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INSTANCES OF APPROPRIATION IN LATE ROMAN AND EARLY CHRISTIAN ART*

Under the rubric “Notes from the Field,” twenty pages of a recent issue of the *Art Bulletin* are devoted to a consideration of Appropriation, “Back Then, In Between, and Today.”¹ Beyond a tacit agreement that appropriation is somehow important, the ten brief essays comprising these “Notes” do not coalesce. The reader searching for generalizations comes away with echoes: repeated indications that appropriation has to do with possession, ownership, making-one’s-own; with authorship, authenticity, originality; with repetition, imitation, copying; with propriety, morality, ethics; with the dynamics of power, resistance, subversion. The authors differ in their perceptions of these relationships and on the utility of appropriation as a critical concept. While Cordula Grewe finds analogies between late twentieth-century Appropriation artists and nineteenth-century Nazarenes “vital . . . [for] build[ing] more sophisticated frameworks for understanding historicism’s modern qualities,” Saloni Mathur wonders if appropriation has limited application because it “[might] somehow *belong* to [the] discussions that emerged during the 1980s and 1990s, to postmodernism, poststructuralism, postcolonialism, and deconstruction.”² Lisa Pon maps appropriation and originality onto sixteenth-century concepts of imitation and

* I am grateful to Valerie Garver for her encouragement and saintly patience, and to the two anonymous readers for this journal who challenged me to make critical gestures pay off.

¹ Georg Baselitz, Kirk Ambrose et al., “Appropriation: Back Then, In Between, and Today,” *Art Bulletin* 94 (2012): 166–86.

² Baselitz, Ambrose et al., “Appropriation,” 175, 182.

invention, while Kirk Ambrose rejects appropriation as a tool for understanding medieval art because of its association with modern notions of individual authorship and creativity.³

The associations with authorship and originality were cemented by the so-called Appropriation artists of the late twentieth century, who practiced appropriation as a means of cultural critique. Sherrie Levine's photographs of reproductions of photographs ("rephotographs") by the canonical photographers Edward Weston and Walker Evans (Fig. 1) were greeted by postmodern critics as a bold deconstruction of the patriarchal myth of authorship.⁴ Appropriation does not *necessarily* entail modern notions of authorship, however. Robert Nelson's classic essay on appropriation as a "critical term" of art history speaks of agency and acquisition rather than authorship; of semiotic distortion and second orders of signification; of the objects of appropriation as signs and of appropriation itself as representation.⁵ Nelson's adaptation of Roland Barthes' concept of "myth" enables the discussion of appropriation in medieval art without imposing anachronistic associations. Yet I also agree with Grewe that anachronistic analogies can be useful to the historian who wishes to recapture the original impact of artworks or movements that have been naturalized by the passage of time and art historical analysis.

³ Baselitz, Ambrose et al., "Appropriation," 170–71, 183–84.

⁴ Howard Singerman, *Art History, After Sherrie Levine* (Berkeley: University of California Press, 2012), 56–96; Rosalind Krauss, "The Originality of the Avant-Garde: A Postmodernist Repetition," *October* 18 (Autumn 1981): 47–66, at 64–66 (cf. Singerman, 23).

⁵ Robert S. Nelson, "Appropriation," in *Critical Terms for Art History*, eds. Robert S. Nelson and Richard Shiff (2nd ed., Chicago and London: University of Chicago Press, 2003), 160–73.

Maria Fabricius Hansen's book *The Eloquence of Appropriation*, focusing on the use of *spolia* in early Christian church colonnades, offers abundant testimony from Latin authors of the fourth through sixth centuries (Augustine, Jerome, Macrobius, Cassiodorus, etc.) that appropriation was a self-conscious and much discussed practice vis-à-vis the great "storehouse" of classical art and literature as well as the Old Testament.⁶ Her sources cite many of the same concepts and concerns as the work of postmodern appropriators and their critics: authorship, imitation, conversion, subversion, assimilation, legitimacy, and the "appropriative loop" in which the qualities of the appropriated object are transferred to the appropriator.⁷ The same authors continued to be read throughout the middle ages and awareness of these issues would have survived then as well, at least in literature.

Hansen associates appropriation with the historical term *translatio* ("transferring"). In her account appropriation ("taking over") was a strategy whereby *translatio* was accomplished: "The use of *spolia* was only one particularly explicit manifestation of a practice of appropriation current in a series of civilizations . . . a practice consisting of a transference of power from the past through a taking over of its cultural expressions and incorporating them into one's own."⁸ The purpose of appropriation was to convert (*convertere*) the object of appropriation to one's own purposes; it was preceded by finding (*inventio*) the most valuable expressions from the past. Two books of Macrobius' *Saturnalia* are devoted to Virgil's borrowings from earlier poets, especially Homer, whose words he is

⁶ Maria Fabricius Hansen, *The Eloquence of Appropriation. Prolegomena to an Understanding of Spolia in Early Christian Rome* (Rome: "L'Erma" di Bretschneider, 2003).

⁷ "Appropriative loop": Nelson, "Appropriation," 167.

⁸ Hansen, *The Eloquence of Appropriation*, 263.

said to have taken over (*in opus suum . . . transferendo*) and made to appear his own (*fecit ut sua esse credantur*).⁹ In Christian circles Augustine of Hippo famously urged his readers to take the treasures of the Egyptians (the pagan liberal arts) in order to employ them in “their true function, that of preaching the Gospel.”¹⁰

Hansen’s argument is quite compatible with Barthes’ description of myth and can be restated in its terms. Myth is speech *stolen and restored*, restored with a new frame of reference, as a vehicle for ideology.¹¹ Virgil took over the words of Homer to produce the etiological epic of Rome. In Hansen’s view the classical *spolia* in Christian churches were taken over to become signifiers of a new “metaphorical” world view associated with a “new spirituality” that was anti-rational and obscurantist, accompanied by a Christian sense of triumph over the pagan past.¹² As the expressions of this new world view, *spolia* formed a metalanguage that perpetuated the past (“tradition”) while also denying its original meaning.

Whatever the merits of Hansen’s argument – and there are many – its totalizing compass flattens the effect of individual appropriations, making them all equally

⁹ Macrobius, *Saturnalia* V.3.16, ed. and trans. Robert A. Kaster (The Loeb Classical Library, 511; Cambridge MA: Harvard University Press, 2011), vol. 2, 244–45; cf. Hansen, *The Eloquence of Appropriation*, 171.

¹⁰ Augustinus, *De doctrina christiana* II.40.60, translated by Hansen, *The Eloquence of Appropriation*, 194.

¹¹ Roland Barthes, *Mythologies*, trans. Annette Lavers (New York: Hill and Wang, 1972), 109–59, quotation at 125.

¹² Hansen, *The Eloquence of Appropriation*, 179–243.

representative and similar.¹³ In what follows I will examine a few instances in the art of the fourth and fifth centuries in more detail, suggesting that they might complicate her paradigm or embellish it.

Spolia

Appropriation art devolved into a series of legal cases over authorship, which still drag on.¹⁴ Jeff Koons was sued by the photographer Art Rogers, whose image “Puppies,” printed on a postcard, was the model for a series of painted wooden sculptures called “String of Puppies” that were produced for Koons in 1988. After three of the derivative sculptures were sold in New York for a total of \$367,000, Rogers claimed infringement of copyright. His suit was successful, and the ruling was upheld on appeal.¹⁵ Similarly, Patrick Cariou sued Richard Prince over his appropriation of 41 documentary photographs originally published in Cariou’s book *Yes, Rasta*, which Prince altered and exhibited in New

¹³ For a further response to Hansen’s thesis see Dale Kinney, “*Spolia* as Signifiers in Twelfth-Century Rome,” in *Spolia in Late Antiquity and the Middle Ages – Ideology, Aesthetics and Artistic Practice* (*Hortus artium medievalium* 17 [2011]): 151–66.

¹⁴ Laura Gilbert, “No longer appropriate?”, *The Art Newspaper* 235 (May 2012): 37.

¹⁵

http://ny.findacase.com/research/wfrmDocViewer.aspx/xq/fac.19901213_0000532.SNY.htm/qx;
cf. <http://observatory.designobserver.com/entry.html?entry=6467>; both accessed May 22, 2012.

York in 2008.¹⁶ In both cases the original photographers claimed authorship and its attendant rights of compensation; in effect, the taking of their images without compensation was deemed to be a form of spoliation.¹⁷ In both cases, the appropriators maintained that rights of authorship did not pertain because their source material was not original or creative; it was part of a shared mass cultural environment, and as such collective property. Koons called Rogers' photograph "a cupcake," i.e., an object indistinguishable from other mass-produced objects of its category, a piece of cultural "junk" that became art only when transformed by the artist's (Koons') idea.¹⁸ Richard Prince claimed that the photographs by Patrick Cariou were "raw material," "mere compilations of facts ... arranged with minimum creativity."¹⁹

Sherrie Levine – who also faced legal challenges and no longer exhibits the Evans and Weston rephotographs as her own – appropriated the work of Roland Barthes to assert

¹⁶ Randy Kennedy, "Apropos Appropriation. A Copyright Infringement Lawsuit Raises Questions About How Far Artists Can Go," *The New York Times, Arts & Leisure*, Sunday, January 1, 2012; Gilbert, "No longer appropriate?"

¹⁷ Dale Kinney, "Introduction," in *Reuse Value. Spolia and Appropriation in Art and Architecture from Constantine to Sherrie Levine*, eds. Richard Brilliant and Dale Kinney (Farnham: Ashgate, 2011), 1–11, at 7–9.

¹⁸ <http://observatory.designobserver.com/entry.html?entry=6467>.

¹⁹ <http://www.artnet.com/magazineus/news/corbett/cariou-versus-prince-1-25-12.asp>; <http://www.theartnewspaper.com/articles/Patrick-Cariou-wins-copyright-case-against-Richard-Prince-and-Gagosian/23387>; both accessed May 28, 2012.

that authorship is irrelevant because it does not exist.²⁰ Her “Statement” of artistic philosophy, published in 1982, plagiarized Stephen Heath’s then-recent translation of Barthes’ “The Death of the Author”:²¹

Every word, every image, is leased and mortgaged. We know that a picture is but a space in which a variety of images, none of them original, blend and clash. A picture is a tissue of quotations drawn from the innumerable centres of culture ... We can only imitate a gesture that is always anterior, never original. Succeeding the painter, the plagiarist no longer bears within him passions, humours, feelings, impressions, but rather this immense encyclopaedia from which he draws. The viewer is the tablet on which all the quotations that make up a painting are inscribed without any of them being lost. A painting’s meaning lies not in its origin, but in its destination. The birth of the viewer must be at the cost of the painter.²²

For Barthes, the Author was a construct of the modern era, a singular person whose voice was both the source and the explanation of his work. The corollary of the Author is the Critic:

To give a text an Author is to impose a limit on that text, to furnish it with a final signified ... Such a conception suits criticism very well, the latter then allotting itself the important task of discovering the Author (or its hypostases: society, history,

²⁰ Gilbert, “No longer appropriate?”.

²¹ Roland Barthes, “The Death of the Author,” in Roland Barthes, *Image Music Text*, trans. Stephen Heath (New York: Hill and Wang, 1977), 142–48, at 146–48; Singerman, *Art History*, 28–30.

²² Sherrie Levine, “Statement” [1982], rept. in *Appropriation*, ed. David Evans (London and Cambridge, MA: Whitechapel Gallery and MIT Press, 2009), 81.

psyché, liberty) beneath the work: when the Author has been found, the text is 'explained' – victory to the critic.²³

In Barthes' realm, the Author is supplanted by the scriptor, who produces writing and relinquishes its interpretation to the reader. The scriptor's work is "a multi-dimensional space in which a variety of writings, none of them original, blend and clash."²⁴ His text has no single, predetermined meaning; "in the multiplicity of writing, everything is to be *disentangled*, nothing *deciphered*."²⁵

These postmodern issues: authorship and its entitlements, its (im)possibility, the (in)ability to instill and decipher singular meanings in texts that are by their nature multi-dimensional, are familiar to students of *spolia* because they are endemic to spoliating works of art. They are central to the current debate over the Arch of Constantine, the *locus classicus* of *spolia* studies since the publication of its reused reliefs by Hans-Peter L'Orange in 1939 (Figs. 2-6).²⁶ Erected between Constantine's conquest of Rome in 312 and the celebration of his *decennalia* in 315, the Arch is literally covered with *spolia*, including the blocks of its marble cladding, its columns and entablatures, and much of its figural ornament: the statues of captive barbarians above the columns, the rectangular reliefs on

²³ Barthes, "The Death of the Author," 147.

²⁴ Barthes, "The Death of the Author," 146.

²⁵ Barthes, "The Death of the Author," 147.

²⁶ Hans Peter L'Orange with Armin von Gerkan, *Der spätantike Bildschmuck des Konstantinsbogens* (Berlin: W. De Gruyter & Co., 1939). For an excellent summary of the arguments see Siri Sande, "The Arch of Constantine – Who Saw What?" in *Patrons and Viewers in Late Antiquity*, eds. Stine Birk and Birte Poulsen (Aarhus: Aarhus University Press, 2012), 277–90.

the attic, the friezes in the main passageway, and the roundels over the lateral arches.²⁷

This figural ornament was made in the second century for monuments of other emperors, who have been identified on the basis of style as Trajan (98–117), his successor Hadrian (117–38), and the philosopher-emperor Marcus Aurelius (161–80).

In referring to these worked marble blocks as *spolia* I am employing the term in its extended art-historical sense, as a synonym for “in secondary use.” The legal battles over Appropriation art encourage us to be more precise. Some archaeologists maintain that the reused reliefs could not have been true *spolia* – that is, stripped from whatever honorific monuments they were made for – but must have come from warehouses of marble ornament salvaged from structures that had been damaged or destroyed some time before.²⁸ Yet there is reason to believe that at least some of the figural ornament was taken directly from monuments that were still standing in and after 315.²⁹ In any case, regardless of the source and manner of their acquisition, the figural reliefs became *spolia* through the recarving of the imperial portraits as they were inserted into the Arch. The emperors

²⁷ Patrizio Pensabene and Clementina Panella, eds., *Arco di Costantino tra archeologia e archeometria* (Rome: “L’Erma” di Bretschneider, 1999), 13–73, 139–56, 171–84.

²⁸ Hugo Brandenburg is perhaps the strongest proponent of this position; see, for example, “The Use of Older Elements in the Architecture of Fourth- and Fifth-Century Rome: A Contribution to the Evaluation of *Spolia*,” in *Reuse Value*, 53–73, at 56–59; also Patrizio Pensabene, “Arco di Costantino: tra continuità e innovazione,” *Acta ad archaeologiam et artium historiam pertinentia* n.s. 6, 20 (2006): 131–42, at 132.

²⁹ Cf. Sande, “The Arch of Constantine,” 284–85.

originally depicted were defaced, their features removed or altered to simulate the face of Constantine, who thereby became the protagonist of the events portrayed.³⁰

L'Orange's interpretation of this re-imaging – that it was intended to present Constantine bringing back the golden age of Trajan, Hadrian, and Marcus Aurelius – has had enormous staying power and is still repeated. Hansen incorporated it into her model of appropriation and *translatio*:

By this implied epideictic comparison in stone of the new emperor with the great ones of the past, Constantine adorned himself with the Roman tradition ... He arrayed himself in the aspect of a classical Roman emperor and demonstrated the intention to continue the tradition of his model predecessors.³¹

Similarly, in a more recent publication Paul Zanker interprets the Arch as a “panegyric in stone” intended to convey a specific message: that Constantine would follow the model of “the good emperors” in his piety and his relations with the senate.³²

Such univocal messages assume a univocal Author, who, in Barthes' acerbic observation, underlies the meaning of his work: “when the Author has been found, the text is ‘explained’.” Like Paolo Liverani and Patrizio Pensabene, Zanker identifies the Author as

³⁰ L'Orange, *Der spätantike Bildschmuck des Konstantinsbogens*, 165–67, 184, 189, Pls. 43, 44, 50; recently Marina Prusac, “The Arch of Constantine: Continuity and Commemoration through Reuse,” *Acta ad archaeologiam et artium historiam pertinentia* n.s. 11, 25 (2012): 127–57, at 138–46 (note that her Figs. 5 and 6, both from the battle frieze of Trajan, are misidentified).

³¹ Hansen, *The Eloquence of Appropriation*, 248.

³² Paul Zanker, “Der Konstantinsbogen als Monument des Senates,” *Acta ad archaeologiam et artium historiam pertinentia* n.s. 11, 25 (2012): 77–105, at 99–100.

the Senate, against others like Hansen who take the Author to be Constantine and/or his media advisors.³³ Unquestionably the Senate is the Arch's authorial persona, who speaks in the prominent inscription on the attic: "To the Emperor Caesar Flavius Constantinus Maximus, Pius, Felix, Augustus ... the Senate and People of Rome dedicated this Arch."³⁴ The authorial persona is a rhetorical device, however, not the unmediated voice of the author. Even if the Senate was the creator of record, it seems highly unlikely that a monument to Constantine, or any emperor, could have been programmed and built without the latter's approval and, in the case of the reworked portraits, his active collaboration. The portraits were official images of the emperor no less than the portraits on coins and statues.

The taking and recarving of the second-century reliefs occurred in the context of a much vaster scheme of Constantinian appropriation that encompassed all of the buildings of Maxentius, whose memory was damned.³⁵ This too was with the collusion of the Senate,

³³ Paolo Liverani, "Reimpiego senza ideologia. La lettura antica degli spolia dall'arco di Costantino all'età carolingia," *Römische Mitteilungen* 111 (2004): 383–444, at 398–99; Pensabene, "Arco di Costantino," 132.

³⁴ IMP · CAES · FL · CONSTANTINO · MAXIMO · P · F · AVGVSTO · S · P · Q · R · QVOD INSTINCTV DIVINITATIS MENTIS MAGNITVDINE CVM EXERCITV SVO TAM DE TYRANNO QVAM DE OMNI EIVS FACTIONE VNO TEMPORE IVSTIS REMPVBLICAM VLTVS EST ARMIS ARCVM TRIVMPHIS INSIGNEM DICAVIT. *Corpus inscriptionum latinarum*, 6, *Inscriptiones urbis Romae latinae*, 1 (Berlin: Georg Reimer, 1876), 236 No. 1139; translation by Donald R. Dudley, *Urbs Roma. A Source Book of Classical Texts on the City and its Monuments* (London: Phaidon Press, 1967), 138.

³⁵ Elizabeth Marlowe, "Liberator urbis suae. Constantine and the ghost of Maxentius," in *The Emperor and Rome: Space, Representation and Ritual*, ed. Björn C. Ewald and Carlos F. Noreña (Cambridge: Cambridge University Press, 2010), 199–219.

which, according to Aurelius Victor “dedicated ... to the meritorious services of Flavius [Constantinus]” “all the monuments which Maxentius had constructed in magnificent manner.”³⁶ Maxentius was a defeated rival, and in the Roman ethos of war Constantine was entitled to despoil him. The appropriation of the images of Trajan *et al.* cannot be seen in quite the same light, especially if the motive for taking them over was emulation and *translatio*. Against this position, Liverani argued that for fourth-century viewers, the second-century *spolia* had no specific connection to the emperors originally portrayed but were only clichés, formulaic representations whose function on the Arch was phatic (“Attention!”) and metalinguistic: “You are seeing a monument to imperial virtue,” not “Here is a monument to Trajan and/or Constantine.”³⁷ If not mass-produced they were still cupcakes, commonplace expressions that could be repurposed for rhetorical effect. Yet in the repurposing the clichés acquired a specific referent, Flavius Constantinus.

At this point the contrast with the modern critical and legal construction of authorship can be useful. The modern definition turns on creativity and originality of “expression.” Subject matter is only a vehicle for creativity and is “unprotectable in and of itself.”³⁸ The people in the photographs appropriated by Jeff Koons and Richard Prince did

³⁶ Sextus Aurelius Victor, *Liber de Caesaribus* 40.26; translation by H. W. Bird, *Liber de caesaribus of Sextus Aurelius Victor* (Liverpool: Liverpool University Press, 1994), 48–9.

³⁷ Paolo Liverani, “Reading *Spolia* in Late Antiquity and Contemporary Perception,” in *Reuse Value*, 33–51, at 37.

³⁸ United States District Court, Southern District of New York. *Jonathan Mannion, Plaintiff, against Coors Brewing Company and Carol H. Williams Advertising, Defendants. Memorandum Opinion*, 27 (at www.orricks.com/Events-and-Publications/Documents/505.pdf; accessed February 22, 2013).

not enter into the determination of who had authorial rights to their images. The determining factor was the photographer's manipulation of this raw material – in the case of *Rogers v. Koons*, the fact that Rogers “selected the light, the location, the bench on which the Scanlons are seated and the arrangement of the small dogs.”³⁹ The status of the imperial image was utterly different. The emperor's image belonged to him; he was in effect its author. The person who arranged the composition, selected the light, painted or carved the features had no rights of recognition or acknowledgement. The image remained the emperor's even after his death; in centuries before the Arch of Constantine, defacing an imperial portrait was a crime, *lèse majesté*. Several scholars have shown that this was no longer true by the fourth century, when portraits were rarely made from new blocks of marble and the practice of recarving even imperial portraits was widely accepted.⁴⁰ Conceivably the principal criterion of selection of the reliefs to be reused on the Arch of Constantine was pragmatic: a head shape conducive to refashioning as Constantine's.⁴¹ Even so the result is an appropriation, not by the recarver but by Constantine, who takes the place of another emperor in scenes of imperial virtue. According to Hansen's paradigm, this taking was meant to effect a *translatio* of the traditions of the “good emperors” into the fourth century; we can ask if the paradigm fits.

Macrobius' account of how Virgil appropriated the work of Homer suggests a somewhat different model. Virgil took over Homer because he was Homer's equal; both were great poets. Virgil's greatness preceded his appropriations; it allowed him not only to

³⁹ <http://openjurist.org/960/f2d/301/rogers-v-koons>, accessed February 22, 2013.

⁴⁰ Sande, “The Arch of Constantine,” 278–80; Prusac, “The Arch of Constantine,” 147–50.

⁴¹ As Sande suggests for Gallienus: “The Arch of Constantine,” 278–79.

succeed in making Homer's verses his own but to take pleasure in doing so; and it gave pleasure to his listeners to have the appropriations brought to light:

What could be more pleasant than hearing the two foremost poets treating the same subjects? These three things are all reckoned equally impossible: taking a thunderbolt from Jupiter, his club from Hercules, or a line from Homer. And even if it could be managed, still no one could fittingly hurl a thunderbolt save Jupiter, or wield a club in combat save Hercules, or sing what Homer sang: yet by choosing just the right spot in his own work to take over the earlier bard's words [Virgil] caused them to be thought his own.⁴²

Macrobius' translator Robert Kaster describes the author's view of such borrowings as "a moral imperative," "a means of preserving and showing respect for the culture's 'common partnership' as it extends into the past." In line with the idea of "common partnership," Kaster finds that Macrobius does not express rivalry or competition with ancient models, only admiration and enjoyment.⁴³

In this light we might think of Constantine's appropriation of the images of his predecessors not in terms of the transfer of virtues from one era to another, or of a hoped-for revival as suggested by L'Orange, but as the affirmation of a greatness that was perceived to exist in the present (Constantine is as great as the emperors of the age of

⁴² Macrobius, *Saturnalia* V.3.16; cf. V.14.1.

⁴³ Macrobius, *Saturnalia*, ed. and trans. Robert A. Kaster (The Loeb Classical Library, 510; Cambridge MA: Harvard University Press, 2011), vol. 1, xlv.

Trajan), and as a celebration of the continuity of the present with the past.⁴⁴ This could have been the Author's intended message. At the level of myth the message would be different. Here the parallel with Macrobius breaks down because the second-century models were not imitated but remade – as if Virgil had rewritten Homer on a scroll containing the Greek original, producing an irreversible palimpsest, one poem at the expense of the other. The metalinguistic message of the recarved reliefs is that the past is there to be overwritten; that the past – or pieces of it – is available for reassignment.

Types and Readymades

Early Christian art was different from state monuments like the Arch of Constantine. Authorship and its corollaries – ownership, imitation, emulation – were not at issue, and cases of appropriation are concomitantly rare. Like scribes, wall painters and marble carvers drew from the visual encyclopedia of late Roman art to illustrate Christian stories, tenets and values. Stories were told with simple formulas: a man with a bed on his back for the healing of the paralytic (Mt 9.1–8, Mk 2.1–12, Lk 5.17–26), a man with a rod and a row of vessels for the miracle at Cana (John 2.1–11). For more abstract concepts, the artisans who decorated the earliest Christian tombs and sarcophagi – not necessarily Christians themselves – had recourse to images already in use to express notions of earthly well-being and achievement, eternal repose and blessed afterlife: figural types of piety and learning,

⁴⁴ Cf. Prusac, "The Arch of Constantine," 149: "The portraits of Constantine which were recarved from earlier emperors showed that he was their equal." While my argument parallels hers in some respects, I cannot endorse Prusac's appeal to "collective memory," which is too vaguely defined.

“agro-bucolic” settings and motifs, and symbolic creatures like the phoenix.⁴⁵ The adoption of these images was less a process of appropriation than of winnowing: identifying the most acceptable items and rejecting potentially offensive ones.

The best-known example of this mode of selection is the “Good Shepherd,” a type in which a man carries a vulnerable animal on his shoulders (Fig. 7). The formula was not only pre-Christian but pre-classical, seen already in Cretan “kriophoros” (ram-carrying) statuettes of the seventh century BCE.⁴⁶ It was used for Hermes Psychopompus, the “leader of souls” to the underworld. In Roman art it was reconfigured as a diligent shepherd, a theme that represented the virtues of *philanthropia* (benevolence) and *humanitas*.⁴⁷ For Christians, the type represented the words of Jesus himself: *Ego sum pastor bonus* (John 10.11). The adoption of the type for Christian imagery entailed no visible changes; Christian references were purely the product of context and viewer projection. Non-Christians continued to make and display the same type with its traditional meanings

⁴⁵ For an overview see Fabrizio Bisconti, “Genesi e primi sviluppi dell’arte cristiana: i luoghi, i modi, i temi,” in *Dalla terra alle genti. La diffusione del Cristianesimo nei primi secoli*, ed. Angela Donati (Milan: Electa, 1996), 71–106; more generally, Jaś Elsner, *Imperial Rome and Christian Triumph* (Oxford: Oxford University Press, 1998).

⁴⁶ Cleveland Museum of Art, John L. Severance Fund, 1998.172 (image: ARTstor CMA_1998.172).

⁴⁷ Bisconti, “Genesi,” 90–92; A. Pianalto and D. Makropoulou, in *Transition to Christianity. Art of Late Antiquity, 3rd–7th Century AD*, ed. Anastasia Lazaridou (New York: Alexander S. Onassis Public Benefit Foundation, 2011), Nos. 117, 118, pp. 150–51.

throughout the fourth century.⁴⁸ Thus the addition of a Christian frame of reference was a semantic expansion, similar to our extension of the word “crash” to computers. Crashing computers did not replace the use of “crash” for automobiles and airplanes; on the contrary, the new usage relies on pre-existing ones for connotative impact. Typology in Roman art worked the same way, with each new application of a type increasing its possibilities of allusion.⁴⁹

Appropriation occurred when the type adopted was outside the semantic or conceptual field of Christian representation; the result was a subversive intrusion. The type’s anomalous character is visually apparent, drawing attention to it and signaling the possibility of mythic signification. Intrusive types might loosely be called readymades, objects that originate outside the realm of their repurposing and bring to it a spectrum of discordant or disruptive associations. Probably the most prominent example is the type of Jonah resting “with great joy” under the vine (Jon 4.6), which was created for Endymion, the mortal loved by the moon goddess, Selene, who cast him into eternal sleep so she could possess him (Figs. 8, 9). To Romans this image of the blissfully sleeping youth, semi-naked in an abandoned, sexually suggestive pose, represented “the glorious existence that awaits after the close of this life” those who are loved by the gods.⁵⁰ It is an incongruous image for

⁴⁸ Antonia Holden, “The Cultivation of Upper-class *otium*: Two Aquileian ‘Oratory’ Pavements Reconsidered,” *Studies in Iconography*, 23 (2002): 29–54, at 40–3.

⁴⁹ Michael Koortbojian, *Myth, Meaning, and Memory on Roman Sarcophagi* (Berkeley: University of California Press, 1995), 4.

⁵⁰ Koortbojian, *Myth, Meaning*, 98. My summary is a drastic reduction of Koortbojian’s complex account, for which see *Myth, Meaning*, 63–99.

Jonah, a sober if disobedient Jewish prophet who was repeatedly punished by God for failing to obey his commands. The vine above the dreamer is a Christian addition, representing the ivy (*hedera*) that God made to grow over Jonah for shade. It lived only a day before God killed it, leaving the prophet once again exposed to the blazing sun outside Nineveh, pleading to die (Jon 4.6-8); it was not a gift after all, but a device to teach Jonah not to question God's will. The readymade suppresses this cruel ending and its threatening Old Testament moral. Rather than the story of Jonah, it illustrates the Christian appropriation of Jonah as a paradigm of New Testament salvation – a subversive appropriation that refuted or undermined Jewish thinking about God.⁵¹ At the same time the readymade enacted its own appropriation, assimilating Christian soteriology to a bucolic pagan stereotype of blessed afterlife. This last effect may have been unintended; it arises in the “multi-dimensional space” of reused signifiers, whose associations cannot be fully controlled.

The semantic field of Christian art expanded dramatically in the fourth century under the impact of new classes of patrons, elite and imperial, and their commissions: monumental places of worship, new vehicles for imagery (liturgical vessels and furniture, coins, textiles, books, etc.), and new media. Jesus appeared with new attributes: gold or purple garments, jewels, a throne. A long-standing tendency to attribute this transformation to the appropriation of imperial insignia was debunked twenty years by Thomas Mathews in his polemical book *The Clash of Gods*. Tracing this strain of interpretation to an “Emperor mystique” stemming from a “nostalgia for lost empire” among displaced European scholars of the first half of the twentieth century, Mathews

⁵¹ On the paradigm: Bisconti, “Genesi,” 92, 98.

argued that the so-called imperial attributes of Christ in the apse of Santa Pudenziana in Rome (Figs. 10, 11) were really taken from various realms of pagan iconography, including that of the great male gods Jupiter and Serapis.⁵² According to him the gold dress, halo and throne mark Christ as divine, not imperial, and allude to the massive seated statues seen in temples.⁵³ The emperor was identified by other attributes: the *sella curulis*, diadem, and scepter.

Mathews' insistence on iconographic precision is salutary, and his demonstration that the Christ of Santa Pudenziana does not exhibit imperial appropriations seems correct.⁵⁴ Like most interpreters before him, however, he does not distinguish between emperors and kings. They are different, of course. In earthly government kings are lesser rulers than emperors, but in Christian teaching the hierarchy will be inverted at the end of time, when the king of glory (*rex gloriae*) will prevail over the empire of Rome.⁵⁵ Kingship pervades the Book of Revelation (*rex regum*, 17.14, 19.16; *regnum Dei nostri*, 12.10; *factum*

⁵² Thomas F. Mathews, *The Clash of Gods. A Reinterpretation of Early Christian Art* (Princeton: Princeton University Press, 1993), 3–22, 92–114, quotation at 19.

⁵³ Mathews, *The Clash of Gods*, 101, 103.

⁵⁴ I take the opportunity to correct my own assertion that Christ is shown on a *sella curulis* on the sarcophagus of Junius Bassus; it is not a curule chair but a stool (review of Mathews, *The Clash of Gods*, in *Studies in Iconography* 16 [1994]: 237–42, at 239). The error led to an unfair criticism of Mathews' method.

⁵⁵ *Rex gloriae: Te Deum* hymn (<http://www.preces-latinae.org/thesaurus/Trinitas/TeDeum.html>; accessed June 7, 2012); J. R. Harrison, "The Fading Crown: Divine Honour and the Early Christians," *The Journal of Theological Studies*, 54.2 (2003): 493–529.

est regnum huius mundi, Domini nostri et Christi eius, et regnabit in saecula saeculorum, 11.15), and it appears proleptically in the Gospel (*venerit Filius hominis in maiestate sua ... tunc sedebit super sedem maiestatis suae*, Mt 25.31). Decades ago Beat Brenk compared the apse mosaic of Santa Pudenziana to John Chrysostom's king-laden description of Christ's final triumph:

You will see the king himself, seated on the throne of that unutterable glory, together with the angels and archangels standing beside him ... This is how the Holy City appears ... In this city is towering the wonderful and glorious sign of victory, the cross, the victory booty of Christ ... the spoils of war of our king.⁵⁶

Brenk interpreted Chrysostom's language as a "reception of the imperial vocabulary," but in light of Mathews' critique, we might better construe it as reflective of Scripture. Likewise the imagery of the mosaic. The regal (or "aulic") attributes – gold, jewels, and throne – are not appropriations from the emperor but *illustrations* of a regal Jesus already present in the New Testament, which was instrumentalized by iconographers in the context of a growing concern with eschatology.

In this context the humble metaphor of the Good Shepherd disappeared. "By far the most popular representation of Christ in the Church's first four centuries," in the fifth century it "no longer corresponded to the mental image of Christ that was prevailing in the

⁵⁶ Johannes Chrysostomus, *In Matthaem homilia* II; translated by Beat Brenk, "The Imperial Heritage of Early Christian Art," in *Age of Spirituality. A Symposium*, ed. Kurt Weitzmann (New York: Metropolitan Museum of Art, 1980), 39–52, at 47.

Church” and is not found after ca. 450.⁵⁷ The type was also susceptible to unorthodox – Arian or other subordinationist – interpretation, because the shepherd lacked visible signs of divinity and might be mistaken for a purely human Jesus.⁵⁸ As if to remedy this weakness, the last known early Christian image of the Good Shepherd adopts the regal garb already seen in Santa Pudenziana: a brilliant gold tunic with blue stripes (*clavi*) and a purple cloak (*pallium*) (Fig. 12). His aspect is quite different, however: younger, softer, beardless, with full curly hair, more like Apollo than Jupiter. He does not confront the viewer but semi-reclines, looking to his left while holding a long golden cross-staff like a scepter. He rivets the attention of his sheep, which all turn their heads to look at him.

Occupying the lunette over the entrance to the so-called Mausoleum of Galla Placidia in Ravenna, the scene of the “Shepherd-King” (*re-pastore*) may be the product of imperial patronage, even if the building was not the tomb of Galla Placidia, who probably was buried in Rome.⁵⁹ To my mind the hellenistic grace and languor of the figure recall the first-century Gemma Augustea (Fig. 13) in Vienna, on which Augustus takes the same pose (echoing the statue of Jupiter Capitolinus): left foot forward, right back, left arm raised to

⁵⁷ Boniface Ramsey, O. P., “A Note on the Disappearance of the Good Shepherd from Early Christian Art,” *The Harvard Theological Review*, 76.3 (1983): 375–78, at 375.

⁵⁸ Ramsey, O. P., “A Note,” 376.

⁵⁹ Clementina Rizzardi, “The Mausoleum’s architecture between East and West: cosmopolitanism and autonomy,” in *Il Mausoleo di Galla Placidia a Ravenna/The Mausoleum of Galla Placidia Ravenna*, ed. Clementina Rizzardi (Modena: Franco Cosimo Panini Editore, 1996), 129–46; *re-pastore*: Clementina Rizzardi, “Il Mausoleo di Galla Placidia/The Mausoleum of Galla Placidia,” in *Il Mausoleo di Galla Placidia*, 105–08, at 105.

hold the staff, mantle draped across his lap.⁶⁰ The Shepherd's pose is slightly more complex, because instead of holding a thunderbolt or *lituus* (augur's wand) on his right thigh he extends the right arm across his body to caress a privileged sheep. Still it is an image of divine ease, appropriated from gods by emperors and here re-appropriated to create the Shepherd-King.

While it can never be proven that the inventor of the mosaic image knew the Gemma Augustea, he could have known it, or another cameo like it, if he worked for imperial patrons. Placidia's brother Honorius (d. 423) had the jewels of the Empress Livia (d. 29 CE) "and all the proud women of the imperial house" at his disposal in 398, when he gave them to his bride Maria.⁶¹ Eventually the cameo must have been brought to Constantinople, but it could have stopped in Milan and Ravenna on the way. In any case, the fifth-century mosaicist was evidently a student of classical art in addition to Christian iconography. He was not wholly exceptional in an era when other artisans made extraordinarily classicizing objects, like the exquisite ivory diptych of the Nicomachi and the Symmachi, for elite patrons, but he was more subtle than many. He did not treat his model as a readymade but assimilated its contours and qualities to his medium and the representational style of the day. Nevertheless, the Shepherd-King stands out as different, especially in contrast to the typically late antique rendition of the saint on the opposite wall. It harbors a second-order

⁶⁰ John Pollini, "The Gemma Augustea. Ideology, Rhetorical Imagery, and the Creation of a Dynastic Narrative," in *Narrative and Event in Ancient Art*, ed. Peter J. Holliday (1993), 258–98, at 260–61.

⁶¹ Claudian, *Epithalamium* 12-13: *ornatus, quidquid venerabilis olim Livia divorumque nurus gessere superbae*. Cf. Dale Kinney, "Ancient Gems in the Middle Ages: Riches and Ready-mades," in *Reuse Value*, 97–120, at 112–13.

signification, associated with a new ideological framework in which Rome – the imperial Rome of the pre-Christian past – was a cultural ideal. The contradiction between this view and that of the Book of Revelation would bedevil Christians for many centuries.

Conclusion

As a “critical term” of art history, appropriation facilitates the recognition and discussion of relationships that might otherwise be described as “imitation,” “influence,” “revival,” or “survival.” It foregrounds agency and selectivity. The preoccupations with authorship and theft that characterize the late-twentieth-century discourse of Appropriation art do not exhaust the concept or the practice, which has a much longer history of theorization going back to late antiquity and beyond. The application of the contemporary discourse to the middle ages can be more than a gimmick if it freshens historical analysis by breaching its impasses (such as the stalemate over the authorship of the Arch of Constantine) or introduces new frames of reference (like the semiotic theories of Barthes). In this essay I have picked low-hanging fruit, discussing mostly obvious cases of appropriation in the realms of *spolia* – which always involve some form of taking away, if not taking-over – and the earliest Christian art, for which the Roman visual repertoire was a potential, if mostly treacherous, resource. There is much more to be done with appropriation, not only in late antiquity but over the entire spectrum of medieval art.