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Lopes, Dominic McIver, [Beyond Art](#). Oxford University Press, 2014, iii + 249 (not including index), pp., cloth \$??.

In this ambitious and original book, Dom McIver Lopes sets out to dismantle the currently orthodox approach to art's definition and to replace this with his preferred alternative, which he calls the buck passing theory. The orthodox approach sets out to define art by asking why something is a work of art. The buck stops with art. Lopes argues that a more successful and informationally productive approach passes the buck to the arts (i.e., the art kinds). Roughly, something is art if it is of an art kind. The focus now falls not on art but on why something is a kind of art. Lopes goal is not to carry through a detailed analysis of any of the art kinds but, rather, to establish the theoretical framework within which the buck passing definitional project can be pursued.

Lopes argues that the buck stopping approach was motivated last century primarily to answer the challenge of "hard cases": Duchamp's *Fountain*, Cage's *4'33"*, Warhol's *Brillo Boxes*, and Robert Barry's *Inert Gas Cases*, for example. The buck stoppers' aims were either to show how such pieces can be assimilated to the realm of art or, alternatively, to explain why they should be rejected. Here, definitional strategies fell into several camps: disjunctive versus conjunctive and traditional versus genetic. Traditional theories took some exhibited property as essential for art status and usually regarded hard cases as, at best, marginal. An example is Beardsley's aesthetic definition of art. Genetic theories, by contrast, regarded something as art if it comes from the right provenance. Typically, they aimed to enfranchise hard cases as art. Dickie's institutional definition is an example. According to Lopes, these differences brought the various buck stopping theories into mutual and impassable conflict.

Lopes' argument for the superiority of the back passing approach to arts' definition over its rival occupies the larger part of the book. It has three dimensions.

In the first place, he faults the buck stopping theories. They acknowledge the hardness of the hard cases but do not adequately deal with them. They cannot readily explain why critical engagement with art takes the specific forms that it does, nor why the arts are variously valued as they are. Such theories do not connect with art empirical studies, which look at practices within individual art forms. All this is because buck stopping theories have nothing informative to say about the individuality of the various art kinds, the relevance of differences in the media of the arts, and the appreciative practices distinctive to each art kind.

The second goal is to demonstrate how the buck passing theory does better than its rival in all these respects by being attuned to differences between the arts. The artistic value of artworks is their value relative to some art kind, so the buck passing theory can track and explain their value by showing how the art kind's distinctive resources are marshaled to satisfy the interest we take in them. In addition, the buck passing theory provides a grounding for empirical art studies and it gives due weight to the relevance of differences in art media. It is also sensitive to actual folk practices of engagement and appreciation, though it is not beholden to these. If they turn out to be confused or contradictory, the buck passing approach can provide an appropriately revisionist account. Moreover, the buck passing theory handles the hard cases better by considering their links to particular art kinds and to related uses of similar media.

The third line of defense attempts to defuse objections faced by the buck passing theory. One such is the possibility of works of art that do not belong to any art kind. This is labeled the "free agent" objection. A second point is that not everything created in the medium that characterizes an art kind thereby qualifies as a work of art. This is called the "coffee mug" objection: a ceramic coffee mug is not a work of art though it is a work of ceramics and ceramics can be found among the art kinds.

In the comments that follow I attempt to evaluate some of the arguments offered in defense of the buck passing approach and to consider some further difficulties that are not covered in *Beyond Art*.

Unity and value across the arts

On Lopes's view, as a collection the arts are most likely a disunified hodgepodge and they share no overarching standards of value. Certainly, these ideas are plausible and we can cite the eighteenth century reclassifications, as Lopes does, to support the idea. Still, even if the Greeks did not share exactly our concept, there seems to be some considerable overlap. We can note their tendency to write extended theoretical treatises on music and drama but not on sewing or saddle making. Moreover, culturally diverse groups all share many of the same art forms, even if other art kinds are culturally specific. All cultures have dancing, fictional story telling, music, and modes of pictorial depiction, for instance. And it is surely not completely contingent that photography became an art form while skateboarding did not. In addition, while in most contexts it makes little sense to ask if Picasso is better than Stravinsky or Shakespeare better than Michelangelo, it is not ridiculous to ask if some art kinds or genres are artistically superior in value to others, or if a second-rate Shakespearian drama could be better than a first-rate nineteenth century melodrama. (Alan H. Goldman is one of the few aestheticians to take such questions seriously, in *Aesthetic Value*, Boulder: Westview, 1995.) I wonder if the buck passing theory is too dismissive of such matters.

Defining the art kinds

Of course, the buck passing theory is superior only if defining the arts

individually is easier than defining art simpliciter. Lopes is sanguine about the prospects for this. "The problem of saying what makes an item a sculpture or a song or a poem or a dance is on the whole more tractable than saying what makes it a work of art" (p. 205). While he does not think the art kinds employ kind-specific media in terms of which they can be defined, he does believe they have characteristic media profiles, where media are technical resources, and the exploitation of these in turn constrains the appreciative interest the work invites. We can start from the fact that art practices are media-centered.

I have my doubts, however. Attempts to define the individual arts are not that common. This might be because we feel we have a grip on the paradigms and because the hard cases that are so provocative are often not clearly in one art form rather than another. Nevertheless, when such attempts are made, they often run up against philosophically difficult challenges.

Take music. Lopes hints at a definition for (art) music: "sonic material so structured around pitch, metre, and timbre as to give it the capacity to satisfy the aesthetic interest" (p. 65). The fact is, however, pitch, meter, and timbre are individually neither necessary nor sufficient for music. Anyone who doubts the difficulty of defining music should consider the most recent attempts – see J. Levinson, "The Concept of Music," in his *Music, Art and Metaphysics*, Ithaca: Cornell University Press, 1990, 267–78; A. Kania, "Definition," in *The Routledge Companion to Philosophy and Music*, edited by T. Gracyk and A. Kania, London: Routledge, 2011, 3–13; S. Davies, "On Defining Music," *The Monist*, 95 (2012): 535–55. These accounts are highly divergent, mutually critical, and reach no common ground.

I doubt that music is a special case in this respect. I suspect that defining literature or painting will be no more straightforward. And if it is difficult to define literature and the like, one might suspect that hybrid art forms – such as opera, film, song, and dance – will compound the problems. Rather than being easier than the highly abstract buck stopping approach, the attempt to define individual art kinds strikes me as likely to be just as difficult.

The free agent objection

If something that is accepted as art by the buck passing theorist appears to stand outside all art kinds, she must challenge the piece's seeming independence. According to Lopes, she can do so in either of two ways, depending on the case. It can be argued that, contrary to first appearances, the work falls within some established art kind. Or alternatively, that the work pioneers a new art kind. Pioneering works "call for a theory of the arts that they pioneer, not a buck stopping theory of art" (p. 223).

It is this "pioneering" suggestion that worries me. Whether a work prefigures a new art kind surely depends on the direction of art's later history, on the future production of works that emulate the original in a kind-producing fashion. But if the art-status of a work from which a new art kind derives is not conferred

retrospectively – that is, if it was art at the outset – then its initial status as art does not depend on its membership in the kind that, later, it is recognized as founding. At the time of its creation it might be a free agent, though one that went on to set the precedent for a new art kind. Some such account might be offered of Braques' *Maisons à Estaques*, which is sometimes identified (in retrospect, of course) as the first genuinely Cubist painting. Alternatively, if it was art at the outset, with no subsequent art kind derived from it, it is again a free agent.

Several replies to this objection could be tried. For the artwork that does not pioneer a new kind, we might revise the initial evaluation of the piece as art in light of the subsequent history of art, which spurned the promise this work offered. Or we might find some established art kind in which to locate it. And for the work that sets the precedent for a new kind, we might locate it in an established art kind of the time and see the kind to which it later gives rise as splitting from this established kind. Alternatively, we might regard the initial work as a hard case, precisely because it does not readily fit an established kind. Following this last line, Lopes suggests that the free agents and the hard cases are coextensive, "in fact, if not by necessity" (p. 203).

To illustrate the problems, consider *Fountain*. Was it art at the outset? I guess. Did it pioneer a new art kind, readymades? I reckon. Would it have qualified as art if it had not done so? Presumably. Did it belong in the first place to an established art kind? That's far from clear. Sculpture is the most plausible suggestion, but my intuition is that it differs sufficiently that we might withhold this affiliation, even at the outset. *Fountain* refers us to sculpture, undoubtedly, but that does not make it one. So, *Fountain* could have started life as a free agent and then would pose a difficulty for the buck passing theory.

The same applies, but in a different way, when we consider *4'33"*. Did it establish a new art kind? That's far from clear. Later works of silence of different lengths are boringly derivative and uninteresting, rather than further members of a kind. Is it a first work of (non-musical) sound art? It might have inspired that later development, but sound art is usually crafted and controlled, so *4'33"* was not a clear precedent. Did it fit within the established category of music? Not easily. What about performance art? It's more controlled than most happenings, which were the precedents for performance art at the time.

In fact, it's not just that *4'33"* was initially difficult to classify. This remains the source of its ongoing philosophical interest. In recent times it has been suggested variously that *4'33"* is a work of sound art, of traditional music, and of non-traditional theatre (being a performance piece about musical performance). (As well as the references cited above on defining music, see J. Horn, "John Cage's *4'33"*: Music After All," ASA Annual Meeting 2013, San Diego, October 31.) Each of these views presents an interesting and viable perspective on the piece, though they draw the focus to quite different features in each case. And, insofar as Cage's intentions were multifaceted (and, from a theoretical perspective, somewhat confused or ambiguous), none of these ontological interpretations can be easily ruled out. In that case, it is plausible to regard *4'33"* not only as seeming

to be a free agent at the outset but also as retaining that standing to the present. In which case it is not plain that the buck passing theory deals with it.

There is a further case to consider, one that is not discussed in *Beyond Art*. There must have been some first (group of) work(s) of art – not proto-art but art proper. Iterative definitions of art refer to these as "first art" and must provide some account of them. But whether or not one prefers historical to other definitions among the buck stopping theories, the point remains: some artwork came first. That artwork obviously lacked an art-historical and art-theoretical context. Among other things, this entails that there were no established art kinds when it was created, though it might later have been seen as anticipating some that followed.

The very first artwork looks like the ultimate free agent. Can the buck passing theory account for it? Surely this won't be easy. Here is a speculative response on behalf of the buck passer: some aspects of human perception and psychology constrain what the first art must be like if it is to qualify as art (though the original makers, who presumably lack the concept, cannot have done what they did under a first-art-making description). For example, perhaps the first art pictures must be more or less realistic depictions of familiar things, the first music must be rhythmically regular and melodically tonal, the first fictional stories must weave narratives concerning familiar human themes, and so on. In other words, perhaps the first art works can be seen as belonging within art kinds – despite the absence of art histories, traditions, and established practices – because those kinds take on an inevitability shaped by human psychology and experience.

The coffee mug objection

Here is the problem. We think of the art kinds as picturing, sculpture, poetry, music, drama, dance, architecture, photography, and so on. But some instances of these are not artworks. The photo of my thumb, taken when I was trying to snap a holiday vista, is not an artwork. The diagram showing how to assemble the kitset bookcase is a picture but not art. The chord that sounds when my egg timer reaches zero is music but not an artwork. So, we need a way of distinguishing within picturing, sculpture, poetry, and the rest, which of their instances are art and which not. In other words, it looks as if we need an account of the buck stopping kind that tells us what is art before any buck passing can begin.

Lopes accepts that not every thing in the medium associated with an art kind is an artwork. To resist the coffee mug objection he argues that the art kind members and their media equivalents involve different practices. One or both of these practices might be governed by norms. Where both are, and the norms are aesthetic, they will differ. As a result, the art and non-art instances in a common medium invite different modes of (aesthetic) appreciation, these being cognitive process involving an experience-like judgment that typically results from interpretation and classification. By reference to these modes of appreciation, we

can distinguish the artistic and non-artistic uses of a medium without having to appeal to an overarching (buck stopping) theory of art.

Suppose this approach to the issue addresses the apparent difficulty. Even so, it complicates the buck passing theory considerably. The semi-formal characterizations of the theory that Lopes presents states: some x is an artwork just in case x is a member of an art kind. But the response to the coffee mug objection rules out one comparatively natural reading of this formula: x is an artwork just in case x is a painting, a bit of music, a fictional narrative, an instance of verse, and so on. And it further problematizes the issue of explaining what makes something an art kind.

A review cannot do justice to the rich array of issues canvassed in this book. For instance, there are interesting discussions of the connection between aesthetics and moral value, of aesthetic testimony, and of the nature of media within conceptual art. As a contribution to dialog about the nature of art and how attempts to define art should be approached, this book will be invaluable for its depth, originality, and argumentative rigor. I hope aestheticians will welcome, as I do, the freshness of this new take on one of the philosophy of art's most perplexing questions.

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