Introduction

The scene is a place of execution (illus. 1). Against a cloudless sky a steep mountain rises in the background, capped by a castle. Closer to us, on the narrow hilltop, tokens of death's presence lie strewn about. Human and animal skulls mingle. Half-hidden behind the legs of a knight's steed can be seen a rotting corpse lying on its back, its flesh still clinging to bone, an agonized howl stretched across its hairy head. Blank eyes in shrivelled sockets stare up into space, unnoticed by the mounted officials. Their attention is fixed instead on the condemned men suspended above them, nailed to timber crosses. In the centre hangs a gaunt figure, his head crowned with a thorny garland, and his arms stretched out, taut and cadaver-like. His body is motionless; only his loincloth moves, tossed by a passing wind. Above his head a plaque is inscribed with four letters: 'INRI'. Beside him are two other condemned men. The one on our left languishes in the same posture, peacefully asleep in death; but the second is painfully bent forward, straining in unbearable torpor against the nails that immobilize him. Affixed to a cross which is gnarled like an old, diseased tree, his whole body conforms to its twisted organic growth. His head is thrust forward and he seems to be still alive. Down below the mood is quiet: the mounted figures stare and point and wait; the mourners huddle in sympathy around a woman who has fainted.

The woodcut I'm describing was made by the German painter and printmaker Lucas Cranach the Elder, a native of Kronach, in Franconia, who lived and worked in the city of Wittenberg, in Saxony, before and during the years of the Reformation. Cranach produced the work early in his career, sometime during his journeyman's days (*Wanderjahre*) in Vienna, where he sought out the dynamic circle of humanist scholars, writers and artists centred on Conrad Celtis and the famed poet-physician – and confidant of the emperor – Dr Johannes Cuspinian.[1] Its date of 1502 is emblazoned on one of the discarded skulls in the lower right corner, and Cranach's mark, the initials LM ('Lucas Maler') interlinked in the form of an angular snake



1 Lucas Cranach the Elder, *Calvary*, 1502, woodcut, 405 × 292 mm. Metropolitan Museum of Art, New York.

over a cross, appears next to it. For its time, the woodblock was rather large (405 × 292 mm), suggesting that it was Cranach's intention to produce a Passion of Christ narrative that could rival the best-selling print series of his rival in Nuremberg, Albrecht Dürer, who published his *Apocalypse* woodcuts in 1498. Indeed, there are numerous debts to Dürer which scholars have long acknowledged.[2]

Despite the conscious effort I made in my description to suppress what I know of the woodcut's references to Christian history and legend, few readers will have mistaken that description, or Cranach's image, for anything other than the Crucifixion of Jesus Christ. As an iconographic theme, it has been the subject of countless representations in every conceivable medium, making it, perhaps, the most recognizable image in all of Western visual culture. In medieval art it ranks as the most prevalent theme and the central statement of Christian belief. A more conventional description, the kind a student of art history might encounter in a textbook or lecture, would probably have been more up-front about identifying the man in the centre as Jesus of Nazareth, Christ, the Crucified God. It would also have informed the student that the two men flanking him were the Two Thieves, unnamed criminals in whose company, according to all four Gospels, Christ suffered bitterly and died.[3] And, in a more detailed account, that same student would have learned the identities of the other figures whose names are established in legend: St John, the 'Beloved Disciple' and Evangelist; the Virgin Mary, Jesus's mother; the Holy Women or the Three Marys, including Mary Magdalene, the penitent ex-prostitute; and Stephaton, who proffered the vinegar-soaked sponge to the dying Jesus as he complained of thirst. He or she would then be encouraged to consider whom Cranach had in mind for his mounted officials in contemporary dress and armour: the Jewish high priests maybe, or Pontius Pilate himself?

Today the textual sources which lie behind the image and support these identifications are not, as they were for the people of Cranach's time, so much a part of the cultural capital each member of society possesses to a larger or smaller degree. Indeed, it may be because the traditional figures and motifs which belong to the scene, the theme's symbolic *code*, were so readily accessible, so firmly established in the minds of Cranach's audience, that he was able to do without most of the standard devices and cues that had once been routinely used to render the sacred narratives of late medieval art sacred and, to that end, legible to beholders. Notice, for example, the absence of haloes on either Christ or the other members of Christ's saintly entourage. In medieval painting haloes tended to appear as either flat circles of gold

surrounding the heads of the saintly or fine, radiating lines; they sometimes looked like cumbersome discs mushrooming from the head. In all their forms, haloes were unmistakable signs of holiness. Yet as late medieval painters strove to reproduce, in the virtual spaces of their images, an impression of Nature's optical appearances, their inclusion grew increasingly contradictory to the goals of realist painting.

But that is not the principal reason we see no haloes, no fluttering angels with censers and chalices, no swooping devils preying on the departing souls of the dead, no dark skies or heavenly pyrotechnics, no hand of God the Father reaching down towards the abandoned Son. Cranach's story has unfolded only so far; the literally earth-shaking moment of Christ's death, and with it the promise of Resurrection, has been forestalled to assert something else. Implanted in the dense network of lines, which forces us to *read through* the image rather than absorb it at a glance, we find the hidden signifier: Christ's open mouth. For those with a knowledge of the codes, Cranach's narrative moment is ostensibly about the so-called 'Seven Words from the Cross', the seven last utterances of Christ before his death. But which one? Is he commanding Mary and John with the words, 'Woman, behold thy son!' and 'Behold thy mother!' (John 19: 26–7)? Or is he addressing the sponge-bearer with the pathetic cry, 'I thirst' (John 19: 28)? A provocative exchange of gazes between Christ and the sponge-bearer suggests the latter. What is more important, however, is the way Cranach has so deliberately suspended the narrative of Christ's suffering in the irresolute moments before his saving death. Instead of the divine plan's fulfilment, we witness the prolongation of the penalty. Instead of Redemption and Triumph, we are urged to contemplate Mary's bitter emotional suffering, Christ's helpless cry, the pitiless response of the soldiers and the abject misery of the dead or dying Thieves.

The five years after 1500 were a period of intense activity and vaulting expectations for the promising young Cranach, who ultimately became court painter (*Hofmaler*) to the dukes of Saxony, the wealthiest citizen and mayor of Wittenberg, a close friend of Martin Luther, the scion of a family of painters and the progenitor of the so-called 'Danube School' of painting, which includes such prolific talents as Albrecht Altdorfer (see illus. 107) and Wolf Huber (see illus. 6). While still in Vienna the painter produced two study drawings in black and white chalk on a red-toned paper, now preserved in Berlin, each depicting a crucified Thief (illus. 7, 8).[4] At first glance these are beautiful drawings, revelatory of Cranach's already considerable gifts for handling materials, gestural expression and the organic integration of figure and space. But the delicate treatment of visual form is belied by the painful severity of

the dislocations Cranach has devised. In the Thief turned to our left (illus. 7), one can sense the awful strain placed on the shoulder socket as gravity threatens to pull the body away from the immobilized arm, hooked over the crossbar (*patibulum*). That we can see the bottom of the right foot implies another dislocation, this time of the shin (the shiny welt on the left calf, emphasized by the rope's ligation, may du[illegible] the leg wounds mentioned in John's Gospel). In the second rend[illegible] (illus. 8), we see the left arm, stiff as a ramrod, thrusting towards the



2 Lucas Cranach the Elder, *Calvary*, *c.* 1510–12, woodcut, 394 × 284 mm. Staatliche Museen zu Berlin – Preußischer Kulturbesitz (Kupferstichkabinett).

upper corner of the sheet, away from an otherwise slackening, ravaged body. One could say that it is here, half-hidden from view, in this shoulder socket where the torsioned arm connects to the upper body, that Cranach has concentrated the tormented energy of the figure. This shoulder, wedged against the front of the vertical beam of the cross (*stipes*), jams the upper body forwards despite the pull of the opposite arm back and over the crossbar; the thoracic cavity is thrust sideways, and the ribs assert themselves strongly from under the skin.

One decade later Cranach seized yet another opportunity to arrange the bodies of the Two Thieves on their crosses. Unsigned and undated but clearly attributable to the artist, this second woodcut version is only slightly smaller than the one dated 1502 (illus. 2). Again Christ hangs in his canonical cruciformity and the narrative has stalled in abjection. Three nails pierce his body and hold him fast to a rough-hewn timber cross. The only difference is that here, in keeping with his distaste for symmetry, Cranach turns the central cross slightly to our left, showing us a hint of the compositional gambit he realized fully in the famous Munich *Lamentation Beneath the Cross* (see illus. 100). Now the Thief to our right must cower in the shadow of Christ's cross; there, dejected but still alive, the fleshy rogue struggles against the gnarled wood of his own cross, while shoots from another tree creep out towards him. But most riveting of all is the image of the Thief to Christ's right, his body appallingly broken backwards over the cross-bar. On the opposite side of the vertical beam, Cranach nails down the victim's feet. Unleashing the powers of his brutal penal imagination, Cranach has immobilized the limbs with a ferocious combination of technical means, removing all trace of the body's resistance to the apparatus. At a stroke, the enterprising young humanist artist pushed his imagery to the outer limits of penal atrocity and delivered to his audience a sobering test of their capacity for horror.

In Cranach's early Crucifixion imagery we find an artist of a decisively 'proto-reformed' sensibility ready, it would seem, to parlay the grotesque realism of late Gothic art into an uncompromising vision of human death stripped of any transcendence, a kind of pictorial anticipation of Luther's *theologia crucis*, with its mystical call to suffering as the inescapable penalty for sin. No doubt infused by a brutal temperament, Cranach applies his considerable powers of observation and invention to the task of fixing our gaze upon the violation, if not demolition, of a human body. In doing so, he constructs a high-pitched rhetoric of violence that compels us towards a reality half-hidden behind the countless images to which we've been exposed in museums,

churches and homes: *the image of the Crucifixion depicts an instance of capital punishment*. And not just one possible penalty, but the supreme penalty, crucifixion (*crux*), the *summo supplicio* of Roman law. Flavius Josephus (d. after 93), who as adviser to the Roman emperor Titus witnessed its use by soldiers during the Jewish Wars of the first century, knowingly called it 'the most wretched of deaths', referring to the prolonged agony and ultimate disgrace it caused its victims (see Chapter 6). Even though neither Cranach nor any of his contemporaries could have witnessed the infliction of the penalty personally (it had been obsolete in the West since the late fourth century), his work renders its hideous scope of possibilities with the authority of someone who had. In a single image he shows us three alternative modes of crucifixion. Their aesthetic shock is cumulative. Together they emphatically remind us of crucifixion's surplus in the historical economy of state-sanctioned killing.

The idea that a Christian artist sought to emphasize the mundane, *penal* aspect of the biblical events on Golgotha, and in so doing assert that the Redeemer's death instantiated a vulgar and disgraceful form of *punishment*, may strike some pious readers today as misguided. It is an article of faith, and a cornerstone of Christian theology, that God the Father willingly sacrificed his only Son for the sake of a fallen and sinful humanity. Generations of schoolchildren have learned that Jesus humbly submitted to his death as the sacrificial Lamb, in effect offering himself, his own human flesh and blood, to rescue all believers from the clutches of Satan and eternal Death. The unalterably sacrificial logic of His Death has given the event not only its mythopoetic power but also its capacity, as a symbol, to fuel the sacramental rites of the Church. Prior to the twelfth century, medieval ecclesiastical art tended to confine the representation of the crucified to this symbolic conception. Rather than attempting to convey the historicity and actuality of the event, such images illuminated its eucharistic significance, or trumpeted its cosmogonic meaning with all the heavenly fanfare of a theophany.

Yet this same theology, at its roots, has not been able to do without the concrete, *historical* reality of Christ's shameful death on the Cross. 'For the preaching of the cross is to them that perish foolishness,' insists Paul in I Corinthians 1: 18, 'but unto us which are saved it is the power of God.' As a man of the first century, Paul knew his Greek auditors would be struck incredulous by the idea that a man whom the Romans had nailed to the 'fatal wood of the cross' (*crucis ligna feralia*) as a state criminal was to be worshipped as the Son of God.[5] Without faith, the paradoxical idea of the criminal-god, the holy scapegoat

who dies so that others may live, amounted to a sick delusion and a scandal.[6] 'But we preach Christ crucified,' Paul insisted, 'unto the Jews a stumbling block, and unto the Greeks foolishness' (I Corinthians 1: 23). While some ancient Christian sects like the Gnostics hoped to remove the scandal of the Crucifixion by claiming that Jesus only *seemed* to be crucified (and therefore did not suffer physically at all), Paul realized that the highly offensive nature of the Cross had to be squarely faced if the 'Word of the Cross' was not to dissolve into meaninglessness. Thus he was adamant that Christians believe what others considered 'madness'. He performed the perfect inversion, according to Martin Hengel, transforming the 'folly' of the Cross into 'the death of the incarnate Son of God and Kyrios, proclaiming this event as the eschatological event of salvation for all men'.[7] Later the medieval Church, faced with its own dualistic heresies, maintained its stark insistence that it was a fully enfleshed, *human* Christ who died on the Cross (and from the sixth century onward the figure of a *man* hanging on the Cross replaced the symbolic image of the Lamb). Thus we can see how indispensable the *penal* character of the Crucifixion, together with the imagery devoted to it, is to this deep structure of Christian thought and devotional feeling.

It may rarely occur to those who debate the capital punishment question today that our attitudes towards the penalty of death, like the theories, institutions and practices that actualize it for us, culturally, socially and politically, are the outcome of a historical process extending over many centuries. Today we hold that religious perceptions have no place in the articulation and enactment of laws that protect and prosecute individuals in democratic, civil societies. And so we find our own rituals of judicial killing accordingly stripped of the sacred aura and magical trappings that once clung to them, leaving only a perplexing mixture of bureaucratic protocol, spiritual ministering, folklore and politics.[8] But that, too, is the result of long-term changes. Whatever traces remain of older religious perceptions belong not to the dim past of pagan sacrifice, as folklorists once thought, but rather to the Christian Middle Ages. When we look there we discover an era in which the interrelationship of criminal justice and religion was a fact of life beyond dispute. We find learned jurists enthralled by the rationalism of the neo-Roman law then being studied in the universities, yet beholden to theological precepts and para-religious practices rooted in popular culture and enshrined by custom. And we find, on the other side of the scaffold as it were, a popular audience for executions that experienced the performance of justice as an opportunity for cultic devotions, prayers and transactions with the community of the dead.

Chapter 4, centrally placed in this book, shows how deeply medieval punitive justice was rooted in a magico-religious conception of the world, and also how such a framework allowed for its smooth functioning as an assertion of political power and a tactic of social control. From the explicit iconic parallels drawn on the walls of courthouses between earthly and divine judgement to the elaborate measures taken to provide for the soul of the 'poor sinner' up to the very moment of death; to the detailed requirements for the position of the hanged man's body upon the gallows; to the widely held belief in the curative potency of the dead criminal's blood and body parts and the judicial paraphernalia that brought him, with a terrifying suddenness, 'from life to death' – all of this suggests that punishment operated as *both* a projection of the majesty of the law, the sovereign's power to monopolize violence, *and* a quasi-religious ritual in which the community at large ushered the condemned culprit into death and thus a new 'social' role. Crucial to both dimensions is the fact that the rituals of punishment in the later Middle Ages were intensely *visual*. Played out in public and before the collective gaze, the drama of state-sponsored death was a form of *spectacle*.

The temporal flow of everyday life in pre-industrial Europe was punctuated with spectacles of all kinds. By 'spectacle' (from the Latin *specto*, meaning 'to look at') we mean any 'specially prepared or arranged display of a more or less public nature (especially one on a large scale) forming an impressive or interesting show or entertainment',[9] in short, a *sight*, an event or performance which is set up and enacted mainly to be seen. In the later Middle Ages town-dwellers could witness in their lifetime princely or royal weddings or ceremonial entrances into the city known as advents; religious processions for different occasions and the religious dramas enacted during Passion Week or during the Feast of Corpus Christi; the signing of charters and treaties; popular festivals with their attendant entertainments; funerals of important persons; the saying of *Te Deums* for victories or of masses after childbirth; and the public sentencing, processioning and execution of criminals. Not all but the most important of these events were ones for which crowds were invited by those in power, invited, according to Arlette Farge, to witness and thus legitimate power in all its aspects:

> Called on to gather together . . . for such spectacular occasions, and obliged to follow the ups and downs of the body monarchial in all its joys, griefs or sorrows, crowds had a duty to mark, by their presence, the irreversible alliance binding them to the royal power. And even when they were not specifically

invited to a royal spectacle, the crowds showed a fondness for anything unusual that might be going on in the street, whether it was some kind of game or anything else out of the ordinary.[10]

All of this made up a rather full and enticing calendar for urban inhabitants across Europe.

To deepen our understanding of what penal spectacles showed their audiences, the word 'spectacle' must be extended beyond what is called, in theatrical parlance, the overall 'production'. It also encompasses the things shown, the 'person or thing exhibited to, or set before, the public gaze as an object either of curiosity or contempt, or of marvel and admiration'.[11] Many individual features of judicial proceedings, from the clothing of the judges at sentencing to the method of transporting the condemned to the gallows, the oratory of the *amende honorable*, the prayers and hymn-singing, and the executioner's performance, were spectacle, demanding the closest attention. But most of all it was the person of the prisoner, his or her body and his or her pain, that constituted a sign with the power to compel fascination.[12] Trembling, sweating, resisting, gesturing, crying, ejaculating blood, spilling its contents and then falling silent, the maimed body of the condemned spoke an arresting language of pain that spectators understood not as an unfortunate by-product of the performance of justice, but as a portentous source of information. For spectators, 'Nothing was considered unworthy of comment or lengthy interpretation, whether it was a tearful or effeminate face, a wild look . . . or perhaps angry gestures or pleas and imprecations.'[13]

For medieval people, the experience of *seeing and imagining* a body that was ravaged and bleeding from tortures inflicted upon it lay at the centre of a constellation of religious doctrines, beliefs and devotional practices. Meditative devotions to the Passion of Christ required a form of contemplative immersion in the grisly details of His affliction from one Station of the Cross to another. Legends of the glorious abjection of Christian martyrs played to the same fascinations. And since it was not uncommon to look upon the suffering convict as a pseudo-martyr, and thus Christ-like, physical pain at the scaffold stood within this very same constellation of beliefs and feelings. It was an ambivalent sign that could point one of two ways. The pain of a guilty malefactor who showed no remorse, refused confession or resisted altogether communicated to spectators the utter alienation of the soul from God; his visible sufferings revealed the criminal as a living *exemplum* of despair, since his last moments on earth were but a foretaste of hell's endless torments. But for the confessed criminal who took refuge in God's grace, admitted guilt (*culpa*), accepted penance,

prayed for forgiveness and made a good end – what medievals called the 'good death' (*bene moriendi*) – pain signalled purgation and expiation; though ugly to behold, this criminal's sufferings revealed the inner beauty of a soul that had made its peace with God. Having accepted communion and the prayers of the living, the suffering convict could play the role of the penitent martyr, eliciting strong feelings of sympathy, identification and especially compassion from the onlookers. In this way the spectacle of punishment shaped a different kind of social relationship, one grounded in the shared religious imperative towards compassion. This imperative, above all, forced each participant in the liturgy of execution to view the infliction of the penalty as cathartic, and the state as its legitimate agent. Just as characteristically late medieval devotional images such as the 'Man of Sorrows' (*imago pietatis*) isolated for the spectator the bloodied body of Christ, riveting the compassionate gaze upon wounds caused by human sin,[14] the spectacle of punishment fashioned a kind of living devotional image of pain for pious, contemplative immersion.

Under these circumstances, medieval people did not perceive the pain of the body as an alienating, isolating and stigmatizing power that banished its bearer beyond the pale of shared experience and meaning (as the efforts of modern torturers are calculated to do). Instead pain could be a powerful emblem of intersubjective experience; it actuated empathic bonds between people. Pain in the penitential spectacle is therefore not 'world-destroying', in the sense theorized in Elaine Scarry's brilliant essay on the structure of torture, but rather 'world-making'.[15] Suffering as spectacle could become, under these mental conditions and religious imperatives, a form of what anthropologists call *communitas*. Such intersubjective bonds seem to grow faster and deeper in periods of shared crisis: during the worst of the Black Death years (*c.* 1348–51), for example, when organized 'brotherhoods' of flagellants took their penitential spectacles to the towns and villages of Europe, and aroused in their audiences powerful mixed feelings of remorse, compassion and awe as they tortured themselves to avert God's wrath. At the same time, we must not mistake this religious imperative towards compassion for modern humanitarianism, whose goal is the cessation of suffering and the alleviation of pain. Late medieval religious culture, exemplified in the penitential pantomines and 'defiling practices' of mystics and ecstatics like Catherine of Siena, actively geared itself to the pursuit of pain as a positive force in spiritual, and thus human, affairs.[16] Aptly labelled *philopassianism* by the historian Esther Cohen, this late medieval attitude towards bodily pain and its magical, redemptive instrumentality is unique in the history of human

sensibilities.[17] Its perceptual point of departure resided in the salvific powers attributed to the suffering body of Christ (*corpus Christi*), made literally present for the worshipper in both the cult image and the consecrated host. And just as both of these power sources could be accessed through vision itself, so too could the magical potency of the criminal's body, once purified of sin's miasma, extend to the believer visually.[18]

If the role of the visual decisively separates pre-industrial from modern systems of capital punishment, how much more profoundly does it separate the medieval person's *experience* of the death penalty from our experience of its undisclosed modern counterpart? And it is precisely here, at the level of visual experience in history, that I will lodge my central claim about the imagery surveyed by this book. I will try to show how late medieval realist painters presented the sacred scene of the Crucifixion in terms of their own, but more importantly their *audience's*, experiences with criminal justice rituals. Both kinds of experience, one lived out collectively in the theatre of public punishment, the other enacted sometimes publicly, but often privately, before the Passion altarpiece (where the Crucifixion was typically central and defining), unfolded within the same mental boundaries, fell into the same perceptual schemata and were conditioned by the same social and cultural factors. Spectacle and art were dialectically interwoven in the fabric of late medieval life, and this book explores one, I believe pivotal, instance of their interaction, the expanded image of the Crucifixion known as 'Calvary'.

Chapter 1 explores the artistic development of Calvary as the imaginative centrepiece of late medieval devotions concerning the Passion, specifically the Franciscan practices of visual meditation. Calvary epitomized the rich scenographic re-creations of the holy places (*loca sancta*) into which beholders were encouraged to enter imaginatively. Chapters 2 and 3 account for the specificities of what some painters insisted we see once on Calvary: an apparently exotic penal procedure that nevertheless targeted the body in familiar ways. Through our own, at times uncomfortably close, examination of these details, we can attune our sensibilities to the *intervisual* dynamic between art and spectacle. If we find that the mutual dependency of art and spectacle is less easily discerned in the imagery of Christ's crucified body, which maintained for theological reasons a certain schematic constancy throughout medieval art, it is impossible to miss in the brutality that informed representations of Christ's 'shameful company', the Two Thieves.

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The Two Thieves appear only briefly in the New Testament accounts of the Passion, though it is noteworthy that all four Gospels mention them.[19] Though second in canonical order, Mark's Gospel contains the oldest account of the Passion and is therefore the earliest text to tell us that there were two malefactors crucified with Christ, 'the one on his right hand, and the other on his left' (15: 27). Mark later mentions that Jesus suffered mockery from 'they that were crucified with him' (15: 32). Matthew follows suit with an equally minimal treatment (27: 38), describing the way they mocked him and 'cast the same in his teeth' (27: 44). In Luke their story receives its first elaboration when we hear of a conversation between Christ and the Thieves upon their crosses. One of them insolently demands, 'If thou be Christ, save thyself and us'; the other, however, 'rebuked him saying, Dost not thou fear God, seeing thou art in the same condemnation?' He continues to berate his counterpart, explaining with forgivable naïvety, 'And we indeed justly; for we receive the due reward of our deeds; but this man hath done nothing amiss' (23: 39–41). Luke's dialogue thereby represents the Two Thieves as anti-types, moral-spiritual opposites: one unrepentant for his misdeeds, blind to the significance of Jesus's death and scornful of His suffering; the other a model of repentance, whose last-minute conversion opens his eyes to Christ's divinity. 'And he said unto Jesus, Lord, remember me when thou comest into thy kingdom. And Jesus said unto him, Verily I say unto thee, Today shalt thou be with me in paradise' (23: 42–3).

So much of the Gospel accounts of the Passion are steeped in the prophetic imagery of the Old Testament that little doubt remains that certain motifs are literary devices intended to demonstrate the fulfilment of those prophecies. For all we know, the historical existence of the Thieves may be little more than a transposition of Isaiah's words: 'and he was numbered with the transgressors' (53: 12). Clearly, by the time we get to Luke, a good part of what the theologian Jürgen Moltmann calls the 'kernel of historical truth' about the Passion and death of Jesus has already been swept away. Each Passion narrative has a different emphasis and emotional pitch, and each bears a different theological import. Whereas the earlier Gospel of Mark relates the agonized death cry of Jesus, 'My God, why hast thou forsaken me?' (15: 34) and thereby emphasizes the bitterness of His death, Luke rejects the implacable desolation of this formula in favour of the confident utterance of the Jewish evening prayer, 'Father, into thy hands I commend my spirit' (23: 46), emphasizing that the work of salvation has concluded. Although the text and imagery of Christ abandoned on the Cross come from Psalm 22 and carry its scriptural authority,

Moltmann concludes, along with other scholars, that the more difficult reading of Mark, based on very ancient traditions, is probably closest to the historical reality.[20] Thus the presence of the Thieves alongside Christ, as attested by Mark and Matthew, may well be based on contemporary recollections, but this is much less likely in the case of the words and actions attributed to them in Luke. Luke's dialogical evocation of the Two Thieves as opposites, one damned and the other redeemed, must be understood instead in terms of the general optimism of the later accounts, with their emphasis on the Resurrection and the imminence of Christ's return. These writers, like Paul, treated the Crucifixion 'as the necessary precondition of his resurrection' and thereby maintained, for some 500 years, the 'unity of cross and resurrection' as a single paschal mystery.[21]

In the Greek tradition of the apocryphal Gospels the Thieves appear again, now, significantly, with bigger parts to play. The author of the fifth- or sixth-century *Gospel of Nicodemus*, sometimes called the *Acts of Pilate*, a text whose colourful embroideries were widely woven into medieval art, informs us of several interesting facts about the culprits. When Pilate personally decrees Jesus's conviction, we also hear, for the first time, their names: 'and let Dysmas and Gestas the two malefactors be crucified with thee'.[22] In all but one of the extant manuscripts bearing this text we are told that these men hung on opposite sides of Jesus in a certain fashion, 'Dysmas on the right and Gestas on the left'. By appealing to the symbolic sense of the right hand of God (*dextra*) as a place of honour and privilege and the left (*sinistra*) as a place of debasement and condemnation, the text's spatial polarity inaugurated a tradition in which Gestas is identified as the Impenitent (or Bad) Thief and Dysmas as the Penitent (Good) one who rebukes his counterpart in Luke. In the *Gospel of Nicodemus* the dialogue from Luke is reproduced verbatim, virtually sealing the antithetical identities once and for all. However, M. R. James, the English scholar who offered the first standard translation of the book, points out that one of the surviving manuscripts containing the legend places *Gestas* on the right and Dysmas on the left; and several works discussed in these pages show the name 'Gestas' inscribed near the Thief on Christ's right (see illus. 32, 38). Whether these are the outgrowths of a primitive literary tradition or the result of iconographic confusions or misappropriations is unclear; apparently unaware of the divergences in the visual record, James insists that the canonical view, which places Dysmas on the right side, prevailed.[23]

In another early text, called *The Story of Joseph of Arimathaea*, the author digresses upon the 'two condemned robbers sent from Jericho

to Pilate', and commits a fair number of lines to sketching the criminal careers of both men:

> The first, Gestas, used to strip and murder wayfarers, hang up women by the feet and cut off their breasts, drink the blood of babes: he knew not God nor obeyed any law, but was violent from the beginning.
>
> The other, Demas, was a Galilean who kept an inn; he despoiled the rich but did good to the poor, even burying them, like Tobit. He had committed robberies on the Jews, for he stole (plundered) the law itself at Jerusalem, and stripped the daughter of Caiaphas, who was a priestess of the sanctuary, and he took away even the mystic deposit of Solomon which had been deposited in the (holy) place.[24]

Gestas, the Bad Thief, is an irredeemable sociopath, while Demas (Dysmas), the Good Thief, becomes a people's outlaw, a heroic blasphemer against a bankrupt religious order, much like Christ himself. Further embellishments to the Good Thief's criminal biography appear in the Arabic *Gospel of the Infancy*, or *Evangelium arabicum*, where the Holy Family, fleeing into Egypt to escape Herod's wrath, meet up with the bandits Titus (Dysmas) and Dumachus (Gestas). Dazzled by the baby Jesus's beauty and moved to compassion, the Good Thief scuttles his own robber-band's plans to despoil (and kill) the helpless wanderers; in return, Jesus prophesies that in thirty years the two will be crucified on either side of him, and that Titus will see Paradise.[25]

At the Crucifixion, as narrated in *The Story of Joseph of Arimathaea*, each man delivers a strident speech on his own behalf, in effect shoring up his credentials as either recklessly wicked or good at heart. Gestas boasts about his evil deeds, assuring Jesus that, 'had I known thou wert king, I would have killed thee too'; he heaps mockery upon blasphemy, and does some teeth-gnashing too. Demas, 'seeing the divine grace of Jesus', asks for mercy and forgiveness for his sins, entreats Christ to protect his soul from the Devil's clutches (tantamount here to being cast 'into the lot of the Jews') and exults in the prospect of one day watching, from the heavenly kingdom, as the Twelve Tribes of Israel are judged and punished. Christ responds by promising him Paradise, adding the reassurance that 'the children of Abraham, Isaac, and Jacob, and Moses shall be cast out into the outer darkness'.[26]

At the heart of this crude anti-Jewish polemic lies the makings of a powerfully archetypal role for the Good Thief Dysmas. Since, according to Christ's own words, 'none of the former men [the Old Testament patriarchs] shall see paradise until I come the second time to judge the quick and the dead', the heavenly kingdom is initially left with one heir, Dysmas. Much of the rest of the story is in fact given over to playing out this remarkable notion. First, immediately before

he dies, Christ composes a letter to the archangels who stand guard before the 'doors of paradise', ordaining with solemn authority that 'he that is crucified with me [should enter in], receive remission of his sins for my sake, and being clothed with an incorruptible body enter in to paradise, and that he dwell there where no man *else* is ever able to dwell'. Accordingly, when Joseph of Arimathaea, the pseudonymous author of the legend, goes to seek the dead body of Christ, he finds the body of Dysmas missing (whereas the punished body of Gestas appears monstrous, 'like that of a dragon'). Later, after the Jews imprison the narrator, Jesus appears to him in a luminous vision 'with



3 *Christ in Limbo*, German, 15th century, woodcut, 170 × 130 mm. Germanisches National museum, Nuremberg.

the thief on the right hand'; Christ transports him to Galilee, where they meet John the Apostle. In the end, the Thief has not only become the sole heir of Paradise but is now transfigured before the two witnesses into a mysterious emblem of 'things hidden', a majestic figure 'like a king in great might, clad with the cross'.[27] Other traditions likewise place Dysmas at the gates of heaven.[28]

Art history has yet to produce a study of the diverse *visual evidence* for a cult of the Good Thief, but such a cult undoubtedly existed, most strongly in the Baroque era ('St Dysmas' has never officially been canonized, however). What seems to have aroused the interest of pre-medieval Passion narrators was the exaltation of one who, like Christ, is condemned and executed as a criminal: he attains glory through humility and suffering, not despite but *because* of the fact that he shares his fate with the most ignominious and wicked of men. Indeed, his unlikely ascent to the very apex of blessedness reveals, with a polemical force that is hard to appreciate today, the superior redemptive power of Christ's Death on the Cross. 'Clad with the cross', he appears in Byzantine Last Judgement imagery outside the gates of Paradise; likewise he accompanies Christ in numerous examples of the pre-Resurrection Descent into Limbo (illus. 3). The promise of Paradise comprised the second of the so-called 'Seven Words from the Cross' (mentioned above), which became the basis of one of several types of serial meditations offered



4 'Crucifixion with Two Thieves', woodcut from *Gaistliche vsslegung des lebens Jhesu Christi* (Ulm: Johann Zainer, 1480–85), fol. 123v. Germanisches Nationalmuseum, Nuremberg.

to lay people seeking spiritual improvement in the late Middle Ages. In a German edition of the tract *Gaistliche vsslegung des lebens Jhesu Christi* ('Spiritual Interpretation of the Life of Christ'), printed in Ulm between 1480 and 1485 and illustrated with woodcuts, the assymetry of the redemptive promise is dramatized by abstracting the three crucified from the hubbub of Calvary (illus. 4). Through image and word, the text assures the reader that no one, regardless of the enormity of their sins, will be denied forgiveness. It provides prayers that actively encourage the reader to *identify* with the Penitent Thief, who was redeemed and beatified at the critical 'hour of death' (*hora mortis*).[29]

Frequently and intensively, then, did the devotional literature and imagery of the era present the Good Thief as a model of spiritual conversion and the progenitor of the 'perfect penance', a spiritual goal towards which the mendicant orders in particular urged the laity. Chapter 7 examines the effervescent role of the Franciscans in the medieval Dysmas cult, and draws out the implications for the saint's intercessionary role as a patron of convicted criminals, and of the 'good death' in general – implications that extend to Passion iconography as well as to judicial spectacle, and inform the dialectic of beholding that traverses between them.

Several centuries had to elapse before Eastern icon painters and Western manuscript illuminators would take up the task of realizing pictorially the Thieves' antithetical criminal personae found in the Apocrypha. In early Christian art this idea was expressed simply, through gesture, as when the designer of early pilgrims' images turned both Thieves' heads to the right, so that the figure on Christ's right looks towards Him while his opposite looks away (see illus. 16). Most medieval makers of images, though not all, adhered to the traditional spatial symbolism of God's right and left hands to distinguish Dysmas from Gestas. In later medieval art, as the many examples on the following pages show, differing physiognomies, facial expressions, skin colour, clothing and even hair colour expressed and reinforced the contrast. The art historian Ruth Mellinkoff has called these motifs 'signs of otherness', for they marked the Thieves as infamous and, in the case of the Bad Thief, impious and wicked.[30] As condensations of both folkloric and learned stereotypes, these signs of infamy were important triggers for response. They comprised an integral part of the stock of quotidian references that northern European painters, in particular, used to contemporize their visions of the events on Calvary.

My focus in what follows, however, is different. I am less concerned with this surplus of defamatory markings than with the figurative

Gestalt to which they were attached: the image of the body in pain. What were the late medieval painter's primary strategies for visualizing the pain of crucifixion? With the possible exception of the Last Judgement, with its infinite array of infernal cruelties, no other iconographic theme gave medieval painters, over the long term, such a wealth of opportunities to develop a figurative language of pain than the Crucifixion. For beholders the penalty was at once exotic, because obsolete, and yet compellingly familiar. So how did painters invest their depictions of the *Thieves'* punishment – so different from Christ's – with such a sense of the familiar? How did they manipulate the 'look' of crucifixion and its effects on the body – what I'll call in Chapter 6 a *phenomenology of pain* – so that contemporary viewers might apprehend it more clearly and immediately? What cues for response cast the punished body in the sacred narrative *image* its gruesome palpability as *spectacle* for contemporary viewers?

From what's been said already, it will be clear that I regard the viewers' lived experience of spectacular pain inside the rituals of justice as a key framework for explanation and interpretation. Without sounding a methodological alarm, it is important here for me to point out my preference for the term 'framework' over 'context'. As Norman Bryson has cogently argued, a number of fallacies emerge whenever 'context' is taken as a fully determined, stable and reliable unity – a completed picture, so to speak, of contiguous social realities – and then juxtaposed with the 'text' (in our case the visual image) to establish a cause-and-effect relation.[31] It is easy to put faith in contexts. An important point of departure for my own work had been the belief that a medieval-judicial 'context' would help me understand the ferocious penal violence I saw in the visual narratives of the late Middle Ages, an era that loved to see itself reflected in the mirror of biblical history.

On one level this faith in 'context' was and is justified, since we can readily identify instances where a painter's recollections of a specific penal practice are inserted directly into the pictorial narrative. A straightforward example appears in the Calvary scene from a middle Rhenish Passion altarpiece of *c.* 1420, once in the St Peterskirche of Frankfurt and now preserved in the city's museum (illus. 9).[32] Here we see an executioner leading the condemned man, fettered in ropes, backwards up a ladder in precise emulation of the medieval method for hanging – the aim being to shove the victim from the ladder for a relatively slow death by strangulation (illus. 5). To my knowledge, the motif has no textual authority; neither the Gospels nor the Apocrypha nor contemporary Passion narratives describe it. But contemporary, secular illustrations of the same procedure do (see illus. 57, 75), and



5 Detail of illus. 9, showing the Thief on Christ's right being pulled up a ladder.

they exist in sufficient numbers to assure us of the plausibility of our leap from context into 'text', that is, the imaginative spaces of Passion iconography. If we can hold at bay the deconstructionist's loquacious doubt about representation per se, the social context in such cases provides here a useful key for distilling out the procedures of observation, recording and transcribing from those that owe more to convention or even fantasy.

But where can interpretation go from here? The answer is, not far. Fascinating as these clear-cut transfers from social context to religious text are, we have succeeded only in identifying what Arthur Danto calls a 'manifestation' of a social reality inside the picture.[33] It is easy enough to offer an explanation (what hermeneutical philosophy calls *Erklärung*), but we have as yet fallen short of the interpretive task of

making sense of the idea we find embodied in the image, what Danto calls the artist's 'expression'. We have stopped short, in a word, of understanding (*Verstehen*). Broadly speaking, the problem with past scholarly approaches to 'judicial iconography', both within and outside of art history, is a surfeit of explanation and a shortfall of interpretation. Certain historical factors, to be sure, recommend that we view the reference to hanging in the St Peterskirche altar as a 'manifestation' of quotidian reality into the biblical narrative. As a maker of images, the guild-sanctioned master working around 1420 would not have been familiar with the advanced claims for poetic licence then being advanced in Italian humanist circles, claims that inaugurated the modern conception of 'art' and established the pre-eminence of the painter's aesthetic *idea* as a signifying presence in the work (see Chapter 8). Without the assurance that the painter self-consciously implanted an *idea* in the work, can we apply ourselves in good faith to the hermeneutical unravelling of its expressive purpose?

The Frankfurt master's departure from convention is apparent enough, but we can only guess at the motivation behind it. On the other hand, where artistic self-consciousness can be assumed (as is the case with most painters imbued with humanist ideals), the anachronistic superimposition of one judicial reality upon another can create tantalizing new conditions of interpretation – and experience – for the beholder. A pen and ink drawing of *c.* 1525 by the 'Danube' painter Wolf Huber (now in Cambridge) does this in several ways (illus. 6). Rotating the angle of view as Cranach and Altdorfer had done before him, Huber invests our perspective with an imperative towards self-consciousness as we gaze upon the pitiable lamentations beneath the Cross (the forest setting records the features outside Huber's native Feldkirche).[34] Seen in profile, the dead Christ hangs from the Cross, the sole focus of the mourners' gestures of desolation. Hovering above him, another figure hangs by the neck from the branch of a tree, evidently not one of the Thieves but the traitor Judas Iscariot, whose suicide, driven by remorse, often appears in scenographically complex late medieval renditions of the Crucifixion. Huber seems to have eliminated the Thieves, or has he? Behind the hanging tree we see a hangman's ladder and, at its base, an executioner surveying his work; there is also an elevated wheel, loaded with human carrion. Huber's forest Calvary has become an infamous execution precinct, where all the vulgar penalties, past and present, mingle. We are led to wonder if the wheel perhaps holds Dysmas or Gestas, or if the apparent suicide is really one at all (the figure's arms appear to be cuffed behind the back). By playing with the codes of both biblical and judicial narratives,



6 Wolf Huber, *Calvary with Executed Criminals*, *c.* 1525, pen and ink drawing, 32 × 21.5 cm. Fitzwilliam Museum, Cambridge.

Huber conflates crucifixion with the vulgar penalties of his own day, re-envisioning Christ's death among Thieves as an utmost disgrace. Like Cranach, Huber strips the event of transcendence to plumb the depths of Christ's humanization, and to test our response to a death so disenchanted.

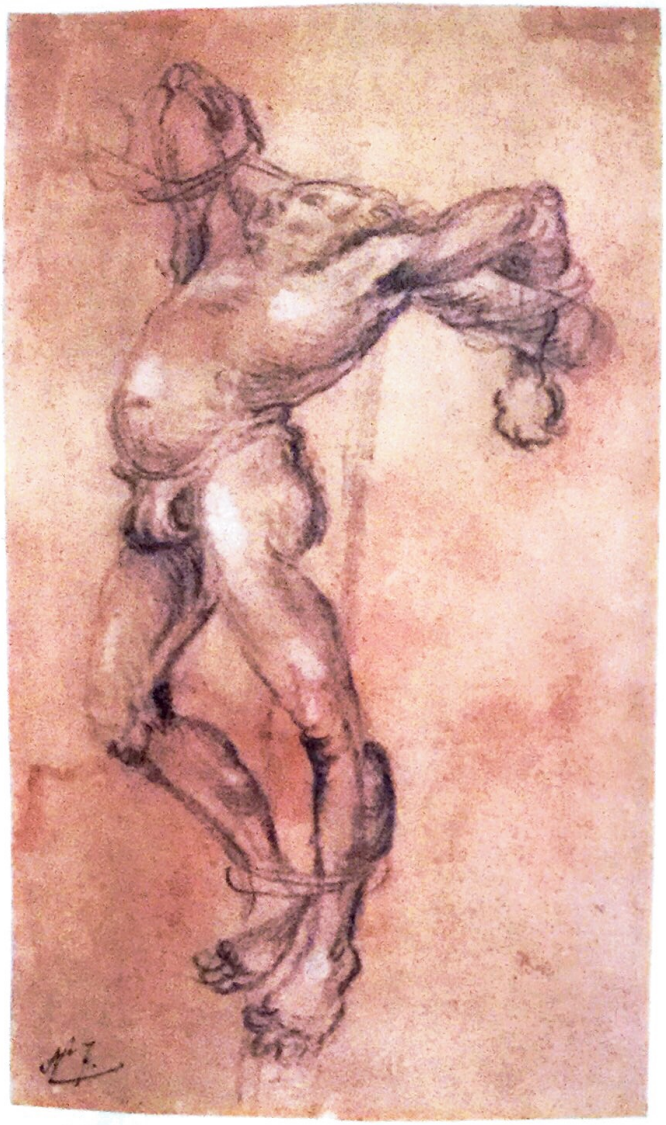
It is significant that we have no surviving altar panels to show that Huber ever *painted* such radically conflationary motifs for a patron. Unlike modern artists, whose drive to innovate can beget new visual codes that are beyond the perceptual or cognitive scope of their audience, but wind up moving them in a certain direction, medieval painters and sculptors had to collaborate closely with their audience's mental and visual habits, which they of course shared. What shaped these habits? To be sure, a network of experiences, among them the pictorial form of the sacred image, which was evolving at this time. Equally important, I think, was the experience of spectacle, which offered people in groups emotionally charged opportunities for a kind of collective simultaneous perception. Spectacles had to play to audience

sensibilities and, in particular, visual habits developed over the long term, but they also shaped them. And for this reason, I would argue that the 'context' I have chosen to recuperate as a framework for my interpretation, the theatre of criminal justice, with its attendant rituals, is no static context at all, but a dynamic sphere of social action, religious expectations and visual experience that was constantly being remade by the very human sensibilities it engaged with. It seems appropriate to ask: Might not the visual habits and modes of perception that were acted upon by the spectacle of bodily violation and pain have also been shaped by the experience of looking at pictures? Might not the inverse be true as well?

These are speculative questions, but if this is a valid way to pose the problem of *intervisual* communication and experience, we have taken the first step towards a *dialectical understanding* of the interrelatedness of spectacle and 'art'. Each sphere of perception, feeling and thought points the way back to the other. Spectatorship in each sphere conditions experience in the other, so that each serves as a text and context for the other. For these reasons, I believe it is vital, despite the methodological difficulty, to avoid isolating the 'history of art' from the history of spectatorship, since both streams are fed by, and in turn feed into, the main currents of visuality's history.

Most of these investigations lead outwards and back into this insight. In them I seek to trace the sociogenesis of a mode of visuality I call the 'medieval paradigm' and explore its simultaneous conditioning and exercising by images, religious devotion and judicial spectacle. In Chapter 8 I trace the beginnings of its slow dissolution, which culminated in the abolition of public executions in the nineteenth century; and in the Epilogue I consider the implications of its apparent return.

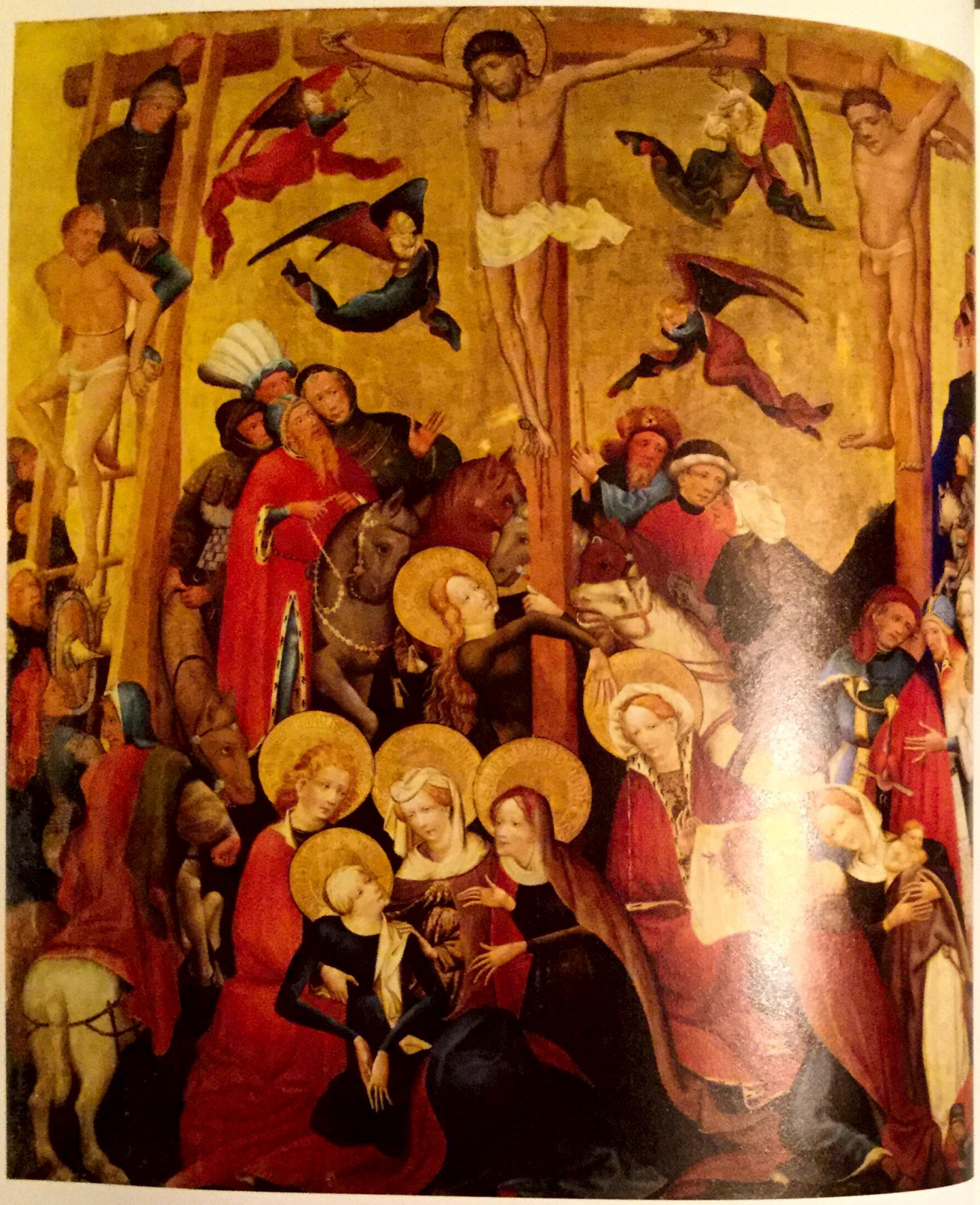




7 Lucas Cranach the Elder, *Thief on the Cross* (1), *c.* 1502, black and white chalk on red-toned paper, 21.5 × 12.8 cm. Staatliche Museen zu Berlin – Preußischer Kulturbesitz (Kupferstichkabinett).



8 Lucas Cranach the Elder, *Thief on the Cross* (2), *c.* 1502, black and white chalk on red-toned paper, 22.6 × 12.1 cm. Staatliche Museen zu Berlin – Preußischer Kulturbesitz (Kupferstichkabinett).



9 Middle Rhenish Master, *Passion Altarpiece*, *c.* 1420, 186.7 × 168.3 cm. Originally St Peterskirche, Frankfurt; now Historisches Museum, Frankfurt.

10 Gaudenzio Ferrari and workshop, *Calvary*, polychrome sculpture with other media, from the Calvary chapel, Sacro Monte, Varallo (Piedmont), 1520–28 (detail).



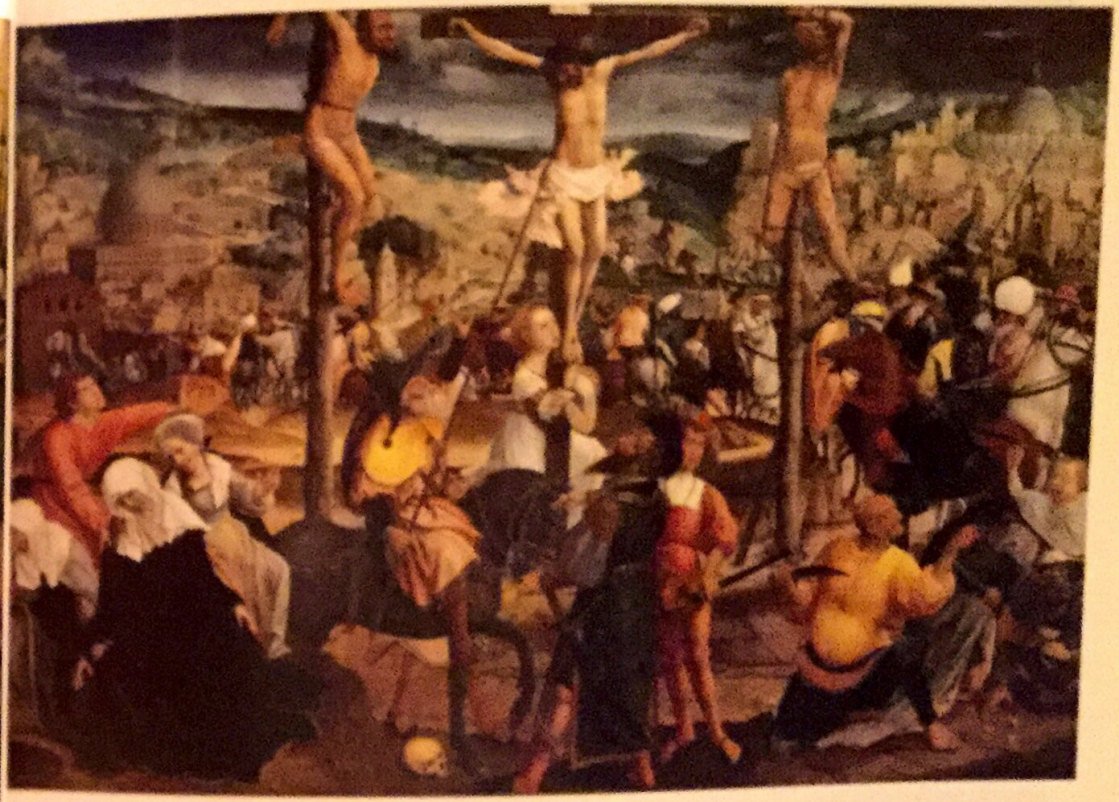
11 Ferrari and workshop, detail of *Calvary* showing the Virgin Mary and the apostle John.



12 The Master of the Wasservass Calvary, *Calvary with Other Scenes of the Passion* (the so-called *Wasservass Altar*), 1420–30, painted oak panel, 131 × 180 cm. Wallraf-Richartz-Museum, Cologne.



13 The Housebook Master, 'Calvary', central panel of the *Passion Altarpiece* (the so-called *Speyer Altar*), 1480–85, painted pine panels with gold ground, 130.5 × 173 cm. Augustinermuseum, Freiburg im Breisgau.



14 Jan Provoost, *Calvary*, early 16th century, oil on oak panel, 117 × 172 cm. Groeningemuseum, Bruges.



15 The Master of Benediktbeuren, *Calvary*, mid-15th century, painted pine panel, 170.5 × 126 cm. Alte Pinakothek, Munich.