

Il giudizio del occhio* - The Artist as a Judge (of Art)

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Inside St. Stephen's Cathedral, Vienna, a so-called organ foot can be seen in the left aisle, just opposite the north transept. Here, we see a late-Gothic tribune, created in the early 16th century. Below the organ, there is a sculpture self-portrait of Anton Pilgram. The bust shows the stonemason and master builder leaning far out of a window, supporting himself with his lower arms on the window ledge. In his hands, he is holding a pair of dividers and a square. Both drawing instruments can be seen quite distinctly: indeed the mason is holding the square out to the observer as if he wanted to attract attention to it. The cage-like organ console of the organ base breaks through the window frame from above, and with its offset hexagons, which are placed in layers upon one another, it seems to be resting on the master builder's back. Above these, an entwined ribbed vault takes shape, flowing into the 'sechspassform' of the gallery and ending in a richly detailed six-lobe tracery parapet. On the side aisle wall, just below the portrait bust, there is an inscription – probably an original – of the master's monogram and the date: M.A.P. 1513 – Magister Anton Pilgram 1513.

Pilgram's bust is considered to be one of the most extraordinarily self-portraits created north of the Alps during the early 16th century. Only Durer's far more famous self-portrait in Munich comes close to its significance. These two examples of autonomous self-portraits are unique for a genre that was still in its infancy in the early 16th century. Researchers have frequently interpreted these works as the expression of a heightened self-awareness among Renaissance artists, although they have still to be considered in connection with legal theory (exception: Kantorovich, 1961, *The Sovereignty of the Artist* / Bredekamp: *The Artist as Criminal*, 2008). As we shall see, however, there are a number of reasons to believe that these two outstanding self-portraits thematise a type of artist whose much-evoked similarity to God (*alter deus*)

signifies not only the creative act of artistically constructing the world, but goes further, seeing in the work of art the creation of a world order composed of geometrical and legal principles.

The contexts in which these two self-portraits arose could hardly be more different. Even so, they still seem to work in the art-theoretical concept of the “guidizio dell’occhio”: moderation and judgement (of taste). I shall approach this conceptual question by starting with Pilgram’s Viennese portrait and the conditions under which it arose.

The historical context alone in which this portrait arose provides food for thought: for Vienna’s Municipal and Provincial Archives contain two parchment scripts dating from 1512 and 1513 which testify to an unpleasant dispute between Anton Pilgram – in allegiance with the Vienna city council – and the Brotherhood of Stonemasons.

According to these sources, Pilgram, who had previously worked as a master builder in the Heilbronn area and latterly in Brünn (130 km north of Vienna), travelled as a stranger to Vienna in 1511 and, in a surprise coup, assumed leadership of the Cathedral Construction Guild. Without Vienna City Council’s help, the coup would never have succeeded. The council members were also the masters of St. Stephan’s Cathedral Construction Guild, and it was in this role that they immediately dismissed the office-holder and “famous” cathedral master builder Jörg Öchsel.¹ In his place, they declared Anton Pilgram his successor. For a restless character like Pilgram, this degree of success was evidently not enough. Hence, in his new position as cathedral master builder, Pilgram tried to prohibit his predecessor, Jörg Öchsel, from working and to banish him from the city. In other words: to have him exiled. Öchsel was accused of misusing the stonemason treasury and the Brotherhood’s seal. Appalled by the master builder’s impudence, the Brotherhood of Stonemasons decided, at their General

¹ BÖKER, 2007, 17 and 316-317.

Assembly in Klosterneuburg on 15 June 1511, to draft a letter of protest on parchment. This letter – which has been preserved to this day – urged the city council not only to exonerate Jörg Öchsel and protect him from impending excommunication, but also to refuse Anton Pilgram membership to the guild once and for all.² The news finally reached Emperor Maximilian, who exercised his authority a year later against the Viennese councillors and Pilgram, their protégé. In his decision, which has been handed down to us, the Emperor ordained that Jörg Öchsel could neither be prohibited from working nor could he be banished from the city. Instead, he was entitled to remain in Vienna and work there undisturbed, especially as he had been “punished sufficiently” by losing his position as cathedral master builder. Öchsel remained in Vienna, while Pilgram remained an unpopular master builder of cathedrals up to his early death in 1515. He was excluded from the Stonemason’s Guild, which would henceforth remain in hostile competition with him.

The incident in Vienna sheds a very different light on Pilgram’s bust. For it is not only the self-portrait of a master builder, but rather that of a quarrelsome man who has already been in conflict with the law in Brünn and spent time in prison. While in captivity, Pilgram allegedly instructed his journeymen to steal the Brotherhood’s collection box, from which he claimed to have ultimately paid their wages.³

It seems that Pilgram left Brünn because of his enormous criminal potential to cause strife in Vienna. This side of his character, however, is not immediately evident in his self-portrait. Nevertheless, it does provide food for thought: on the one hand, because it is a reminder of a master builder whose dubious machinations led to his exclusion from the Vienna Stonemason’s Guild and who – as cathedral master builder – left no traces of his architecture except for completing the unfinished work on the north tower, which

² The transcription of the letter in Oettinger, 1951, 98-101.

³ OETTINGER, 1951, 99.

remains a torso to this day. At the same time, Pilgram's bust gives us food for thought, because it is atypical and remains without parallel north of the Alps.

As we know, master builder figures have existed since the Middle Ages. Examples worth mentioning here include a carrier, dating from 12th century Hagenau in Elsass; the famous bust of Peter Parler, dating from 14th century Prague in the gallery of St. Vitus Cathedral; and last but not least, the console figure of the master builder Berthold, a Cistercian lay brother from Maulbronn who constructed the monastery church's vault in 1424. These three examples stand for a category of master-builder portraits that generally served as console figures, supporting the buildings that they themselves had constructed. (These works were analysed in great detail by Kurt Gerstenberg in 1966⁴) What is striking among the countless examples in Gerstenberg's book is the fact that master builders are mostly portrayed without any characteristic features. At best, they are shown carrying tools such as a hammer and/or chisel, but never a pair of compasses or a square.

Pilgram himself became part of this tradition while he was building diverse pulpits and tabernacles in Swabia during the 1480s, thus ensuring that he would not be forgotten. He, too, managed without angles and a pair of compasses. Instead, he carried a horseshoe in the belt on his back and, in the example from Rottweil on the right, a loaf of bread in his lapel. Also noteworthy is the clothing adorning Pilgram's early load-bearing figures, because his characteristic melon-shaped hat with the central crease at the top serve as an identification mark in all the examples. This also applies to the pulpit-bearer (in the Bodemuseum), which originally came from the Öhringen Foundation near Heilbronn.⁵ Once again, Pilgram presented himself as a bearer. And this time, too, he was wearing an unusual hat – a doublet – with the piece of bread at

⁴ GERSTENBERG 1966.

⁵ OETTINGER, 1951, 24.

the front and a horseshoe in his belt at the back. Like the above-mentioned pulpit bearers, the example from Berlin is also wearing close-fitting tights and wrinkled boots. As an aside, we must finally draw attention to the heyday of the self-portrait, namely: with Adam Kraft serving as a pillar at his sacramental house in St. Lorenz in Nuremberg (ca. 1500). Kraft went on to perfect this form. Here, the crouching position evolves into a series of dynamic movements made by a master builder who seems to be pausing with his hammer and chisel for a moment so that he can examine his work. He, too, is wearing the familiar V-neck doublet.

Albrecht Dürer also portrayed himself in a wams. Striking, here, is the fact that – like most of the early portraits of master builders executed before 1500 – Dürer’s self-portraits betray no indication of his profession. The artist does not reveal his identity. The necessary clues are absent. And artists did not wear special “working clothes” in any case. In these two early, autonomous self-portraits, Dürer portrays himself in a late-Gothic jerkin or doublet – like Pilgram, Kraft and all the other artists of his day.

It is very fortunate that handed-down tradition has preserved a number of self-portraits of Pilgram and Dürer, allowing us to study their stylistic and typological-vestimentary development. These self-portraits, dating from the late 15th century, show the two masters in their doublets. The self-portraits executed after 1500 no longer show the two masters in doublets, but in tabards: coats with a turned down collars. In Pilgram’s case, his tabard extends well over his shoulders and far down his back. A collar of this nature offered ample space for attaching status symbols, including, above all, pelts, which may not have kept their wearers warm, but certainly distinguished them. We do not know whether the original version of the Pilgram bust was supposed to be imitating one of these pelts or not. However, Dürer’s tabard is distinguished by its lavish fur trim into which he slid his hands in a meaningful way.

With this in mind, it is worth first looking at Dürer's self-portraits to familiarise ourselves with the symbolic significance of his conspicuous change of wardrobe. – I have already mentioned this in another publication.⁶ – However, in order to make my point clear, let me start by explaining a few things: Up to the turn of the 15th century, Dürer had painted in the above-mentioned doublet or jerkin. In the self-portrait executed in Munich, however, he took the unusual step of wearing a fur-collared coat, a garment that was reserved for the elites of the early modern age as an insignia that revealed their social status. We should not, however, overestimate the importance of the type of pelt used, which was handed down in countless sumptuary laws north of the Alps.

In urban society around 1500, the wearing of back pelts was the preserve of a small minority. As this table shows, societal hierarchy was reflected in a hierarchy of pelts. In contrast to mediocre lamb, fox or polecat, the marten's pelt, openly displayed, was regarded as the insignia of an estate of the highest order. It also identified its wearer as a wealthy member of the city council, because an honorary position presupposed financial independence. A careful distinction was also made between the neck pelt and the back pelt.⁷

After performing a thorough examination of the self-portrait in Munich, Mr. Hoppe, the president of the Berlin-Brandenburg Furrier Guild, was able to convince me that Dürer wore a back pelt. Hence, in his Munich portrait, Dürer appears as a councillor, not unlike Hieronymus Holzschuher in Dürer's Berlin portrait dating from 1526. The extent to which his self-portrait corresponds with his biographical data remains unanswered, since the inscription dating his Munich painting back to 1500 seems to be too early, since Dürer was not voted onto Nuremberg city council until 1509.⁸ Its date need not concern us here, since it is not important for the following argumentation whether a

⁶ ZITZLSPERGER, 2008.

⁷ See ZITZLSPERGER, 2008, 26-47.

⁸ ZITZLSPERGER, 2008, 55-62.

portrait is an idealisation or depicts an authentic situation. In my opinion, the vital question seems to be: what was Dürer trying to say.

The other disturbing element in his self-portrait is the mimesis of Christ. Dürer's similarity to Christ was rightly interpreted as a humanistic view of the artist's role as an "alter Deus". By manifestly merging the artist and the divine incarnation as a fusion of the icon and the portrait, Dürer unites the "imitatio Christi" with the artist ideal of the Early Modern Age. The marten's back pelt, however, points beyond the artist as a creative God. For the pelt, as the insignia of a profane councillor, alludes to the city government and – far more importantly – to the judge.

As I have demonstrated elsewhere, this legal-iconological relationship is not evident in the written sources, but only in visual tradition. For in the populous historical pictures of Dürer's day, the judges are always those distinguished by the marten's pelt, as they are here on Schüpfelin's Christgarten Altar (1515), on Pilate when Jesus was crowned with thorns (far left), and also in the *ecce homo* scene alongside Christ (centre), who is wearing a tabard with marten trimming on its wide collar: albeit only in the judgement scene (to the right).⁹

This legal-symbolic relationship is also apparent – as a second example shows – in Holbein's *Pictures of Death* (1523), whose forty-one woodcuts display all conceivable social estates, ranging from the peasants, to the patricians, the pope and the emperor. Here, the councillor and the judge are alone in wearing the characteristic pelt, whereas the Emperor and King, of all people are not. These few references should suffice to identify the distinct symbolic character of the fur-lined *schaube*.¹⁰

In Dürer's day, the *schaube* was increasingly associated in paintings and woodcuts with the councillor and the judge. Consequently, Dürer's Munich self-portrait, viewed against this historico-artistic background, had distinct legal and political connotations.

⁹ ZITZLSPERGER, 2008, 93-94.

¹⁰ ZITZLSPERGER, 2008, 94-95.

His Christlike appearance, in combination with the fur-schaube, which alluded as much to the councillors as it did to the judges, alludes juristic status. The councillor was the urban representative of power *per se*. And one of the most important virtues of a ruler was justice.¹¹

In his self-portrait, Dürer combined the likeness to Christ with the fur schaupe as a symbolic reference to the councillors and judges. At a time when the Reich was undergoing a process of fundamental reform and replacing common law – which was still widespread at the time – with the binding wording of the law, and at a time of heightened legal uncertainty, Dürer was evidently keen to comment on this state of affairs and perhaps even to criticise it in his art.

It is impossible, however, to elicit an unambiguous statement from his self-portrait: for it is either referring to the justice of the urban authorities, or admonishing them to practice it. With the schaupe, Dürer clearly demonstrates that he is a potential member of the city government, whose unattainable model of virtue is the infinite justice of Christ the Judge of the World.

If we now return again to the art-theoretical content of the self-portrait, we can see that Dürer seems to be interlocking two worlds which – from our contemporary perspective – are distinct: art and justice. By adding the marten fur schaupe, he unites the artist and the judge, who then becomes one in the semblance of Christ. And this semblance refers to God as the creator of world order, who determines the order of things in terms of the laws of nature, and that of human beings through the law: the Ten Commandments. The law, as Dante stated, is the right measure related to things and persons: a measure which, if adhered to, preserves society and, if violated, challenges society's right to exist.¹²

¹¹ ZITZLSPERGER, 2008, 100-116.

¹² WÜRTENBERGER, 1971, 18

In both art and legal theory, there are a number of points of reference which demonstrate that art and jurisprudence – in their self-conceptions – have borrowed concepts and symbols from one another. As early as the first half of the 13th century, the author of the *Sachsenspiegel* (‘mirror of the Saxons’), for instance, regarded himself as a carpenter of law, called upon to establish a system of laws with measure and number. The metaphorical connection between jurisprudence and architecture extends into classical literature, for example, when Schiller’s *Song of the Bell* declares that geometry and justice are bound by the same law “that founded town planning”. In art theory, it is primarily the concept of “guidizio dell’ occhio” – the judgement of the artist’s eye – which is granted the task of judging measure, number and proportion to create beauty.¹³ “Il giudizio dell’ occhio” refers to the eye’s ability to form sound judgements, which – if we follow Michelangelo – is God-given. And it is only this sound judgement which – to cite Marsilio Ficino – allows us to grasp the visible world order in its entirety. Vasari even uses the concept “giudizio universale” (universal judgement) in this context. Dürer himself compares the formation of sound judgement with the act of legislating. In his draft introductions (1512) to his book *On Painting* he wrote: “Hence, wish to posit something here as ‘beautiful’, in the same way that quite a lot are ‘correctly’ posited. Everything that everyone regards as being right, we regard as being right. Therefore it also holds that everything that the world regards as beautiful, we wish to consider to be beautiful too, and to endeavour to achieve this.”¹⁴ In his writings, Dürer emphasises the word “right” with quotation marks, thus evidently referring to the etymologically common root of “right” and “just”. For in what was then common parlance “a just shoe”, for instance, was regarded in those days in a different way to a “just judge”. In Dürer’s case, these two meanings blend into one, especially as

¹³ This and following see Zitzlsperger, 2008, 109-112.

¹⁴ „[...] Etwas ‚schön‘ zw heissen, will jch hÿ also setzen, wÿ etliche ‚recht‘ gesetzt sind: also was alle welt vür recht schetzt, daz halten wir vür recht. Also do awch, was alle welt vür schön acht, das wöllen wir awch vür schön halten, vnd vns des fleissen zw machen [...]“ (Rupprich, Bd. 2, 1966, 121, line 50–56).

elsewhere in his writings, he avoids using the (German) word *recht* (right) in the sense of correct, suitable, good and omit, and speaks instead of obliging, good, beautiful and intelligent. Only once, in the Third Book of the printed version of 1528, does he speak of a “*recht* [i.e. just] artist”, who knows what is just “because knowledge is true, but opinion is often delusory”.¹⁵ He concludes the third book of his theory of proportions with an excursus on a “good sense of proportion”, through which – he writes – the work of art appears to be artistic, delightful, powerful, free and good and is, above all, praised by everyone: “for justice is blended in with it”.¹⁶

According to Dürer, world order is embedded in the co-ordinates of legal norms and the law of proportion, and it is here that it acquires its true visibility (in the Platonic sense) through the artist.¹⁷ Dürer grasps the divine order of values as a given whole, in which measure is just as equally inscribed in the sense of proportion as it is in the sense of human modes of behaviour. Divine measure is clearly intended to be understood morally, too, and, for this reason, hubris is to be equated with presumption.

In his *Instructions on Measurement* (1525), Dürer ultimately manages to combine the moral and mathematical doctrine of proportion in the instructions to constructing his “Victoria”, the so-called *Column of Victory*. The *Column*, as is well known, alludes to both the Peasant Wars and the shortcomings of a societal order that apparently deviates from the divine one. Dürer, however, reinstates the divine order by employing the Peruvian proportion of the column, which is crowned by a cowering, lifeless peasant who has been stabbed in the back by a dagger, and dies sacrificing his life as a Man of Sorrows. The measure of the number and the measure of the deed are united, and

¹⁵ 3. Book of Proportions, in: Albrecht DÜRER 1993, 200.

¹⁶ 3. Book of Proportions, in: Albrecht DÜRER 1993, 202.

¹⁷ About the term “justice” in the 17th century see Cesare Ripas „Iconologia“, 1603 (p. 185) under “Giudizio”: „Humo ignudo, attemptato à sedere sopra l’iride, ovvero arco celeste, tenendo in mano la squadra, il regolo, il compasso, & l’archipendolo. Non essendo altro il Giuditio, che una cognitione fatta, per discorso della debita misura si nell’attioni, come in qualunque altra opera che nasce dall’intelletto, & essendosi tali instrumenti ritrovatosi da gli Artefici, per avere simul notitia nell’opere di Geometria meritamente adunque per quelli si dimostra il discorso, & ancora l’elettione, che deve fare lo ingeno dell’huomo, per cognoscere, & giudicare ogni sorte di cose [...]“.

through their proportionate perfection restore – in both the mathematical and moral sense – a moderate equilibrium.¹⁸

For Dürer, perfection in art lies in moderating both number and morals.

Dürer's art is repeatedly permeated with subtle legal iconology, an aspect that has received little attention up to now. Yet Dürer was very interested in the law – for professional reasons, too. His godfather, Anton Berger, provided the foundations: as a Nuremberg publisher, he published not only the famous Nuremberg Chronicle, but also the first full printed edition of the Augustinian “Body of Civil Law”. In 1488, his company also published the *Nuremberg Reformation*, Nuremberg's first printed town charter. When it was subsequently revised in 1521, Dürer provided the first woodcut for the reverse of the title page, which bore the title *Sanctata Iustitia 1521*. Dürer also contributed woodcuts for *The Ship of Fools* (1494), written by the Basel professor of law Sebastian Brant. The seventy-first chapter contains a depiction of a Justitia with a sword and scales. She is being blindfolded by a fool – the first Justitia in the visual arts to wear a blindfold. And the related text denounces the desolate state of jurisdiction in the Reich.

In order to interpret Pilgram's self-portrait, it is worth interpreting Dürer's self-portrait, too, because it has been perfectly preserved and his written estate provides a few clues. One particular feature shared by the two artists' portraits is striking: In Pilgram's case, too, a change of sartorial paradigms occurs with the passage of time. Furthermore, Pilgram, the Viennese artist – in contrast Dürer in the self-portrait he executed in Munich – is wearing a strange hat with its peak turned up at the forehead. His hat covers his ears and extends conspicuously far down to the back of the head.

Research into the history of clothing has overlooked this specimen. Comparing countless pictures, however, I have discovered that this particular type of headware was

¹⁸ About the meaning of the “Bauernsäule” and Dürer's theory of proportion as an holistic order of God see Filippi, 2008. On the contradictions of the “Bauernsäule” see Mittag, 1984.

reserved in painting (as far as I can tell) for aldermen and judges around 1500. For this the reason, I am now going to show you again three examples from Holbein's *Pictures of Death* series. The alderman is wearing a model with fur trimming, the judge one without trimming, whilst the King, in contrast, is wearing a broad-rimmed birretta. One final feature must be noted here: Pilgram, as I have already pointed out, is demonstratively holding a square and a pair of compasses in his hands – a gesture unparalleled in the genre of master-builder portraits. Gerstenberg was also struck by this in 1966.¹⁹ It would be nice to think that the square and the pair of compasses were easily available to the master builder as accessories, since they counted among his everyday tools.

Apparently, however, these attributes were reserved in iconography for a different subject until the early 16th century. Not unlike the way that Dürer – in a move very unusual for portrait painting – took the unusual frontality of his face from an icon of Christ, Pilgram appealed to the iconography of the creator of the world through the genre of portrait busts. Here, as is the case of Dürer, too, it seems fair to assume that the fusion of art and law culminated in their being combined in the person of Pilgram. Once again, the artist – the master builder – seems to mutate into a symbol of God the Creator, and once again his clothing suggests a judicial-authoritarian context. And now all the divine attributes appear that allude – in combination with the clothing – to the artist's judgement. The measurement and computation of the world is also an act of justice: granted to every creature in the right measure and consistent proportion.

This may be the reason why Cesare Ripa – in his illustrated *Iconologia* edition of 1603 – chose to depict the *Guidizio*, that is: judgement as a naked, bearded man on a rainbow, holding a square and a circle in his hands. On the one hand, he tried to equal the

¹⁹ GERSTENBERG, 1966, 34.

tradition of depictions of the Last Judgement and, on the other hand, he links the artist with the eschatological properties of God in which art and (legal) judgement merge. The concept of the *Guidizio*, or the *Guidizio dell'occhio*, stands for judgement and a sense of proportion. Around 1500, judgement (in both Italy and Germany) was anatomically closely associated with the eye. Leonardo believed that there was a privileged relationship between the eye and common sense, where judgement is formed. And Dürer – like Michelangelo after him – argued that perceptive artists need no longer rely on measuring instruments: Thanks to their judgemental routine, they construct perspective and proportions without any need of aids.²⁰ As far as Dürer's self-portrait is concerned, people believe they can see immediately that his scrutinising eye is well-informed and capable of sound judgement. Pilgram, in contrast, with his stooping posture, appears to have a searching eye and is, in contrast to Dürer, holding a measuring instrument in his hand, though without using it – rather like attributes commenting on a look: the look of an “artist judge” who records the world with sound judgement.

²⁰ On Dürer see *Perspektive*, 1528, in: Albrecht Dürer, 1993, 189. On Michelangelo see Baader, 2003, 124.

Lit:

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