

# **Proceedings of the European Society for Aesthetics**

Volume 6, 2014

Edited by Fabian Dorsch and Dan-Eugen Ratiu

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# **Artists' Experiments and Our Issues with Them — Toward a Layered Definition of Art Practice**

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ABSTRACT. It may seem that much contemporary art can be characterised as shock art – art whose sole aim is to shock the audience. The public indignation about such works is defensible yet misconceived. Yet predominant philosophical definitions of art do not correct this situation. Dickie's institutional conception and Gaut's cluster account are too lenient – too nominal – to allow us to sort out the issue at hand, and Levinson's historical definition is backward-looking and apparently incapable to deal with the new and shocking.

The layered definition proposed here starts from a distinction between art (the practice), art forms (such as painting, and music), and singular art works. It proposes that something can only be art if it conforms to the phenomenological characteristics of an art form which can be understood as procedures that allow instances, works, some of which have great artistic merit, masterworks. New artistic experiments may not yet be art because no shared procedure is identified, or, if a procedure was identified, the procedure's artisticity has not yet been established for lack of masterworks corresponding with the procedure.

## **I. “Shock Art” and the Definition of Art**

People can be horrified by contemporary art. It may seem to them that artists only want to shock us. Shock Art is how they sometimes call contemporary art deprecatingly. Let me give you a few examples to justify this response and to introduce the issue at hand.

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1. A friend of mine, then curator of contemporary art at the Central Museum in Utrecht, told me in 2000 that every Tuesday at 10 AM a man would visit his office. They would shake hands and without ever talking take a 600 meter walk; they would sit on a bench for ten minutes and walk back, shake hands and part ways. To be repeated next Tuesday. My friend was impressed about this new direction art was taking, but I had no clue as to how the event should be appreciated: what was the work, who was its maker, where was the audience, how should someone stumbling upon this work look at it most fruitfully?<sup>1</sup>
2. The second example: one morning in the late 1990s, during rush hour, a woman rings a London police station announcing that she placed four bombs in three subway stations at the corners of London City, London's financial heart. She did not volunteer any further information and ended the call. The reader may grasp the immensity of what the police should do: the subway stations as well as major buildings and streets in the whole of London City were evacuated. Imagine the costs. At 10.30 AM the woman entered the police station in person and professed that it had been a work of art. My intuitions point in another direction.<sup>2</sup>
3. April 2008, Gregor Schneider, wishing to exhibit death in an art gallery, solicited dying people with ads on the internet, requesting them to die in a gallery.<sup>3</sup> Might this turn dying into art – ever? What would

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<sup>1</sup> ...other than as two men taking a walk? I think I understand that the artist meant to make point of saying that everything ordinary can also, under certain circumstances, be viewed as art. My issue with this is, though: how do we do that – view a walk as art?

<sup>2</sup> A colleague proposed this way out: When these events, the walk and the bomb incident are treated as fit within the normal practice of everyday life they would have perfectly clear meanings. So the question seems to be: what changes would treating them in a different practice, art, induce in their meaning? Are they not sufficiently fruitfully interpreted in real-life?

<sup>3</sup> We may decide we are shocked by this; and that seems intuitively plausible, as well. But the real problem is what philosophical response we have. Schneider is right of course: death is important for all of us and we should not try to hide it – obviously we can not hide it, too. And an artist could make art about it – it has been done many times over the ages. But contemporary artists, such as the ones in these examples, seem to feel the approach

it mean to take dying as an art?

4. In 2004, Jonas Staal placed several roadside memorials for Geert Wilders. Imagine passing them by on your way to work. They would make you ponder how Wilders apparently recently died in a traffic accident. Passers-by could never have guessed that this were a work of art.
5. Rirkrit Tiravanija has, on several occasions, cooked meals for people, claiming to be making “art with people”. It does not seem his aim to turn gastronomy into an art form, but then what *is* the work: the cooking, the meal, the eating, the savouring of the food? Or the dirty cutlery Tiravanija exposes afterwards? For each positive answer to these questions, the next question would be: and how ought one to appreciate these (the cooking, the meal, and so on)?
6. Also in 2004, Tinkebell strangled her own cat and turned its hide into a handbag, “My dearest cat Pinkeltje”.

These six examples have little in common with works that we readily recognise as art: paintings, music, films, and the only thing they seem to have in common amongst themselves is their provoking or shocking us. If these experiments are to be examples of *art* we should be able to tell how they can be appreciated *as art*. We know how to do that with paintings (or music, and so on). With the art of painting, we recognise masterworks, bad works, and paintings that are barely art, like the ones I might be making in my spare time. But when asked whether we can make such distinctions in these six cases, we hesitate. What are the works; what is their ontology? Which of their aspects should an art audience appreciate, and how must it appreciate them? The woman's phone call, or the evacuation of London City? People taking a stroll in the park? How people die? It is no wonder that people reading about experiments like these, are shocked by them, and call them shock art.

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should be more direct, not via a representation, but via a presentation. But first: is this not immoral? And, secondly, why would the result be art? What is the ontology of the work? Is it a theatre play? Nor is it performance-art, as it is not the artist who does the performance.



Who carry the burden of proof? No singular contested artist can be expected to explain her work in a way that might placate the audience – I do not think that artists should.<sup>4</sup> Art critics may certainly be able to help, but only within an adequate conceptual framework – or they might find themselves repeating the shocking gestures of the works.<sup>5</sup> I think that philosophers of art must help out. Philosophers however, remain silent. The dominant, institutional definition of art is merely classificatory and it says that whatever some representative of the art world – preferably artists – presents as a candidate for artistic appreciation is art. It refuses to specify the nature of artistic appreciation, or its norms of success.<sup>6</sup> For it, all of the six samples just mentioned ought to count as art.<sup>7</sup> If we must necessarily be so lenient as to accept all of these experiments and others like it without reservation, then perhaps, the masses *are* right, and art *has* turned into something we would best rid ourselves of. In this paper, I argue that a better definition of art can show how the public indignation, however plausible it is, is not a response to the direction art is taking, but to flawed experiments from artists who are groping in the dark, experiments that are barely art, if that. The layered definition that I propose below explains why we may temporarily be incapable of deciding exactly what is happening in certain experiments by artists as long as we haven't

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<sup>4</sup> The explanation, if it were forthcoming, could not be seen to paraphrase the work to begin with. Nor would we expect a truthful answer from those who are engaged in art financially.

<sup>5</sup> Critics may show the way for an aesthetic appreciation of the works they evaluate, but they will probably not convince the shocked audience why they should care, to begin with.

<sup>6</sup> In a sense I follow suit. According to my view it is not the philosopher's task to specify the nature of artistic criteria, but the art critic's. Yet it is the philosopher's task, I think, to explicate the practical framework within which critics develop criteria and prompt audiences to their suitable application, as well the place and role of the other aspects which make up the whole of the practice. In all cases, what gets presented as criteria will have to be recognised by participants in the practice as suitable. It is that suitability, or perceptual fit, that I think forms the normative core of the practice.

<sup>7</sup> Perhaps, philosophy does not need to provide an answer to a crisis like this, if that is what it is. If art is dying, push it – Nietzsche might have said. But if philosophical thought is therapeutic, as Wittgenstein thinks it is, then it has a responsibility to being committed to what it deems worthwhile. Do not philosophers of art think that art is worth our while?

followed through a few important steps. And once these steps are taken successfully, we can distinguish meritorious from bad works, and art from what is barely art, or not art at all. (More in § 3.)

Now it is clear that art is not a natural kind. “Art”, philosophers repeat after Weitz, is an open concept, and art is open to the future. To say that art is open because artists are creative and original already involves an understanding of how their experiments should be appreciated. Yet, the fact that artists are in the business of experimenting leaves open the issue whether what they do necessarily counts as art. Many contemporary artists grope in the dark; and, for sure, not everything they do will be artistically meritorious. Some things that artists will do – because they feel they are onto something important – are not well understood, neither by them nor by us. Unfortunately, people who lack an adequate definition allow their thoughts on certain unfavourable experiments to determine their view on art as a whole. But some of these experiments may simply be bad art; some may be barely art. To make such evaluative distinctions, though, we must assume a definition. Also, but this is really the same point: without a definition, we can not conceive of art's expansion with revolutionarily new art forms.<sup>8</sup>

## 2. The Debate

Since the 1950s, analytical aesthetics has been the stage for a lively debate on the definition of art.<sup>9</sup> Some philosophers hold this debate responsible for the poverty of analytical aesthetics. They argue that *art* itself, not its definition, should be our prime interest. Even a Neo-Wittgensteinian, Morris Weitz (1956), who ignited the debate, defied the possibility of a definition of art – he relegated the question to a family resemblance – and concluded: “To understand the role of aesthetic theory is not to conceive it as definition, logically doomed to failure, but to read it as summaries of

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<sup>8</sup> For my layered definition I take my clue, among others, from Stanley Cavell who remarked about the birth of cinema as an art: “The first successful movies [were] the creation of a medium by their giving significance to specific possibilities” (Cavell, 1979). A new art form arises from a medium due to the emergence of meritorious works.

<sup>9</sup> Cf., e.g., Davies, 1991.

seriously made recommendations to attend in certain ways to certain features of art.” (p. 35). Indeed, the reasons we have for judging some work meritorious need not hold across the board. I appreciate this insight, but argue below that these “recommendations to attend in certain ways to certain features of art”, said honorific definitions, do license a definition – just not one that fixes eternally art's necessary and sufficient properties. Now, the debate that followed Weitz's criticism of traditional definitions was motivated, also, by an effort to include works that were excluded by honorific definitions, such as Duchamp's *Fountain*.<sup>10</sup> And what went overboard in subsequent classificatory definitions, more often than not, is the thought that there is a meaningful connection between being art and being good art.

The fact that art can not be defined as a fixed idea by specifying its allegedly eternally necessary and sufficient properties leaves untouched the need for a stable realist characterisation for use in our traffickings with art, and our aesthetic conversations. When confronted with an example that does not match one's account, one must have the courage to ask whether it is a counter-example demanding a change in, or withdrawal from one's account, or an exception to it. As said, some examples are bad works of art, but some are barely art.<sup>11</sup> The argument that guides this paper is that understanding art as a practice in a certain (multi-step) manner restores our best intuitions about art – most notably the one that art be good at something – as well as circumscribing the objections ventilated by Weitz, Dickie, Danto, and recently, Gaut, against other realist definitions of art.

(i) *Gaut's Cluster Account*

Berys Gaut (2000) thinks that Weitz's suggestion of family resemblance got its bad press from a mistaken interpretation. He identifies two interpretations: a “resemblance-to-paradigm construal”, and a “cluster account construal”. The former interpretation consists in the thought that the notion of family resemblance requires something to prevent the resemblance from getting adrift and this, the interpretation suggests, are paradigm cases. He refers to honorific types of accounts like Tolstoy's and

<sup>10</sup> See Benjamin Tilghman, 1984 for criticism of the inclusionary move.

<sup>11</sup> *Fountain* is not a work of art.

formalism, which are devised on the basis of one or a few favourite works of art, such as a book expressing an emotion its author has gone through and which he infects his readers with by manipulating words, or, respectively, abstract paintings. Tolstoy and formalists used such favoured works as a model not just for works in the same art form and genre but for art per se. Gaut thinks that this view fails because it involves an impossible comparing of many works to a few.<sup>12</sup>

Instead, he proposes a theory of art, that specifies a cluster of criteria “whose instantiation by an object counts as a matter of conceptual necessity toward its falling under the concept.”<sup>13</sup> And these criteria have much to recommend them:

1. “possessing positive aesthetic properties (...); 2. being expressive of emotion; 3. being intellectually challenging (...); 4. being formally complex and coherent; 5. having a capacity to convey complex meanings; 6. exhibiting an individual point of view; 7. being an exercise of creative imagination; 8. (...) the product of a high degree of skill; 9. belonging to an established artistic form (music, painting, film, etc.); 10. being the product of an intention to make a work of art.” (p. 28).

The cluster disjunctively incorporates the many criteria that led to honorific definitions and so the account boils down to saying that none of these definitions covers all art, but that together they do; and more such criteria might be added to the cluster. Like this, Gaut fills in some of the normativity that is missing in the institutional conception, but he remains unresolved as to how the normativity will be organised in art practice. Each of the criteria in the cluster involves some measure of normativity, but what this suggests to me is that they need to be *applied* to help round off the account; which criteria should one choose? The application of these criteria requires aesthetic appreciation, or art criticism. And how these criteria are taught to audiences is by suitable prompting – in the presence of the

<sup>12</sup> And because it requires a characterisation of these paradigm examples in terms of their originality which the view can not deliver.

<sup>13</sup> Gaut, p. 26. Though I am not sure what this “conceptual necessity” consists in nor what it means to “count towards falling under a concept”, I proceed as though these mechanisms are clear.

works and their appreciators, in the midst of art practice.<sup>14</sup> To cluster the criteria is only half the story that has to be told; the other half, it seems, is not told by philosophy, but within the practice. Just how this is done is, I think, neatly explicated in Levinson's historical definition that I shall turn to shortly. But how it is done with regard to experiments such as the ones that form my starting point here, is rather unclear from the perspectives of either the cluster account or Levinson's historical definition.

Gaut adds one more necessary condition to the list – that works of art be the product of human agency – and he argues that this condition is not due to artisticity but to the fact that art consists of works. But the criterion is not a mere add-on – it is focal. And once it is accepted, the view stops being a cluster account and has the prospect of becoming a realist definition – that treats it as a core property of art appreciation that members of a suitable audience view a work as the result and manifestation of the achievement in another human's activity.<sup>15</sup>

It may seem that Gaut's proposal opens up to empirical research and statistics based on exit polls, but at the same time, it hampers the discussion on aesthetic normativity.<sup>16</sup> Any one of the criteria in the cluster might function as a recommendation, but the democratic leniency in grouping them together makes none of them normatively decisive. The biggest problem is, however: How can the cluster, or the notion of a family resemblance it is based on, deal with artistic experiments and our issues with these? To be clear: we do not identify a family by rounding up any noticed resemblances between people.

### *(ii) Proceduralists*

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<sup>14</sup> I first came across the notion of suitable prompting in Wollheim, 2001.

<sup>15</sup> Animals do not make art.

<sup>16</sup> According to Gaut, certain criteria are insufficiently projectable: if we were to find objects on a distant planet that resemble our art works, historical definitions would have to protest their inclusion in our art, because we cannot assume that the creatures on the distant planet are aware of phenomenological mechanisms such as the ones which prevail in our art practice. Gaut thinks that this shows that the historical definition is unprojectable, whereas the cluster account can incorporate these objects easily (Gaut, 2000, p. 36). But doesn't this make the cluster account unduly inclusive? Surely, something isn't art if it happens to resemble our works of art in one or a few aspects? Below, I present a different view.

More must be said about the proceduralist “institutional conception of art” with which George Dickie (1973) responded to Weitz' challenge. Dickie introduced the status attributions of representatives of Artworld institutions as art's definiens. I do not believe that the presenting of an object or event by an artist in a certain institutional context is what decides that it is art. Instead, something is art because it turns out to fit in – and to fit in for the right types of reasons.<sup>17</sup> An artist may be the first to recognise this, but it is the fitting-in that ought to be our concern. What Dickie's definition requires, in my view, is a specification of what keeps the artist, the work, the public and the art world reciprocally adjusted to one another. Hence, my proposal to define art realistically as a practice, which I understand as a whole of certain human activities and the products and objects of these, where the entities, actions and experiences are mutually adjusted. And I argue that it is the phenomenology of artistic appreciation – in the audience, in the artist, and in critics – that regulates the reciprocal adjustment, within this practice, of all of its facets. What keeps art together are the norms that regulate the appropriateness of whatever happens in it or in its name.

Being open to everything and anything that is or may be included in art practice by representatives of artworld institutions, as the institutional theory prioritises; and closed off from anything that isn't so included in art practice in said manner, is unsatisfactory.<sup>18</sup>

Richard Wollheim formulated four intuitions about an adequate definition of art.<sup>19</sup> The first of these is that a definition of art should show that there is “an interesting connection between being an artwork and being a good artwork”. Now, the goodness of utensils such as vacuum cleaners is, I think, established externally, but that of works of art is established ac-

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<sup>17</sup> I mean token reasons referring to the nature of the work and the appreciative experience best had, not type reasons.

<sup>18</sup> Even though this combination of openness and definiteness may be wise empirically. By the way, if it is the representatives of the institutions who decide whether something is art, without volunteering any further justification, then surely they can also decide that something is no longer art? But can they? If one answers by stating that there will always be some artist defending the art form under attack and that this shall keep it in, then this shows the emptiness of the institutional definition.

<sup>19</sup> Wollheim, 1980, pp. 157-166. They are neatly summed up in Levinson, 1990b, p. 56.

cording to art-internal norms.<sup>20</sup> Below, I argue that works of art instantiate procedures whose *artisticity* is established on the basis of masterpieces. Such masterpieces, whilst sharing those same procedures, function as regulatively ideal for the application of the relevant appreciative concerns – they clarify the relevant aesthetic normativity. Wollheim's second intuition is that Duchampian art should be treated as exceptional rather than central cases of art.<sup>21</sup> Clearly, the institutional conception fails here. The approach suggested here will, I think, also provide a framework for treating works that are barely art as exceptional.

*(iii) The Historical Definition*

Jerrold Levinson's historical definition shows the relevance of the appreciative experience without entailing the prioritisation of a subset of favoured works. Here is Levinson's definition:

“Initial step: Objects of the ur-arts are artworks at  $t_0$  (and thereafter).

Recursive step: If X is an artwork prior to t, then Y is an artwork at t if it is true at t that some person or persons, having the appropriate proprietary right over Y, nonpassingly intends (or intended), Y for regard in any way (or ways) in which X is or was correctly regarded.”

Levinson, 1990a, p. 19

But Levinson creates a new problem, I think. When art is defined in terms of its “regard in any way (or ways) in which [prior art] is or was correctly regarded”, then some thing or event that is revolutionarily new can not be accounted for, because its appreciation does not in any experienceable

<sup>20</sup> Or so the modern system of the fine arts is conceived, see Kristeller, 1978a and Kristeller, 1978b

<sup>21</sup> Wollheim's fourth intuition states a knock-down dilemma for the Institutional Theory: either artworld representatives have good reasons to decide whether or not to attribute art status to some work, or they don't. If they have them, then these good reasons should be in the definition; if they are not, then it is unclear why we should abide by the attributions of artworld representatives. Dickie (1998) responds to what he thinks is a gross misconception of his views by Wollheim, but I do not see how a proceduralist could solve Wollheim's dilemma without watering down the merely classificatory nature of their approach.

way resemble ways in which previously acknowledged forms of art were correctly appreciated?<sup>22</sup>

The introduction of revolutionarily new art is usually taken as the inclusion of one or the other “hard case”. But hard cases are not included by some momentary decision. Their inclusion into art involves a set of intricately related steps. For exhibiting a *painting* in a museum there is no need for the institution to actually attribute art status (and so on for the other acknowledged art forms). The similarity – qua regard – to previous paintings, is evident. Hence, exhibitors can concentrate on a work's artistic merit. The need to establish an object or event's art status arises only in cases of non-art experiments trying to get recognised as art. Of these it is exactly unclear how to assess their artistic achievement. Only when critics – and audiences – understand how they should go about appreciating certain works aesthetically, can the art form in question acquire art status, and are its specimens accepted as works, to be appreciated art critically.<sup>23</sup>

The serious intention – that forms the core of Levinson's definition – of the person or persons who have the appropriate proprietary right over the object or event, clearly aims at some appropriate appreciative experience, one adjusted to the art form in question.<sup>24</sup> I suggest that this be read pragmatically: the appreciative experience intended is as important as the intention that aims for it; and the appropriate proprietary rights, too, are regulated pragmatically. They do not exclusively depend on what the maker wants with her work nor on her legal rights, but also on the practice she appeals to.

Levinson's historical definition promises clear progress over Dickie's classificatory conception, for making art appreciation central to the development of art, but Levinson seems too liberal at either end of art's history. He allows art to start with the cave paintings, which, although it may seem

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<sup>22</sup> Levinson, 1990a, p. 19.

<sup>23</sup> A work is best appreciated in a certain manner, where that manner resembles how other works have been correctly appreciated – where “correctly” includes a proper subsumption under categories of representation, genre, art forms, and the variables and counter-instances thereof. See Walton, 1970.

<sup>24</sup> Levinson (1990b, p. 44) introduces the “seriousness”, but with that generates further issues, like: when is the intention serious, when is it not?



defendable if you are ready to treat art as depiction, also bashes an important distinction between pictures generally and artistic ones. The reference to “appropriate proprietary right” might have prevented this leniency.

Regarding the beginning of art, I think it is not up to mere stipulation to point out some Ur-art. The history of art has to start somewhere and before that point things were not art as they are after that point, but to pick the first pictures that we know of, the cave paintings, as the Ur-arts, seems to beg the question. If we start from present-day art and reason backwards, transcendently, we find that before a certain period pictures, texts, and music, and so on were embedded in a fundamentally different practice. To think that that practice simply evolved into our art practice calls for a stretch of imagination. Paul Oskar Kristeller argues that in 18th century our conception of art changed decisively.<sup>25</sup> Before that, things that superficially resemble our arts were viewed in functional terms; since, they are viewed in aesthetic terms. The modern system of the fine arts seems to me to be still in place centrally in what I call art practice. Levinson's historical definition says that later arts call for a type of regard that is similar to the suitable types of regard that were in place with regard to prior art. Kristeller's argument is that before the 18th century the suitable response to things falling under some category that one might want to call art, was not to look for the aesthetic appeal of the work, but to treat it as a transparent window to the depicted holy figure, or use it for some other function.

If one would want to insist that pictures all share the same suitable manner of regard such as we know from our arts, then one seems guilty of projecting retrospectively our concept of art. One would have to include not just the cave paintings, but also all pictures and representations of other kinds that we are surrounded by. Advertisements, propaganda, pornography, journalism would all be art. If the term's scope is broadened in this manner, “art” becomes synonymous with “representation”. That would bash the very distinction between the two.<sup>26</sup> It seems that the concept Levinson is defining historically is the concept that was baptised in the 18th century, the modern system of the fine arts, so that is where

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<sup>25</sup> Kristeller, 1978a and 1978.

<sup>26</sup> We do not just need a representational attitude to adequately appreciate works of art, but an artistic attitude. See Gerwen, 2004.

to should be pinned.<sup>27</sup>

Levinson introduces the idea that people with the intention to make a work of art must have the appropriate proprietary right over the object. This idea seems effective against western museum directors wanting to exhibit objects from an incomparably different culture, such as African masks. But what if some African person wants such masks exhibited in a western art museum? He seems to have the appropriate proprietary right to do so but nevertheless wonder whether his wish can be suitably accommodated within art practice?<sup>28</sup> The appropriateness of rights has two directions-of-fit: these rights must fit the owner as well as the practice. The pragmatist interprets Levinson's idea as pointing to potential incompatibilities of practices. The proper regard of African masks is embedded in rituals and religious considerations and as such misplaced in a western art museum where the focal response is artistic appreciation. The religious-ritual regard is incommensurable to the artistic regard.

The argument from an incommensurability with art practice applies to western religious art from pre-18th century, and further back to cave paintings, and what it says is that to appreciate works of these sorts in suitable manner is done most fruitfully from within the practice they belong to.<sup>29</sup>

The issue of art's beginning has no effect on the issue of the revolutionarily new, I think, because this surfaces at a moment when our art practice is in place and fully circumscribed, and the new simply seems not to fit it. The revolutionarily new is something whose appreciation does not resemble in relevant manner anything preceding it but which still claims to belong to the same category.

We seem to assume that art will develop all by itself. Meekly, we anti-

<sup>27</sup> So let early art falling under that concept be our Ur-art (we would need extra arguments to claim otherwise). If this is not recognised as a legitimate criticism of Levinson's position, let it then count as an alternative for it, at least for the sake of my argument.

<sup>28</sup> To be clear, I am interested only in the relevant philosophical argument, not in empirical contingencies – of course, it may so happen that sometime somewhere African masks are exhibited in a western art museum, but this contingency does not remove the issue.

<sup>29</sup> This seems to me to explicate a remark Wittgenstein makes in his lectures on aesthetics: "It is not only difficult to describe what appreciation consists in, but impossible. To describe what it consists in we would have to describe the whole environment" (Wittgenstein, 1938–1946, 7:20).

cipate that something new will arrive always, but this is a fallacy: an argumentum ad futuram: the future will tell us how it is with us now; which, of course, it can not. We may want to add that we have seen it before: how the revolutionaries at the time were honed and are now treated as our Avant-Garde heroes. I agree that we must not be shortsighted and must be open to new possibilities, but nor should we allow anything to be art, for the sake of showing our liberal attitudes. Yet which conception of art shows the principle that may guide artistic revolutions? Dickie's certainly does not, as he will accept anything an artist presents as art. Nor does Gaut's cluster account. Levinson's definition, as it stands, comes nearest, but necessarily fails with the revolutionarily new for being retrospective – and how could a definition of art be prospective? The new is new in a manner which betrays nothing about the way its proper appreciation resembles that of acknowledged art forms.

### 3. A Layered Definition of Art

I think we would do well by distinguishing art from its art forms as a genus from its species: and an art form from the works in it, as a species from its specimens.<sup>30</sup> We must say different things about the genus, the species, and the specimens. The challenge is to explicate how these categories are connected, how their subsumption works, and how this is pertinent to the practice of art appreciation, and artistic experiment.

Categorical levels are characterised by distinct scopes and different uses. “Art” is a genus term, subsuming, as its species, several arts, or less ambiguously: art forms, such as painting, music, theatre, performance art, poetry, photography, film, and so on. Art and art forms are not real things or events open to perception; instead, they are used to classify things and events on account of certain *regularities*. Art is the practice as a whole, distinguished from non-art by the fact that it requires an appropriate audience to take up an artistic attitude.<sup>31</sup> Its species are distinguished by their typical phenomenological specifications. The rules, and norms of correctness, become more restrictive and precise the more we descend in this

<sup>30</sup> Here I am following Aristotle's logic of categories, not Walton's. Cf. Aristotle's *De Interpretatione* (Peri Hermeneias) and *Categories*. More on Walton, 1970, below.

<sup>31</sup> See Gerwen, 2004.

semantic and ontological hierarchy from genus, to species, to specimens. Artists make works of art. No artist can make an art form, though with their works they can add considerably to the phenomenology of one.

If someone tells you of something that it is art, what they are saying is that it belongs to a particular practice, and that it merits an artistic appreciation – which presupposes that you take up an artistic attitude. But nothing much is said yet about the exact nature of the most fruitful type of aesthetic appreciation. You might take it that what is meant is that you ought to assess the work for its beauty, where in fact that particular aesthetic value may happen not to be relevant at all (perhaps it is contemporary art). Such specifications are provided when you are told what art form the work is in. To hear that something is not a painting but, rather a painted sculpture informs you of the phenomenology of the proper type of aesthetic appreciation. Yet neither does specifying the relevant art form prompt you in detail to the relevant aesthetic properties of the work. For that what is required is specific appreciation of who made it, when, why, and how.

But when is specifying that some experiment is art doing this job? My curator friend said that his walks were art, the London woman that her bombs were – but in neither case did that make good sense. The artisticity of a Rembrandt painting, a Beethoven string quartet, or a Robert Bresson film are understood by proceduralists to consist in the fact that an artist presented them to an art audience, or that a certain theory says they are art.<sup>32</sup> That is a sophism that I find difficult to accept. One wants to claim that it makes perfect sense to say that these works show *of themselves* that they are art, because, even without designation or theory, they guide their respective audiences to a rich and rewarding appreciative experience.

It is a Rembrandt or Cézanne that shows the way for the appreciation

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<sup>32</sup> These form the core of Dickie's and Danto's views of art, respectively. It is remarkable that Danto developed his notion when he was confronted with Andy Warhol's Brillo Box, which is indistinguishable from its counterpart at the back of the mall. I argue here that Warhol's Box may be indistinguishable for the innocent eye from its mall counterpart, but these boxes have totally different affordances in store if we look at their difference as one between two practices. The practices suggest norms of correctness for their perceptual appreciation. By the way, an indistinguishable counterpart of, say, a Rembrandt painting would be a forgery and vastly different philosophical questions follow from this difference from the ones Danto discusses.

of paintings; a Beethoven string quartet, or a Thelonious Monk piece likewise for music, and so on for all art forms.<sup>33</sup> This is not the resemblance to paradigm works of art approach of the honorific definitions, that Gaut (2000) objected to. The masterworks are regulative ideals only for the art form they instantiate, not for art generally. Masterworks show their audience how they are most fruitfully appreciated aesthetically – of themselves, on account of their fitting a type of appreciation focal to art practice. It is this subjective recognition that audiences can subsequently use as regulative for appreciating works instantiating the same procedure that these masterworks are in.<sup>34</sup> I do not think that it makes sense to ask of a *painting* that it be meritorious in the manner of a particular *film* or piece of *music*. A clear distinction between art forms or procedures, and their instantiations should help us make the “connection between being an artwork and being a good artwork”.

My proposal for defining art is internalist, it proceeds in terms of artistic normativity internal to art practice. A particular flat canvas with paint on it is a work of art for instantiating the procedure of the art form of painting, irrespective of whether this canvas has artistic merit.<sup>35</sup> We will know how to aesthetically appreciate this particular work because we can refer to masterpiece paintings. An art form, whether old or new, is an artistic procedure, and that is two things: first, it is a procedure, a standard way of making works of that kind, and, secondly, it is the set of these works which will contain bad and meritorious examples, and everything between. We may recognise the artisticity of the procedure only from the

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<sup>33</sup> The present-day fashion of intermediality is not the explanation of art, but, possibly, an experiment leading to new art forms. Think of music videos as not just music nor just video but something comprised of both, interacting.

<sup>34</sup> Appreciating works in suitable manner opens up to a sharing of art's subjective properties.

<sup>35</sup> The objective boundaries can be stretched. For instance, paint on another type of flat surface, such as a wall, will count as a painting, and when things are attached to the surface, or material other than paint is added, such as the cubists did, or Anselm Kiefer we might still want to call it painting. But the painted cutlery of Julian Schnabel somehow is hybrid between painting and sculpture, and when the boundaries between art forms are crossed like this, questions arise as to which aspects of the works should be appreciated aesthetically, against which criteria. So, although there is lee way, the main categories tend to stay in place because of their efficacy in regulating art appreciation.

meritorious specimens because they are more coherent than bad specimens are, and they are expressive in the right manner – not prematurely (as when all that we see is the failing effort of an artist trying to make art).<sup>36</sup> Bad works will distract us with all sorts of loose ends.

This suggests a layered definition that emends the historical definition to provide us with a criterion for dealing with the new. We do not have to be capable to say of any single thing or event in itself whether or not it is art, as long as we successfully identify a procedure it shares with other particulars. Once a procedure is identified, we ponder whether that procedure is artistic – whether it is a form of art or merely something that is applicable multiple times. How should one appreciate instantiations of the procedure aesthetically? The answer to this question is principally unclear with the revolutionarily new because the procedure is unprecedented.

So, in regard to objects and events with a claim to art status that we seem unable to appreciate, I suggest we assemble the samples, to establish whether or not they share some or other procedure or procedures. Without new regularities or rules shared among the examples, the examples are merely exceptions of which it should at first remain undecided whether or not they are art, for lack of clarity for audiences about how they should appreciate them. The layered definition of art that I propose does not define individual art works but the relation between the three levels of categories in the conceptual framework of art: art, the practice; art forms; and the works that instantiate art forms. Since we are interested in understanding, and defining our present art practice we stipulate, transcendently, the inauguration of the modern system of the fine arts, in the eighteenth century, as the beginning.

1. Arguing transcendently, art started with the conceptual installation of the modern system of the fine arts.
2. The three categorial levels: Art is the practical whole that assembles the works that instantiate art forms, that regulate how these works

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<sup>36</sup> Masterpieces can be understood in two ways: as the best an art form has had in store for us until now, or as the works an art form has in store that show the way to a suitable appreciation of works in that art form.

are best appreciated, through specific phenomenological specifications.

3. X is a work of art if and only if, properly and intentionally, it instantiates an established artistic procedure and is appreciated accordingly.
4. An ordered set of phenomenological specifications concerning the manipulation of sensuous material is a procedure if and only if it involves more than one proper instantiation.
5. Such a procedure is artistic if and only if it has allowed for one or more instantiations with acclaimed high artistic value.

This layered definition of art says that art consists of art forms that resemble internally in their – subjective – phenomenology qua procedure as well as in the suitable responses to their regulative ideal, the masterworks that are adjusted to the procedure.

As soon as any new art is understood in these terms, the issue of defining a work partaking in it as art becomes redundant. That is why we may say in certain contexts that we know that something is art when we see it. That claim assumes a tacit understanding of the phenomenology of the relevant art form. We then know how to aesthetically appreciate instances of this art form and are let in on criteria (in said regulative masterworks), i.e. on the appreciation of their artistic merit. That is the connection between being art and being good art. The question whether some experiment is art is then decided phenomenologically (through art criticism). New masterworks provide the insight in the nature of the appreciation suited for the new procedure they instantiate – all by themselves, on account of how they deliver a rewarding experience within the confines of the art practice.

Art works necessarily instantiate an art form – it is unintelligible to claim that something is art though not an instance of an art form.<sup>37</sup> Phenomenological adherence to a form of art is a necessary and sufficient condition for something to be art. To establish such adherence assumes a phenomenological, i.e. art-critical assessment. A thin variety of such an assessment appears to be the basis of Gaut's cluster-account; it heeds no special

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<sup>37</sup> At the time, Duchamp's *Fountain* was not a work of art, and I am unsure whether it is now, as it does not seem to instantiate an artistic procedure, not even new ones such as installation art or, even, conceptual art.

consideration of an artist's contribution to the work which a thick variety puts centre-stage. The thin variety is unduly broad in that it allows inclusion of anything resembling works of art and thus replaces aesthetic (art-critical) judgements with cognitive subsumption. Thin approaches inhibit the recognition or discussion of artistic, art critical, or art-philosophical issues. For the thick approach, the central criterion is the perceivability of the artist's manipulations in the work, through a phenomenological, or aesthetic appreciation befitting the art form in question.<sup>38</sup>

The many definitions of art proposed since Weitz ventilated his scepticism about the prospect of ever arriving at one, are devised in view of the capacity to be open to exceptional specimens – even when it is unclear which species, or art form, they should belong to.<sup>39</sup> In my view, though, if something fails to fit the phenomenology of an established art form, then we should put it on hold for art practice to deal with it – the way to deal with it though is through art criticism, not mere definition. Art practice, though a historical phenomenon that is not fixed for eternity, is clear about the route to inclusion. At least, this is what the layered definition suggests.

#### 4. Objections

Some might object that an account such as this is circular, I think it is not. It does not just say that something is art if and only if it is an object in art practice – obviously that would use the same word, art, in the definiens and the definiendum. So how is my layered account not circular? The account starts from a practice that is somehow in place in western culture, art practice, and then tries to understand how this practice is sustained, and how it works, and, lastly, how it expands into the future. It is not circular, I think, because something is a work of art not just because it figures in art practice, but because it fits there, and this means that the good

<sup>38</sup> Art forms where the artist is less visible because he did not change the material with his own hands, such as installation art or land art, parasitise, in a manner to be elaborated sometime, on the phenomenology of other art forms where the artist is visible, such as painting or music.

<sup>39</sup> That is typical of a certain philosophical approach, I think, which will always treat exceptions as arguments, counterfactuals, that they *must* deal with.



types of intention precede or inhere the creation or finishing of the work; it has acquired the intended types of subjective, aesthetic properties, so whether some appreciator attributes these properties to the work allows for a notion of correctness; art appreciators look at the work for reasons pertinent to art practice, and while watching or hearing a work they look for the intentions realised in the work, and there is a sense in which they can be correct about what they see – or hear – there. Art critics embark in perceiving these properties, and in prompting audiences to them, and there too we have norm of correctness; art institutes and their curators are out to facilitate the artistic appreciation to take place, and so on. These aspects are all mutually adjusted. To assume any one of them creates a theoretical obligation to say something about the others, and to try and apply the norms of correctness in judgements of taste. So, what my definition is claiming is that finding out whether or not a particular object or event counts as a work of art implies taking into account the assessment of all these aspects, and this means delving into the phenomenology of the proper artistic appreciation: how does it work, does the phenomenology fit the art form in question, does the art form in question show – phenomenologically – how a work of this type can most profitably be appreciated, and so on?

So the question whether something is a work of art, is answered in steps. The first complicated step involves asking whether it is appreciated within a practical system of values; how these values are interrelated; how the maker and the appreciators relate to one another and lastly, whether particular rules or norms are involved. In short, the question is whether the object or event can be said to be most fruitfully appreciated within a certain practice. When the answer to that step-wise and complicated question is affirmative, then the next question would be whether that practice is a sub-practice within art practice, an art form. When it is not, then the question might be whether it should be, assuming that it can be so included.

Does not my approach lead to the conclusion that gastronomy and jewellery are art forms too? Of course, this need not be an objection for someone who thinks that these are arts too, but I am not among those. So how does my definition ward off untoward candidate art forms? For instance, the view that gastronomy or jewellery can be considered art could

be offered as follows. In both cases, there are makers of particular objects aiming at particular experiences: chefs make meals to be enjoyed, jewellers make jewellery to be worn and admired. There are institutional settings: restaurants and jewellery shops – posh night life? Perhaps there are national genres in gastronomy: Italian, Chinese, Thai, and so on. I am unsure what would be the genres in jewellery, but remain neutral about the possibility that some can be identified by those in the know. We can further identify particular aesthetic values: subtle tastes in food, the way meals look; beautiful jewels embedded, or not, in precious metals. And these considerations seem applicable to all artefacts, so what is going to keep all artefacts from being art once gastronomy and jewellery are accepted as such? But that would bash the very distinction between artefacts generally and artistic ones.

Would there, also, be a way for gastronomy or jewellery art, in which a suitable audience might best perceive traces of the maker's achievement – the chef's, or, respectively, the jeweller's – in the work; and be primarily interested in such traces? And can the maker convey subtle expressive or representational meanings; and, again, would suitable audiences in these contexts be interested in such meanings? The objection helped me clarify that the aspect of work-to-maker transparency is a necessary condition in art practice, but not in these other practices – assuming they all count as practices, to begin with. Work-to-maker transparency is my answer to the question of what makes art a worthwhile practice – the answer to Wollheim's third intuition.

## **5. Conclusion**

Viewing art as a practice – internally defined along norms of correctness applicable in art appreciation – accommodates the historical nature of art, as well as solving the societal unrest about so-called shock art. The layered definition suggested here allows contemporary artist lee-way in their experimental groping in the dark without implying it is already art whatever they come up with. Some experiments show forth an intuitive grasp of what is yet to come but prove to be bad, or worse, barely art. We can critically make these distinctions only after we have identified the procedure these experiments partake in and have found ways to appreciate them

artistically, for which, I argued, we need one or a few masterpieces. The French thinker Nicolas Bourriaud (2002) seeks, and thinks to have found such a new procedure, relationality. But he forgets to ask the question of the procedure's artisticity: the question of how we must appreciate the relational works he refers to. Perhaps the walk my friend the curator had every Tuesday morning at 10 may fit, as well as Tiravanija's cooking, but we are still awaiting works that show us how to appreciate works in the relational procedure. Before we find the masterpieces, I advice we be reticent. Elsewhere, I discuss masterworks of another new procedure, which I call implication art. These masterworks, by Marco Evaristti and Santiago Sierra, enable us to say that the London bombing example was not art, and Staal's Geert Wilders roadside memorials were barely art although both events/objects shared the promising intuition of something revolutionarily new to become art. But, as said, a mere promise does not make art.

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