme hedonistic pleasure of sexual love; an exploration of the depths of a spurned and mistreated lover's misery. The lover-poet represented in elegy used various poetical *topoi* to discuss themes of sex, relationships of power, and the lovers' removal from conventional Roman life. The development of love elegy is set within the context of a changing Rome, with the fall of the republic, a civil war, and the rise and consolidation of the Augustan regime. It developed throughout an ideological "period of flux" (Miller 2004, 24). Augustus marked his consolidation by embarking on a campaign to reset firm boundaries of social, political and civic responsibility. By using iconographic and legislative tools to assert an Augustan ideal, an attempt was made to reaffirm what it was to be a "good" Roman citizen. I will argue that the behaviours presented by the poets in their elegies engaged with political and social discourse so as to be purposely transgressive and controversial. I will investigate the tactics that Propertius in particular used to set himself in opposition to Augustan idealism. I will also suggest that the purpose of these transgressions was to investigate Rome's political and social transitions, and to test the boundaries of the new ideological regime.

Setting the context for these transgressive tactics is Augustus' intervention in all levels of Roman life. In his *Res Gestae*, Augustus claimed to restore the republic and bring peace to Rome; he improved the fabric of Rome with an extensive building programme by which he re-established Rome's relationship with their deities through building temples and increasing their iconographic importance.¹ Augustus legislated to encourage marriage and childbearing so as to produce worthy sons and

daughters for the empire. He claimed to reduce the moral corruption of Rome by increasing punishment for sexual crimes such as adultery. Issues that were previously private became matters for the state. One pertinent example came in 28 BC with Augustus' failed attempt to implement a tax on bachelors so steep that they would *have* to marry. Finally, in 18 BC, Augustus legislated to prevent adultery by making it a civil offence with the *lex Julia*.² One could no longer stage the themes that once commonly concerned Augustan love elegy, such as love and lust, without engaging with Augustus' ideological campaign concerning sexual mores and private behaviours, thus entering into a political discourse.

Though the key emphasis in enforcing such measures was to improve the moral and civic health of the state, the success of such legislation and propaganda depends on the behaviour of the individual. While we cannot measure the success of this campaign in Rome as a whole, what makes elegy so interesting is its unique presentation of the personal self (Ross 1975, 4). In turn, we can use elegy to investigate how Propertius presents himself, and how this representation transgresses the new moral code. Propertius provides us with sparse biographical details in his poetry but those presented suggest that he is particularly useful to consider. He spent his childhood in the dying embers of the republic, had his familial wealth removed during the civil war, and was later a member of Maecenas' royally approved patronage.³ No other elegist was in a better position to engage in this redefinition of boundaries (Janan 2001, 8). The poetry that I shall analyse specifically is the opening of Book Two, published in approximately 26 BC.⁴ Book Two is significant to this investigation as, although it was published early in Augustus' regime, Propertius had a chance to engage with the changes Augustus was already making. 2:1 in particular is useful because of the range of poetical *topoi* employed, as we shall see below.

2:1 begins by praising the inspirational quality of Propertius' mistress, Cynthia, and then launches into a *recusatio*. To summarise the poems theme, Propertius claims he cannot write about epic, war and history because as a lover he can only write of love. The details Propertius provides of his love affair are frequently contradictory. Cynthia's identity is ambiguous; we do not know if she is real or fictitious; we are not sure whether she was supposed to be portrayed as *matrona*, *meretrix*, prostitute, or freed woman (See Wyke, 2002(a), Wyke, 2002(b), and Miller 2004 for fuller analysis of Cynthia's identity). However, we can assume that Cynthia is an unsuitable woman; otherwise, presumably, he would simply marry her, and there would be no basis for the narrative of Propertius' love affair. It is possible that by creating such an ambiguous character

Propertius aimed to alienate himself from Augustan culture; but here it is impossible to judge their relationship without fully understanding Cynthia's social status. The most consistent element throughout Propertius' presentation of Cynthia, and of himself as affected by her, is the inconsistency of their relationship. In one poem they are supremely happy, firmly ensconced in the perfection of their affair:

How happy I am! What a shining and glorious night I've enjoyed.
And you, dear little bed that squeaked and shuddered,
What a workout the two of us gave you (2:15, 1ff).

In the next poem, unscrupulous behaviour has prevailed provoking extraordinary bitterness on one or the other's part, usually Propertius, as line three following in 2:5 illustrates. Here, the speaker asks "what have I done to deserve such a vile thing? Your betrayal/ will cost you. I'll be revenged." Both positions are found in Propertius' 2:1 and both subvert Augustus' moral code. For Romans, the kind of passionate love that Propertius feels is for the young and has no real place in mature, lasting relationships. For example, Cicero states in line 42 of his *Pro Caelio* that:

when [youth] has yielded for a while to pleasures . . . and to these frivolous
and passing passions of youth, let it in due time recall itself to attention
to . . . the business of the state.

Though from a previous generation, Cicero is contemporary enough to maintain the validity of this comment. Indeed, the fact that Augustus is legislating to prevent the kind of youthful passions Cicero states as being unsuitable suggests that the ideal remains current.

In 2:1 Propertius purports to love Cynthia, and only Cynthia, for all eternity: "there is no turning back: one woman/ is all I want in this world, and when I die/ it is from her house that I hope her funeral train will depart" (67ff).⁵ His devotion to her restricts his participation in Augustus' new moral Rome—he cannot marry anyone else, therefore he cannot fulfil his duty by providing strong children for the empire. Propertius also discusses his life ambitions in 2:1, which again stand in opposition to a Roman-Augustan ideal. He has no inclination to follow normal career paths for a man in his position: a knight would join the military and then either enter politics or work to expand his familial estate (Veyne 2002, 369). Instead he will dedicate his life to love through a knowledge of his limitations:

The sailor can tell you of winds, and the diligent ploughman/ can speak
about teams of oxen. The soldier can count his wounds,

And the shepherd, tote up his flocks. I know my subject—
 Those wars we wage in bed—and follow the rule, which is wise,
 That a man only should talk about what he knows (2:1, 64ff).

Propertius here can only pursue his specialty. He combines his refusal to embark on a traditional career in the military with militaristic metaphor. The *militia amoris* is also a popular trope in love elegy, and lends the poem a mocking tone, belittling militaristic ideology by comparing it to frivolous love. Propertius continues to mock militaristic ideology later in the text by claiming that if everyone spent as much time being in love as he, there would be no war.⁶ In 2:1, Propertius further eroticises militaristic ideology by using imagery from the *Iliad*: “and when I behold her naked, and we struggle together naked,/ it’s as if I had been there at Troy at the funeral games” (15ff). By using the image of wrestling from the Trojan funeral games to allude to sex, Propertius continues to mock militaristic ideology by reducing a religious ritual in honour of the dead to a baser level, satisfying individual carnal pleasures rather than acknowledging a fallen soldiers’ contribution to the war effort.

In 2:1 Propertius also alludes to the sourer periods in his relationship with Cynthia, asking his friends to “pay my dust, if you will, this tribute: ‘A woman’s demands/ were the cause of the death of this unfortunate fellow’” (89ff). Such unfortunate demands and generally unreasonable behaviours are detailed frequently throughout Propertius’ books.⁷ With the portrayal of such behaviours and his own reaction to them, Propertius’ questioning of Roman-Augustan ideals becomes a questioning of the Roman sense of self, or more specifically, the *male* Roman sense of self. Though some women in Rome had more freedom than one might expect, ideologically and morally speaking, they were inferior.⁸ Crucial in sustaining this inferiority is the representation of sex; a Roman *vir* penetrates, and a woman (or slave, or foreigner, etc.) is penetrated. The woman represents the passive side of a relationship. Propertius uses a poetical *topos* typical of love elegy to topple this dynamic. Cynthia is a *domina*, a woman who controls and enslaves Propertius. The controversy Cynthia represents comes from the manipulation of the traditional role for Roman *matrona* as maintainers of the home and of the household slaves. By presenting Cynthia as the ruler of an enslaved Propertius this role becomes sexualised; the keeper of slaves becomes sexual enslaver (Wyke 2002, 398). To be portrayed as enslaved is an inappropriate role for Propertius, a wealthy landowning Roman knight, as he becomes the feminine passive participant in their relationship.

In 2.1, Propertius adorns Cynthia with the trappings of total luxury, such as “flowing silk from Cos” and explains that his poetry comes from