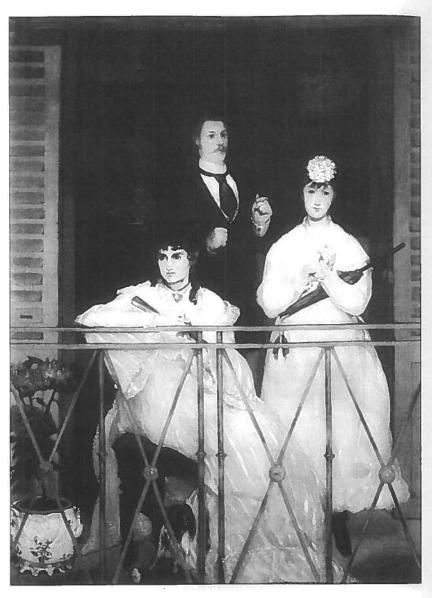
Living on Manet's Balcony, or the Right to Privacy¹

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Édouard Manet's *The Balcony* has largely been defined in the negative (by both period critics and art historians since), in terms of what the painting does not provide or even actively denies (see Figure 12.1). Prominent among these negations are a putative lack of narrative, the absence of any coherent relationships among its figures and other elements, as well as the obfuscation of the protagonists' gestures and roles. These are but some of the period's pictorial criteria that *The Balcony* has often been said to render uncertain, perhaps obsolete, in its attempt to unhinge the procedures of the Academy and the Salon. Accounts of Manet's modernism often centrally stress such anarchic refusals as the first phase of modernist painting's liberation from the medium's traditional extra-pictorial sourcing.²

Rarely is contemporary thought still so thoroughly aligned with the first critical reactions to a painting shown in the Salon of 1869, almost 150 years ago. As John House put it some time ago-making "inconclusiveness" its principal program - "Everything in Le Balcon worked to disrupt standard patterns of reading and finding meanings."3 Carol Armstrong likewise emphasized that The Balcony "presents an ambiguous set of urban relations between a man of the world and two unmarried women,"4 echoing Jules Castagnary's rhetorical questions posed in 1869: "Are they sisters? Are they mother and daughter? I do not know."5 Even Berthe Morisot, herself in the painting, famously opined: "I look strange rather than ugly." 6 This stress on the fact that the image seemed deliberately not to make sense is apt, given the disconnected triangulation into which Manet painted his friends and colleagues Morisot, Fanny Claus, and Antoine Guillemet as they perch on a shallow new balcony that telegraphs haussmannization.7 Last but not least, Jonathan Crary has proposed that The Balcony's fundamental incongruities—"dramatiz[ing] the evaporation of a cohesive world"—do not only reside in its iconography, but also in its modern visual episteme, resulting in the "futility and even absurdity of a rationalizable spatial account of vision."8

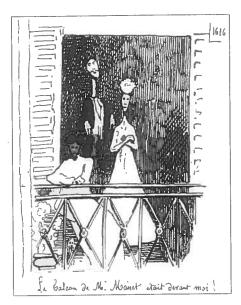


12.1 Édouard Manet, *The Balcony*, 1868–69, oil on canvas, 169 × 125 cm. Paris, Musée d'Orsay. Photo: Erich Lessing/Art Resource, New York.

These crucial readings place *The Balcony* squarely within its Salon context and within the history of art and modern visuality. But what broader socio-cultural meanings inflect Manet's infamous "inconclusiveness"—his evocation of a "narrative" foreclosed to the exhibition-going public—in the late Second Empire, the period *par excellence* of tension between a growing demand for democratic freedoms of expression and a counterbalancing imperial repression? Actively confounding the narrative and visual structures of nineteenth-century painting was as much a social as an aesthetic choice, keyed, I hope to show, to broader cultural and ethical demands regarding the rights of the modern individual.

Consequently, I propose that we do not only inquire into *The Balcomy*'s semantic (and optical) incommensurability, but also into the underlying social policies that made that lack of narrative coherence apparent as lack. The late empire's policing of knowledge and information—its operations of censorship, its attempts at drawing a line between the realm of the public and the private, between the visible and the invisible—structured and determined the composition of *The Balcony*. I intend to reveal the wider and highly fraught period context relating to the French state's control over meaning, and the techniques for its establishment, policing, and control, which Manet's painting nods to in order to stage its own collapse of meaning and message.

T. J. Clark's proposition that Manet's avant-garde incoherence is a product of the new (uneasy and undefined) social relations under early capitalism in the newly haussmannized city of Paris takes us far toward an understanding of the painter's pictorial logics and thematic choices ("And did not all this ambiguity [in impressionism] have to do at bottom with the character of modern life?"). 10 But his reading will not allow us to grasp The Balcony's specific meanings in the culture of the liberalizing empire of 1868 and 1869, and the sweeping, strategic, and largely still unexplained shifts Manet introduced in his Salon pictures of that latter year (when he showed The Balcony together with Luncheon in the Studio). Compared to Manet's previous Salon submissions more overtly marked by Spanish influences and a greater anxiety over his place within the traditions of Western art, these two paintings instead directly invoke sites and rituals of modern life. Carol Armstrong has described The Balcony as the painting that announced Manet's increasingly evident turn away from art historical reference toward modern urban subject matter.11 And even though Francisco Goya's balcony imagery looms large and the window as a framing device is so obviously borrowed from the history of art, those sources seem to have been more successfully and seamlessly updated into an 1860s idiom than in Manet's previous modern-life paintings. 12 This essay sets out to explain these changes that occurred within Manet's practice in the late 1860s in different terms, by arguing that the heightened spatial and narrative ambiguity of his paintings in 1869 has specific socio-cultural roots tied to the empire's increasingly anxious control over public expression. The Balcony could sacrifice pictorial



12.2 "Moloch," caricature of Manet's The Balcony, in Belphegor au Salon: Album critique et satirique de l'exposition de 1869 1 (1869). Image in the public domain.

"narration" and "coherence" as dramatically as it did precisely because such battles over the ethics and freedom of speech were an omnipresent fact of late imperial life.

In the period before The Bar at the Folies-Bergère of the early 1880s, The Balcony was Manet's most spatially ambitious modern-life painting. It is also his most eloquent reflection on the compression of space, and on the behaviors and expressions that such space incites in those who find themselves facing the public while trying to shield their private life. A striking aspect of the picture is its allusion to an apartment behind the balcony, luring us deeper into a space than a Manet painting usually does. The Balcony refuses any concrete information about that interior except for the rather vague appearance of the young Léon Leenhoff balancing a tray of refreshments. There is furthermore a murky glimpse of decorative items, including a

painting, assembled on the back wall. "The background is too opaque," Edmond Duranty noted in his brief 1869 remarks on the painting in *Paris-Journal*.¹³ Many of the period caricatures we have of *The Balcony*, too, played off the stark contrasts between foreground and background, hardly registering the things on the back wall, pushing the figures aside to emphasize a dark gap behind them, or blending Guillemet almost entirely into the black ground from which he hardly manages to emerge (see Figure 12.2).¹⁴ Interestingly, Manet seems to have invented this space only late in the conception of the painting; the principal preparatory study for the painting that has survived does not yet include it.¹⁵

Manet flaunted the minimal degree to which one can make out the bourgeois accoutrements inside the apartment. He asked his viewers, as perhaps in no other of his major Salon paintings, to both look at his picture, including its three principal figures, while also looking past them, into the dimly lit apartment that serves as background. But this background is clouded in utter darkness while the figures, especially Morisot on the left and Claus on the right, are bathed in a frontal light. The dark and impenetrable room behind them thus materializes the impenetrability of their expressions and the ambiguity of their relationships. Maurice Chaumelin corroborated in 1869 that "their faces have something dull about them, something sullen, like those people who pose, and indeed these figures seem to have the appearance of wanting to tell us: look at me! They do not think of anything else." Despite the fact that the painting has probably darkened over the years, this blurred background must have been hard to read all along. This is odd for a painter who was so self-

conscious about how the modern artist required a stark contrast between light and dark in order to grab the Salon viewers' attention, even if the painting was hung high. Is Such a merger of heightened display at the foreground and highly delimited visual access to the background establishes a profound confusion as to the painting's projected "place" of the viewer who is made to hover unsupported in mid-air, given the frontal address of the painting. The Balcony thus turns a Salon piece into a modern haussmannized street where we seem to have stumbled upon a familiar scene during an afternoon stroll, yet offered up to us at an unfamiliar angle.

The central questions, then, are these: Why do we find such a bizarre figuration of "the private" in The Balcony? Why was an inaccessible apartment considered an appropriate modern-life topic for a painter like Manet, the painter of publicness par excellence?19 We might say for one—to employ Hollis Clayson's apt characterizations from another, if related, contextthat the topic of Manet's 1869 Salon contributions was the very modernity of liminality, the intensely modern divide between public and private, resulting in the constructions of various "threshold spaces," both real and pictorial.²⁰ In *The Arcades Project*, Walter Benjamin read the need for a private interior (and interiority more widely conceived) eloquently in similarly complex terms, namely as a phantasmagoric illusion that was nothing but a doomed defense mechanism against modernity's near-total externality of life. He proposed that: "The intoxicated interpenetration of street and residence such as comes about in the Paris of the nineteenth centuryand especially in the experience of the flâneur-has prophetic value."21 Paris was indeed a special breeding ground where the opportunities and contradictions of modern subjectivity played out in the most dramatic ways. Here in the city of public spectacle, privacy was encoded as a basic human right more stringently than perhaps anywhere else, precisely because the demands on public appearance were so high. Manet's compositional choices in The Balcony and related paintings make sense only in this context of the heightened demands on privacy that a city like Paris installed as one of the new features of the modern metropolis.

At the Salon of 1869, *The Balcony* was accompanied by the equally spatially and narratively ambivalent, equally multi-figured, *Luncheon in the Studio*, listed in the catalog simply as *Le Déjeuner* (see Figure 12.3). This painting, too, leaves deliberately uncertain precisely where its action takes place: in a café, an artist's studio, or perhaps a private apartment? *Luncheon in the Studio's* existence likely prevented Claude Monet from offering his own version of the disintegration of familial ties and their semi-private environs at lunchtime to the Salon jury that year (his 1868 *Le Déjeuner* now in Frankfurt's Städel).²² He decided to submit it a year later instead, to the Salon of 1870, from which it was rejected. It shows a young woman with her child at lunch—a female visitor is present at the left and a maid is peeking in through the doorway—likely waiting for her husband whose chair is empty in the foreground.



12.3 Édouard Manet, Luncheon in the Studio, 1868-69, oil on canvas, 118.3 × 154 cm. Munich, Neue Pinakothek. Photo: bpk, Berlin/Bayerische Staatsgemäldesammlungen/ Art Resource, New York.

These three paintings (The Balcony, Luncheon in the Studio and Monet's Luncheon), which center on the very spaces where the public penetrates the private, were all conceived around the summer and second half of 1868. Is this coincidence? Perhaps. But it might appear less so if we recall that for Monet Luncheon followed the productive period of outdoor scenes and gatherings, and for Manet the long run of Spanish-style, single-figure paintings with gray monochrome backgrounds. In 1869, Manet once again offered his compositions—as he had with Olympia in 1863 for instance as scenarios situated in specific spaces if not recognizable locales. These iconographic shifts—and the turn toward incident with all the specificity of place and character the term implies—seem too far-reaching and abrupt not to respond to parallel changes in the notions and practices of "privacy" and "publicness" they interrogate.

It is striking how immediately these changes in Manet's (and Monet's) practice shadow the following three lines of legislation that passed earlier that year, on May 11, 1868, and enjoyed a wide-ranging impact. Article 11 of the new press laws, which gave the French press several important new freedoms, reads: "Any publication in a periodical of a fact connected to private life constitutes an offense punishable to the amount of 500 francs. The prosecution of the offense can only be exercised through the complaint of the concerned party."23 Highly ambivalent to say the least-What is a "fact"? Where does "private" life begin and "public" existence end in a modern haussmannized world? What revelations exactly constitute a potential "infraction"?-the sub-clause sparked an immediate and extensive discourse surrounding the right to privacy. The debate brought out many of the contradictions regarding a "private" self and its potential legal status, highlighting the hazy thinking that usually accompanies any demand for seclusion from public view. As the "private" self was dragged into the open to defend its status as private, more questions than answers emerged, especially regarding the means by which such an entity might be imparted, managed, and protected as one of the principal rights of the modern individual. Essays, caricatures, even vaudeville plays, abounded in France immediately following the passing of the law concerning the socalled "mur de la vie privée," or the "the wall of private life," which came to literalize the law's abstract commands.

One of the most memorable popular images about article 11 comes from perhaps the period's most gifted caricaturist, Cham (Charles Amédée de Noé), and was drawn for Le Charivari of April 25, 1868 (see Figure 12.4). Showing a young woman about town with parasol in hand and wearing a stiff "bricked" dress, the image cleverly inverts a chic "robe moirée" into a "robe murée." Even her male companion's black frock has been assembled from bricks. But the rather impractical encroachment of masonry into modern dress-"Clothing for the so-called private life [Vêtements dits de la vie privéel," the caption reads—does not exactly stop on the body's surfaces, but

affects facial and gestural expression as well. As Cham demonstrates, an entirely "bricked" appearance was now de rigueur, covering its wearer from head to toe and leaving no room for the outer signs of identity to even come into play. The caricature manages to give Georg Simmel's (and T. J. Clark's) famous discussions of the urbane self's blasé withholding, for which The Balcony has always been taken as a prime example, an exceedingly literal interpretation.24 If the violinist Fanny Claus had finally stepped out of The Balcony and onto the street-in the painting, she is perpetually putting on her gloves after allthis is how Cham might have captured her as well. Such links between the new press laws and the changing quality of modern life that Cham's caricature so ingeniously establishes have hardly ever figured in our interpretations of Manet's paintings of modern life. It seems hardly incidental, however, that the

12.4 Cham (Charles Amédée de Noé), "Modes de 1868," Le Charivari (April 25, 1868): 3. Image in the public domain.



Vêtements dits de la vie privée Les robes moirées remplacées par les sobes murées

reconfigurations of the spatial and narrative parameters of his art occurred at exactly the time of the press law's focus on the empire's techniques of information management and visibility.

Further connections between the painting and article 11's cultural context are noteworthy. A one-act vaudeville play by Eugène Grangé and Victor Bernard, performed with great success starting in August of 1868 and entitled simply La Vie privée, bears witness to the popularity of the issue, which had much comedic appeal. The story of the play, a rather predictable lovers' farce, is too detailed to be recounted in full. But here is one of the opening scenes between the lovers Georgette and Alexis where the issue of privacy and article 11 is explicitly discussed:

G[eorgette]: "Really? ... Read me that! ..."

Aflexis], reading: "Yesterday in the evening, piercing cries came from one of the windows of an apartment in the rue Labruyère, number 43. ..."

G: "Go on! ..."

A: "The crowd gathered in front of the door; the concierge was alerted, and guided by him, some curious folks walked up to the second floor. They entered the apartment, and ..."

G: "And? ..."

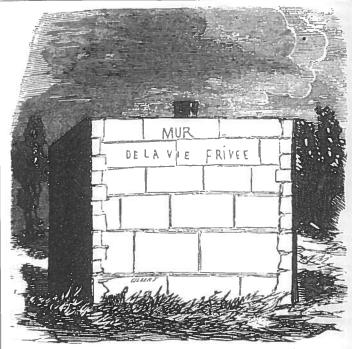
A: "Here our task has to end.—By saying that we have penetrated private life, given the new laws ..." (With regret) "Ah! But this isn't funny ..."

It was in fact humorous that the legally enforced sanction on domestic reportage did not seem "funny" to the actors on stage. The play La Vie privée and The Balcony were not far apart, then, on the issues of enforced silence and illegibility, both setting up narrative expectations (about interiors both physical and psychic) despite the fact that the press laws seemed to have perpetually foreclosed narration itself. What both share is a heightened dramatization surrounding narrative absence for its own sake: they install the collapse of information, story, and fact at the center of their respective arts.

Cham and Manet share with the vaudeville play the awareness that with the passage of article 11, certain forms of knowledge had to remain even more unacknowledged, that the private existed as nothing but an anxiously constructed and protected domain propped up by surveillance and legal sanctions. Such conclusions could easily be drawn in part because the history and consequences of the changed press laws were much studied, then and now. Added to the new regulations by Joseph-Louis-Adhémar de Guilloutet, the Bonapartist and later Legitimist representative of Les Landes to the legislative assembly, article 11 epitomized a concession to conservative policy within the broader liberalization of the French press.26 It was an attempt by the more right-leaning members of the empire's legislature to safeguard themselves from undue public exposure at a moment when politics seemed destined to be more openly and critically debated than under high-imperial censorship. The sub-clause thus sat somewhat awkwardly among the changed press laws themselves: with fewer preliminary authorizations, "warnings," caution money, and security deposits, the opposition press jumped into action; the differences between grande and petite presse became less stark; now, with the easing of censorship, social and political critique became easier to circulate; and finally, the personal and the everyday no longer had to play the function of a quasi public sphere quite so exclusively as they had under the height of empire.27 The 1868 press laws have often been cited as the beginning of the end for the regime of the Second Empire that came just two years later in September 1870, when Napoléon III surrendered to the Prussians.

Article 11 brought into focus for French culture the paradoxical valence of "privacy" within the modern public sphere. Though it did not utilize the term "mur de la vie privée" itself, it immediately became associated with this literal metaphor for a self that demanded to be physically protected from public exposure. The attempt at a "walling-in" of the private realm became tantamount, as if only the impenetrability of brick guaranteed the compensatory maintenance of a secluded self. The phrase "mur de la vie privée" was first used in the late 1810s and 1820s (around the Bourbon Restoration's 1819 revisions to the Napoleonic code civil of 1804) and subsequently made vernacular.28 Some say (including Émile Littré in his influential Dictionnaire de la langue française of the 1860s) that the French statesman and philosopher Pierre Paul Royer-Collard was the first to employ it, while Stendhal (Marie-Henri Beyle) in 1823 credited Charles Talleyrand with demanding that "a citizen's private life ought to be within walls [La vie privée d'un citoyen doit être murée]."29 The discussion around the "wall" of private life was therefore a highly familiar figurative trope for the French in the 1860s when it came to their contractual liberties. In another Cham caricature from 1868, Guilloutet can even be seen walling himself in, so that only the top of his hat remains visible (see Figure 12.5). The wall of private life functions properly here, shielding the politician from unwanted outside curiosity, but it also immobilizes him, making him entirely invisible and unrecognizable arresting life more than enabling it. Such an over-determined kind of privacy is indistinguishable from self-imposed imprisonment, the caricature implies.

The following three aspects of the "article 11 controversy" are germane. Let us listen in briefly to the debates over the sub-clause's adoption (it was voted to be included in the press laws by a vote of 135 to 105) by the Corps législatif in March 1868, published verbatim, as usual, in Le Moniteur universel. Firstly, as already indicated, article 11 made "the private" a concrete architectural metaphor, equating a citizen's boundaries of selfhood with the perimeters of his or her home. Here is the pro-article 11 representative François-Jean-Baptiste Josseau: "Private life, I repeat, is the moral domicile of man. If that domicile belongs to him ["lui," since women were not recognized subjects of the law at the timel, private life is also



Ge bon M. de Guilloutet ne s'amusant pas trop pendant ses vacances.

his exclusive domain; no one has the right to enter it against the citizen's wishes, and to throw the facts that happen there into the domain of the public."³⁰ Jules Simon countered from the opposition that this was nothing but scare tactics that "would do nothing but lead us to lock ourselves into our homes, and you, from then on, blocking the windows."³¹ While Josseau believed that the exposure of private facts equaled an act of burglary, Simon insisted that such a line of argument was nothing but a retreat from public responsibility. The discussion moved on to train stations and other public spaces, and whether private facts gleaned there would be treated equally as those gleaned at home.³² Obviously, such discussions were rather pointless, trying to find the boundary lines between public and private at precisely the moment these lines were at their most confused.

Secondly, the debate focused on the ethical implications of the law—once more, Jules Simon: "Private life should not be walled-in. That is a doctrine of debasement and enervation." Before continuing his point, Simon was interrupted by the crowd he was addressing: "Very good! From the left side of

the speaker.—Murmuring to his right." He continued: "What morality wants is not that we can hide something, but to the contrary that we cannot hide anything. ... [O]r, who says democracy, also says publicness, responsibility, solidarity. ... It is not just that we are responsible for our votes, but for the honorability of our private life." To promote walling-in one's private life, Simon claimed, would but continue a politics of clandestine privilege in the interest of the ruling class and not the wider public. Accordingly, the episode offered the rising left a rhetorical tool in its ideological distinctions between imperial "corruption" and republican "honesty."

Thirdly, the debate concerned the clarity and necessity of this particular law, and the law more broadly speaking. Representative Edmond de Beauverger, for one, asked himself, "How do we know that the fact had been maliciously exposed?" which would be hard to determine. Hohat is a "fact" in such cases if an observation and translation of someone's action not meant for public viewing is so expressly dependent on another—often highly motivated—interpreter? The questions did not stop there: why is the defamation law of 1819, which protected public officials, not enough? Why does it need to be replicated in the press laws at this very moment? Was article 11 a necessity, or perhaps a redundancy, a mere multiplication of language and law? The debate over article 11 put into question, therefore, some fundamental principles of the symbolic order itself, and exposed that order's (and the law's) willed construction of and influence over the circulation of knowledge. That the press laws had to be revised again in 1881 speaks volumes about the shortcomings of the 1868 statutes.

What I hope this brief discussion makes clear is how explicitly article 11 brought into focus the ethics and partisan nature of both speech and vision in the late Second Empire. The discussion made manifest the degree to which looking, peeking, and staring are ethical as well as aesthetic practices, intimately and consequentially tied to the production of knowledge, spatial access, and social position, as well as visibility more broadly. Again, the many caricatures published in 1868 are especially telling on this point. They understood that the sanctions the law imposed were also an invitation to transgression: everything that was not walled-in was now open for close inspection, as for instance the cabins on wheels that populated nineteenthcentury beaches to facilitate changing into bathing gear. Take, as exemplary, another caricature by Cham published in the summer of 1868 (see Figure 12.6). A man, emboldened by article 11, can now take a good unhampered peek inside the wooden cabin while a young woman is undressing. Feeling righteous, he exclaims: "Madame, all that is not inside a brick wall is not of private life." Another caricature's caption, spoken from the perspective of a woman about to change, reads: "Oh, what horror! Yet another chronicler in my changing wagon!"37

As we well know from feminist art history, such taxonomies of the invested (male) stare provided material for the painting of modern life.³⁸ If "privacy" is indeed one of the principal rights of the modern male citizen, then modern-

12.6 Cham (Charles Amédée de Noé), caricature about "the wall of private life," in Lantern magique!!! Pièces curieuses!! Album de 60 caricatures (Paris: Arnauld de Vresse, 1868). Image in the public domain.



- Vous n'avez pas le droit de regarder dans ma voiure de bain.

E - Madame, tout ce qui n'est pas muré n'est pas de la vie privée.

life painting could be enlisted to illustrate the new limits imposed on visual access and probe the ethics of sight. Such a demand became part of the new protocols of modern-life picture making as it destabilized modern visual codes, narrative consistency or spatial continuity. That is precisely what happened in 1868 and 1869, I claim, when Manet and Monet turned with vigor to ambivalent threshold spaces and thwarted narrations in their ambitious Salon pictures. They took the visual "norms" of their moment as their primary topic, observing their formation and effects, and made the continual negotiation between freedom and constraint that played out so unequivocally in the new press laws the very subject of their paintings. In fact, "The Painter of Modern Life," that Baudelairian archetype, only needed to open his eyes in order to see what legal norms conditioned not just the act of seeing but also the spaces of painting. The Salon (of 1869) and an actual haussmannian street became as mutually implicated as The Balcony proposes, precisely because they shared a common crisis over visual ingress. If critics made the connection, then so—we need to assume—did Manet himself when he selected "thresholds" as the exemplary modernist space of painting and perpetual "ambiguity" as the ultimate anti-form of pictorial narration, pairing them with the rigid formal logics of the window shutters and the balcony railing.

Leila Kinney, in her influential essay, "Genre: A Social Contract," has already suggested how the 1868 press laws were connected to the rise of avant-garde painting and its investment in the everyday and the hybridization of the various genres.³⁹ She pointed to the dependency that genre mixing of the 1860s (landscape portraiture, genre portraiture, landscapes of modern life, and so on) maintained on the operations of the censored, de-politicized public sphere of high empire. And she insisted that avant-garde painters and their critics thereby adopted the languages of semi-political innuendo, metaphoric fragmentation, and "aggressive flippancy" that also marked journalism's fascination with episodes from everyday life in the 1850s and earlier parts of the 1860s, before a greater sense of journalistic freedom set in after 1868. It can be added that article 11 hastened these artistic concerns, installing a profound narrative ambivalence within the modernist picture alongside the destabilization of the genres.

Cham, once again, understood the consequences of article 11 for art making best when he literalized "the wall of private life" into an actual Salon painting. He selected for the cover page of his annual leaflet about the exhibitionthat year entitled Salon de 1868-a caricature of the unusual Portrait of Madame P., showing nothing but a framed "mur de la vie privée" that has been erected between model and viewer, making "Madame P." invisible (see Figure 12.7). He thus managed to emphasize the degree to which canvas ("la toile") was not fundamentally different in function from the wall of private life itself, shielding, covering, and making opaque (rather than transparent) the self ideally on offer in portraiture. As much as we can refer to them as "portraits" as well, the figures of The Balcony (when they appeared in the Salon the following year) seemed to negotiate just such an imagined "wall" of painting. They did so both literally, in the fact that they are pushed into proximity (almost equivalence) with their balcony, window and wall, as well as figuratively, in the sense that they made the "mur de la vie privée" part of their anti-expressive repertoire. They perform the function of a wall in regard to our blocked access to their apartment and, by not giving anything about themselves away, act entirely according to article 11's operations of concealment.

The critics in 1869 established even more concrete connections between article 11 and *The Balcony*. It cannot be coincidental that a "Claudius Stella" in *L'Opinion nationale* described the painting as follows, imagining a "white wall" as the central trope of the picture which is in fact not there: "A window with green shutters forms a black hole in a white wall; on the dark hole, two white dresses not yet ironed, drying on two abhorrent mannequins who want to be women." "40 When a painting is thus imagined to have a "wall" it actually lacks, the metaphor of the "mur de la vie privée" is in the process of becoming predominant, perhaps ubiquitous. Yet the most overt reference stems once more from Cham. The context I have invoked, in fact, will help explain his



12.7 Cham (Charles Amédée de Noé), title page of Salon de 1868: Album de 60 caricatures (Paris: Arnauld de Vresse, 1868). Image in the public domain.



12.8 Cham (Charles Amédée de Noé), caricature of Manet's *The Balcony*, in "Le Mois comique," *Le Monde illustré* (June 5, 1869): 365. Image in the public domain.

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- Fermez donc cette fenètre! Ce que j'en dis, monsieur Manet, est dans votre intérêt.

own caricature of *The Balcony*, which has frequently been referenced, but never quite successfully parsed (see Figure 12.8). The caricature shows the three principal figures pushed a bit more squarely into the limited space allotted to them, and Guillemet now eerily resembles none other than Napoléon III himself.

The important bit is the caption, which reads: "Please do close that window! What I have to tell you, M. Manet, is for your own good." Playing explicitly with the tentative links between access and information, seeing and insight, knowledge and acknowledgement, Cham makes direct reference to the culture of "the wall of private life" and its fictive and anxious divisions between public and private. By simply saying that he will not say anything in public (just as the painting itself stages a collapse of public meaning), Cham references article 11 in effect directly. The final line from the brief exchange in the vaudeville play *La Vie privée*, quoted earlier, is implied: "Here our task has to end.—By saying that we have penetrated private life, given the new laws ..." By inferring that his audience including Manet would get the point, he annexes *The Balcony* to the same subtle discursive innuendo he employs. Even

Paul Mantz at the Gazette des beaux-arts went along, confirming a strategic and theatrical lack of meaning: "M. Manet seems to want us to pay attention: it is visible that if there is something to say, he is not saying it. ... M. Manet does not give up his secret neither in the Déjeuner nor in The Balcony."41

To be sure, reveling in the "ambiguities" of both modern life and modern painting is a fundamental theme of Manet's art that marks his oeuvre at large and was already present before 1869, in his Déjeuner sur l'herbe of 1862-63 perhaps especially, with its seemingly uncoordinated figures and gestural expressions. Throughout his career, Manet figured the new publicness of life and the concomitant impossibility of a secluded self; he described (and frequently critiqued) the modern social order with its deeply contested ideological rifts; and he pointed to the performative nature of modern life and individuality assembled from the fragments of pre-established visual templates, rules, and customs. But as I have tried to show, the debates surrounding article 11 spurred Manet into more socio-politically vivid concerns about pictorial space and narrative cohesion, regarding some topics already familiar to his version of the painting of modern life. Here was an episode characteristic of the intrusion of imperial control into the furthest reaches of sociability, lending itself to public exposure within the highest forms of art (like the execution of Emperor Maximilian of 1867 before it, which Manet was still working on in the winter of 1868-69, when the lithographic version was censored). Under the weight of the new regulations, Manet's liberal sensibility and framing of modern being-as always already public and external-enters the social in the explicit and concrete form of law, finding new socio-cultural urgency as the issue of "privacy" mushroomed in the less regulated press that followed in the wake of the changed laws. Article 11 offered Manet just the right political content for his late-Second Empire paintings, just the right stab at the empire, because it allowed him to focus subtly on the law's restrictive effects within French society rather than on any specific policy or historic episode directly (in this it was unlike the explicit critique inherent in depicting Maximilian's execution).

That I have been working toward a rather Foucauldian interpretation of modern-life painting is, I hope, clear by now. I have stressed the degree to which an avant-garde violation of artistic rules thrived on the incoherence of cultural codes and regulations. It is hardly incidental, then, that Michel Foucault had a great interest in Manet, and that he planned to write a book about him that he never finished and that survives only as fragmentary lecture notes. His section on The Balcony articulates related issues regarding visibility and invisibility, understanding and obscurity, and deserves the lengthy citation:

Here you have a window which opens onto something which is entirely obscure, entirely black. One distinguishes with difficulty a very vague reflection of a metallic object, a sort of teapot there with a little boy carrying it, but it's barely visible. And all this great hollow space, this great empty space which must normally open onto a depth, why is it rendered invisible to us and why does it render us invisible?

Well, very simply because all the light is exterior to the picture. ... [It is] as if the very verticality of the canvas separates a world of shadow, which is behind, and a world of light, which is in front. ... It is really this limit of life and death, of light and darkness, which is here manifested by these three figures; these three figures of whom one could say, moreover, that they too look towards something, that they look with intensity towards something which we do not see. ... And in any case, we, we see nothing, we see only the gazes ... [T]hese divergent elements of a picture which is nothing other than the brilliance of invisibility itself.42

Foucault corroborates the proposition that The Balcony is highly strategic about its thwarted spectatorial expectations, and that it frustrates at every turn our desire for knowledge about the picture and ourselves. He emphasizes that what matters most about the painting is not how it renders meaning and vision "ambivalent," but how it enshrines pure absence, lack, and silence-"the brilliance of invisibility itself"—as its central trope. What Foucault did not know, but perhaps anticipated, was that Manet did so precisely at a moment when something we might call "the brilliance of invisibility" had catalyzed into the "wall of private life."

That we can characterize The Balcony as a painting of such frontal display and brightness, that is also as centrally structured around blindness and invisibility, points to how concretely Manet pictured the norms, laws, and customs—the "techniques"—of vision and knowing. Surely they play a crucial role in creating the modern self as a knowable and representable entity, just as much as fashion, the consumption of goods, and the exchange of money do. These norms have their own particular histories and social textures, in article 11 for instance, and we need to become perhaps more sensitive to the role they played in the development of the painting of modern life. 43 Jonathan Crary in particular has made inroads into the "techniques of the observer," but our accounts of the painting of modern life might benefit from further investigation into the concrete social and legal histories of the modern self (the "citizen," the "subject") beyond the question of vision.

My interpretation, hopefully, has consequences for our understanding not just of The Balcony itself, but the painting of modern life more broadly, as we continue to characterize its version of the modern dialectic between individual freedoms and collective constraints. Such a shift in emphasis might help us explain the rise of early modernist painting-especially Edouard Manet's-not through the unrestrained expressive potential of the emerging modern psyche, but through its obverse, the modern self's interpellation by social rules, regulations, and laws.44 For the avant-garde, new forms of legal, social, and cultural coercion came to occupy the same place and purpose that longstanding academic rules governing painting once did, providing the grain against which to react. These new forms of collective constraint, such as 1860s copyright and privacy laws, new laws governing the freedom of the press and public gathering, a shifting relation between state and religion, and the imperial (and early republican) subject as newly regulated in education, all served to underscore that the abandonment of the academic tradition was but a minor victory amidst a rising tide of new social controls. When Manet's modern-life paintings rejected then current standards of academic art, new social standards, with their equally profound regulatory function, filled the void, thereby becoming the potential new subject of his art.

Notes

- I would like to thank Holly Clayson, Kaja Silverman, and especially Jonathan D. Katz for their usual thoughtful suggestions. For their insightful questions and comments, I'd also like to thank the audiences at the Clark Art Institue, George Washington University, Bryn Mawr College, the Institute for Advanced Study in Princeton, and the University of Pennsylvania, where material related to this essay was presented. All translations, unless otherwise indicated, are mine.
- 2 Georges Bataille, Manet (Geneva: Skira, 1955; and New York: Rizzoli, 1983), 33–53. There are few large-scale monographic studies of Manet's Balcony; the exception is Evelyn Tauben, "The View of Modern Life from Manet's Balcony" (MA thesis, Temple University, Philadelphia, 2006).
- 3 John House, "Social Critic or Enfant Terrible: The Avant-Garde Artist in Paris in the 1860s," L'Art et les révolutions. Section 2: Changements et continuité dans la création artistique des révolutions politiques. XXVIIe Congrès international d'histoire de l'art, Strasbourg, 1989, ed. Klaus Herding (Strasbourg: Société alsacienne pour le développement de l'histoire de l'art, 1992), 53–61.
- 4 Carol Armstrong, *Manet Manette* (New Haven, CT, and London: Yale University Press, 2002), 182.
- 5 "Sont-ce les deux soeurs? Est-ce la mère et la fille? Je ne sais." Jules Castagnary, "Le Salon de 1869," *Le Siècle*, June 11, 1869.
- 6 "Je suis plus étrange que laide." Berthe Morisot, letter to her sister Edma of May 2, 1869. Berthe Morisot, Correspondence of Berthe Morisot, with Her Family and Her Friends, Manet, Puvis de Chavannes, Degas, Monet, Renvir and Mallarmé, ed. Denis Rouart and trans. Betty W. Hubbard (London: Lund Humphries, 1957), 31.
- 7 Pierre Courthion, "La Genèse et les personnages du 'Balcon' de Manet," L'Oeil 188–89 (August-September 1970): 20–25.
- 8 Jonathan Crary, Suspensions of Perception: Attention, Spectacle, and Modern Culture (Cambridge, MA, and London: MIT Press, 1999), 84–87. See also Michael Lüthy, Bild und Blick in Manets Malerei (Berlin: Mann, 2003), 23–48.
- 9 Adrian Rifkin's essays on the political imagery of the late Second Empire and Paris Commune are still exemplary on these issues, especially "No Particular Thing to Mean," *Block* 8 (1983): 36–45.
- T. J. Clark, The Painting of Modern Life: Paris in the Art of Manet and His Followers (London: Thames and Hudson, 1984), 21.
- 11 Armstrong, Manet Manette, 178-83.
- 12 The influence of Goya's Majas on a Balcony on Manet has been much studied; see Michael Fried, Manet's Modernism, or, The Face of Painting in the 1860s (Chicago, IL, and London: University of Chicago Press, 1996), 111–12; Nigel Glendinning, "Variations on a Theme by Goya: Majas on a Balcony," Apollo, vol. 53, no. 167 (January 1976): 40–47; Gary Tinterow and Geneviève Lacambre, eds., Manet/

- Velázquez: The French Taste for Spanish Painting, exh. cat. (New York: Metropolitan Museum of Art, 2003), 246–49, 499; and Manuela B. Mena Marqués, ed., Manet en el Prado, exh. cat. (Madrid: Museo Nacional del Prado, 2003–04), 279–82, 473–74.
- "[L]e fond est trop opaque." Edmond Duranty, "Le Salon de 1869," Paris-Journal 130 (May 12, 1869): 2. See also "Il sera bon aussi que M. Manet évite les fonds noirs, lourds, opaques, comme celui de son tableau du Balcon." Maurice Chaumelin, "Le Salon de 1869," L'Art contemporain (Paris: Renouard, 1873), 236.
- 14 See also the caricature of *The Balcony* by Albert Robida, "Le Salon: Affaire du Palais de l'industrie," *Paris-Caprice* 74 (May 8, 1869): 341.
- 15 Françoise Cachin and Charles S. Moffet, eds., Manet, 1832–1883, exh. cat. (New York: Metropolitan Museum of Art, 1983), 308.
- 16 Léon's presence in the painting has been eloquently analyzed by Nancy Locke who claims that he occupies a position between "familiarity and indeterminacy" when appearing in Manet's modern-life paintings: Nancy Locke, Manet and the Family Romance (Princeton, NJ: Princeton University Press, 2001), 119–32.
- 17 "[L]es faces ont quelque chose de morne, de maussade, comme celles de gens qui posent, et, de fait, tous ces gens-là ont l'air de nous dire: regardez-moi! Ils ne pensent à autre chose." Chaumelin, "Le Salon de 1869," 236.
- This point about Manet's highly self-conscious Salon contributions has been made repeatedly by John House, perhaps most forcefully in his "Face to Face with Le Déjeuner and Un Bar aux Folies-Bergère," Manet: Face to Face, eds. James Cuno and Joachim Kaak, exh. cat. (London: Courtauld Institute of Art, 2004–05), 55–85.
- Besides the public spaces and spectacles often favored by the art of modern life and its scholars, actual and depicted intérieurs have received renewed attention for the special look they allow at the period's deep-seated desire for seclusion and privacy. Among many other authors, see especially Katherine Kuenzli, The Nabis and Intimate Modernism: Painting and the Decorative at the Fin-de-Siècle (Farnham and Burlington, VT: Ashgate, 2010); and Peter Parshall, ed., The Darker Side of Light: Arts of Privacy, 1850–1900, exh. cat. (Washington, DC: National Gallery of Art, 2009–10).
- 20 Hollis Clayson, "Threshold Space: Parisian Modernity Betwixt and Between (1869 to 1891)," Impressionist Interiors, ed. Janet McLean, exh. cat. (Dublin: National Gallery of Ireland, 2008), 15–29; idem, "Looking Within the Cell of Privacy," The Darker Side of Light, ed. Parshall, 42–79. See also Victoria Rosner, Modernism and the Architecture of Private Life (New York and Chichester: Columbia University Press, 2005), 59–90; Monique Eleb-Vidal and Anne Debarre-Blanchard, Architectures de la vie privée: Maisons et mentalités, XVIIe–XIXe siècles (Brussels: Archives d'architecture moderne, 1989); and Naomi Schor, "Zola: From Window to Window," Yale French Studies 42 (1969): 38–51.
- 21 Walter Benjamin, "Convolut I: The Interior, the Trace," The Arcades Project, ed. Rolf Tiedemann and trans. Howard Eiland and Kevin McLaughlin (Cambridge, MA, and London: The Belknap Press of Harvard University Press, 1999), 212–27, 423
- 22 See Anne M. Wagner, "Why Monet Gave Up Figure Painting," Art Bulletin, vol. 76, no. 4 (December 1994): 612–29. On the Städel's Monet and issues of privacy, see most recently Felix Krämer, "Provocatively Private: Claude Monet's Luncheon—Farewell to Figure Painting," Monet and the Birth of Impressionism, ed. Felix Krämer, exh. cat. (Frankfurt am Main: Städel Museum, 2015), 115–19.

- 23 Loi relative à la presse, 11 mai 1868, art. 11 (2): "Toute publication dans un écrit périodique relative à la vie privée constitue une contravention punie d'une amende de 500 francs. La poursuite ne pourra être exercée que sur la plainte de la partie interessée." Antoine Giboulot, Code complet de la presse, contenant dans un ordre méthodique toutes les dispositions en vigueur des lois sur la presse, l'imprimerie et la librairie, etc., avec le texte sépare et annoté de la loi de 1868 (Paris: Cosse, Marchal, 1868), 60. The most extensive period analysis of previous French press laws, including the law of 1868, with wording of legislation and bibliography, is Eugène Hatin, Manuel théorique et pratique de la liberté de la presse: Histoire, legislation, doctrine et jurisprudence, bibliographie, 1500-1868, 2 vols. (Paris: Pagnerre, 1868).
- 24 Clark, The Painting of Modern Life, 238-39.
- 25 "G[eorgette]: 'Vraiment? ... Lisez-moi donc ça! ... 'A[lexis], lisant: 'Hier au soir, des cris perçants partaient d'une des fenêtres d'un appartement de la rue Labruyère, numéro quarante-trois. ...'/G: 'Allez-donc! ...'/A: 'La foule s'assembla devant la porte; on avertit le concierge, - et, guidés par lui, quelques curieux montèrent au deuxième étage. - On pénétra dans l'appartement, et ... '/G: 'Et? ...'/A: 'Ici finit notre tâche. – En dire plus long penétrer dans la vie privée, et la nouvelle loi ...' (Avec regret) 'Ah! mais, ça n'est pas drôle ..."' Eugène Grangé and Victor Bernard, La Vie privée: Comédie en 1 acte (Paris: Michel Lévy, 1868), 3-4.
- 26 On Guilloutet, see G. Vapereau, Dictionnaire universel des contemporains contenant toutes les personnes notables de la France et des pays étrangers (6th edn., Paris: Hachette, 1893), 739; and the title-page illustration and accompanying article by "Riou" and Gilbert Plock, "M. de Guilloutet," L'Événement illustré 85 (July 5, 1868): 1-2.
- 27 See, among others, Philippe Vallas, "La Presse politique parisienne après la loi du 11 mai 1868" (MA diss., École nationale des chartes, Paris, 1985); Roger Bellet, Presse et journalisme sous le Second Empire (Paris: Armand Colin, 1967), 66-85; Gilles Feyel, La Presse en France des origines à 1944: Histoire politique et matérielle (Paris: Ellipses, 1999), 80-81; Christophe Charle, Le Siècle de la presse, 1830-1939 (Paris: Seuil, 2004); and Christine Flaynes, Lost Illusions: The Politics of Publishing in Nineteenth-Century France (Cambridge, MA, and London: Harvard University Press, 2010), 187-231.
- 28 E. de Fontette, "De la vie publique et de la vie privée au point de vue des lois sur la diffamation," Le Correspondant 81 (March 10, 1870): 881-95. See also Jean Carbonnier, "The French Civil Code," Rethinking France: Les Lieux de mémoire, ed. Pierre Nora and trans. Mary Trouille, 4 vols. (Chicago, IL, and London: University of Chicago Press, 2001), vol. 1: The State, 335-60.
- 29 Édouard Fournier, L'Esprit dans l'histoire: Recherches et curiosités sur les mots historiques (3rd edn., Paris: E. Dentu, 1867), 442–14; and Edward Latham, Famous Sayings and Their Authors: A Collection of Historical Sayings in English, French, German, Greek, Italian, and Latin (London: Swan Sonnenschein, 1906), 139. See Michelle Perrot, "At Home," A History of Private Life (IV): From the Fires of the Revolution Until the Great War, ed. Michelle Perrot and trans. Arthur Goldhammer (Cambridge, MA, and London: The Belknap Press of Harvard University Press, 1990), 341.
- 30 "La vie privée, je le répète, c'est le domicile moral de l'homme. Si le domicile lui appartient, la vie privée est aussi son exclusif domaine; personne n'a le droit d'y pénétrer malgré le citoyen, et de jeter les faits qui s'y passent dans le domaine de

- la publicité." François-Jean-Baptiste Josseau, quoted in "Corps legislatif: Séance du vendredi 6 mars 1868," Le Moniteur universel (March 7, 1868): 345.
- 31 "On ne faisait que nous renfermer dans nos maisons, et, à présent, vous en bouchez les fenêtres." Jules Simon, quoted in "Corps legislatif: Séance du vendredi 6 mars 1868," Le Moniteur universel (March 7, 1868): 345.
- 32 Fontette, "De la vie publique," 892.
- 33 "La vie privée ne doit pas être murée. C'est une doctrine d'abaissement et d'enervation. (Très bien! a la gauche de l'orateur. - Rumeurs à sa droite.) Ce que veut la morale, ce n'est pas que nous puissions cacher quelque chose; c'est, au contraire, que nous ne puissions rien cacher. ... Or, qui dit démocratie dit publicité, responsabilité, solidarité. ... Ce n'est pas seulement de nos votes que nous sommes responsables, c'est de l'honorabilité de notre vie privée, ...' Jules Simon, quoted in "Corps legislatif: Séance du vendredi 6 mars 1868," Le Moniteur universel (March 7, 1868): 345. See also Jules Simon, La Politique radicale (3rd edn., Paris: Librairie internationale, 1869), 81-176.
- 34 "[D]e savoir si le fait est malveillant ou non ..." Edmond de Beauverger, quoted in "Corps legislatif: Séance du vendredi 6 mars 1868," Le Moniteur universel (March 7, 1868): 346.
- See defamation article 13 of the law of May 17, 1819: "Toute allégation ou imputation d'un fait qui porte atteinte à l'honneur ou à la considération de la personne ou du corps auguel le fait est imputé." Fontette, "De la vie publique," 882.
- Law on the freedom of the press of July 29, 1881. See Raymond Kuhn, The Media in France (London and New York: Routledge, 1995), 47-49.
- "Quelle horreur! encore un chroniqueur dans ma voiture de bain!" Cham, Cascadeurs et cascadeuses: Album de 60 caricatures (Paris: Arnauld de Vresse, n. d. [c. 1868]), n. p.
- 38 Griselda Pollock, Vision and Difference: Femininity, Feminism and the Histories of Art (London and New York: Routledge, 1988), ch. 2: "Vision, Voice and Power: Feminist Art Histories and Marxism," and ch. 3: "Modernity and the Spaces of Femininity," 18-90; and see especially her discussion of women impressionists' construction of pictorial space, including balcony space, 62-63.
- 39 Leila W. Kinney, "Genre: A Social Contract," Art Journal, vol. 46, no. 4 (Winter 1987): 267-77.
- 40 "Une fenêtre à persiennes vertes formant un trou noir dans un mur blanc; sur ce trou noir, deux robes blanches non encore repassées, séchant sur d'affreux mannequins qui voudraient être des femmes; enseigne pour quelque blanchisseuse de la banlieue, qui l'aura refusée comme insuffisante." Claudius Stella, "Salon de 1869," L'Opinion nationale 160 (June 12, 1869): 3.
- 41 "M. Manet paraît vouloir nous faire attendre: il est visible que, s'il a quelque chose à dire, il ne le dit pas encore. ... Mais M. Manet ne donne son secret ni dans le Déjeuner, ni dans le Balcon." Paul Mantz, "Le Salon de 1869," Gazette des beaux-arts (July 1869): 13.
- 42 Michel Foucault, Manet and the Object of Painting, ed. Nicolas Bourriaud and trans. Matthew Barr (London: Tate, 2009), 67-71.
- 43 For a study of early nineteenth-century representations of law, see Jonathan P. Ribner, The Cult of Law in French Art from David to Delacroix (Berkeley, CA: University of California Press, 1993).

44 I am inspired here by Nancy Locke, who has made similar demands for a better understanding of what she calls the "ethics" of Manet's art, in "Manet and the Ethics of Realism," *Perspectives on Manet*, ed. Therese Dolan (Farnham

and Burlington, VT: Ashgate, 2012), 9–27. And Tamar Garb has linked the late Second Empire's campaign for smallpox vaccination to Manet's portrait practice, especially to his Portrait of Eva Gonzale's of 1870, in "Framing Femininity in Manet's Portrait of Mlle E. G.," The Painted Face: Portraits of Women in France, 1814–1914 (New Haven, CT, and London: Yale University Press, 2007), 59–99.

13

Mary Cassatt's Lamp

Hollis Clayson

Granted that the art of lighting cannot be the monopoly of any country or capital, it is certain that it owes its development principally to Paris.

(Henri Maréchal, 1894)1

This essay considers the connection between two developments that helped to create modern Paris: new urban lighting and innovative printmaking, a paradigmatic if quirky instance of a link between technological modernity and pictorial modernism.² Specialists in the graphic arts have long observed that the years that happened to have inaugurated a new light environment in Paris streets also marked an era of tremendous consequence for printmaking. Nicole Minder, for example, while not aware of any causal connection between the phenomena of interest to me, observed that "the years 1879-80 constituted ... a pivotal date for the development of the graphic arts." The argument made here goes a good deal farther by maintaining that the new éclairage in the street and the innovative prints in the modernist's studio did not merely coexist, but were so closely coupled that the former was the ideational and visual matrix of crucial examples of the latter. This investigation additionally picks up the gauntlet confidently thrown down by Maréchal (above) in order to query the status of lighting in the French capital in later nineteenth-century modernity, and, in so doing, to put pressure on the aptness of the city's principal nickname, the City of Light.

The art works under scrutiny here are startlingly novel intaglio prints that Mary Cassatt made between 1879 and 1882, set in the library of her own apartment in the ninth arrondissement in Paris. The prominence of a glowing lamp in almost a dozen of these etchings is my specific point of interest. For example, Mrs. Cassatt and Lydia in the Library, a soft-ground and aquatint, accords the spherical globe of the solitary visible light source, a colza oil-fueled moderator lamp, such tonal and design importance that the artist hands over some of the work of fashioning the image and its tonal harmonies to the givens of shape and luminosity of a household lamp, to the degree that a print like

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Edited by
Hollis Clayson and André Dombrowski

