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Table of Contents

Claire Anscomb The Epistemic Value of Photographs in the Age of New Theory
Marco Arienti Some Concerns with Experientialism about Depiction: the Case of Separation seeing-in
Marta Benenti and Giovanna Fazzuoli Experiencing the Making
Paintings by Paolo Cotani, Marcia Hafif and Robert Ryman
Larissa Berger The Felt Syllogism of Taste – a Reading of Kant's Sensus Communis
Nicolò Pietro Cangini Prose and Life. A Comparison between Hegel's Aesthetics and Romantic's Poetics
Pol Capdevila <i>Poetics of History in Contemporary Art</i>
Stephen Chamberlain Literary Realism and the Significance of Life . 122
Melvin Chen To Chuck or Not to Chuck? Túngara Frogs & Evolutionary Responses to the Puzzle of Natural Beauty
Zoë Cunliffe Epistemic Injustice and the Role of Narrative Fiction 167

Volume 10, 2018

Laura T. Di Summa-Knoop Defining Fashion: Novelty, Play, and Identity
Daniel Dohrn Art avant la Lèttre
Nemesio García-Carril Puy Against Hazlett's Argument: Musical Works Qua Types are Modally Flexible Entities
Lisa Giombini Material Authenticity in Conservation Theory
Vitor Guerreiro The Unity of Our Aesthetic Life: A Crazy Suggestion 260
Eran Guter and Inbal Guter A Critique of Langer's View of Musical Temporality
Valentina Hribar Sorčan La Vie et la Mémoire 308
Eda Keskin Everyday Aesthetics and Empathy Development
Lev Kreft From Universalism to Singularity, from Singularity to Moralization
Gloria Luque Moya Experiencing the Extraordinary of the Ordinary. 359
Jerzy Luty Do Animals Make Art or the Evolutionary Continuity of Species
Giovanni Matteucci The (Aesthetic) Extended Mind: Aesthetics from Experience-of to Experience-with
Philip Mills The Politics of Poetic Language: An Analysis of Jean-Luc Godard's Alphaville
Washington Morales Naturalization and Reification of the Human Global Subjective Experience in Some Forms of Scientific and Technological Art

Ancuta Mortu Aesthetic Cognition and Art History
Dan O'Brien <i>Cubism and Kant</i>
Una Popović The Birthplace of Aesthetics: Baumgarten on Aesthetical Concepts and Art Experience
Matthew RoweMinimalism: Empirical and Contextual, Aesthetic and ArtisticArtistic524
Salvador Rubio Marco Manipulating the Spectator's Moral Judgments: a Criticism of the Cognitivist Approach in Cinema
Marcello Ruta Hermeneutics and the Performative Turn; The
Unfruitfulness of a Complementary Characterisation
Sue Spaid Are Art and Life Experiences "Mostly Perceptual" or "Largely Extra-perceptual"?
Daniela Šterbáková John Cage's 4' 33": Unhappy Theory, Meaningful Gesture
Polona TratnikChallenging the Biopolitical through Animal-HumanHybridization
Andreas Vrahimis Aesthetics, Scientism, and Ordinary Language: A Comparison between Wittgenstein and Heidegger
Weijia Wang Kant's Two Approaches to the Connection between Beauty and Morality
Ken Wilder Rosalind Krauss: From 'Sculpture in the Expanded Field' to the 'Spectacle' of Installation Art
Mark Windsor Tales of Dread 722
Lorraine Yeung Art and Life: The Value of Horror Experience 737

Against Hazlett's Argument: Musical Works Qua Types are Modally Flexible Entities

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ABSTRACT. The aim of this paper is to offer a defence of the type/token theory in the ontology of music against the argument presented by Allan Hazlett (2012). The type/token theory has been defended as the best explanation for musical works' repeatability. The conclusion of Hazlett's argument is that musical works are not repeatable. Consequently, the type/token theory would not be a good explanation of the ontological nature of musical works. It will be shown that, although the premises of Hazlett's argument are true, the conclusion does not follow from them. Hazlett's argument is invalid because it rests on the false assumption that the modal inflexibility of abstract objects -and hence, of types- is incompatible with the modal flexibility of musical works. The thesis that will be defended here is that musical works qua types are modally flexible. In particular, it will be argued that the modal inflexibility of types is compatible with the modal flexibility of musical works in virtue of David Lewis' counterpart theory. In this sense, we can identify musical works with types even if we maintain that musical works are modally flexible and that types are modally inflexible.

1. Introduction

Musical works are said to be repeatable to the extent that they can multiply

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Against Hazlett's Argument

occur through musical performances in different places either simultaneously or across time. Beethoven's *5th Symphony* was premiered in Vienna in 1808, and it was performed again by the New York Philharmonic in 2015. By means of these performances, this work is taken to manifest in Vienna and New York at different times. These performances are not copies but occurrences of Beethoven's *5th Symphony* in which we can hear, encounter, experience and have access to the very same work composed by Beethoven. Repeatability is a feature that we ascribe to musical works attending to our intuitions concerning them in our musical practices (cf. Dodd, 2007; Rohrbaugh, 2003; Levinson, 1980).

Repeatability has been considered a crucial feature to determine what kind of thing a musical work is (cf. Goodman, 1968; Wollheim, 1980; Wolterstorff, 1980; Levinson, 1980; Kivy, 1983; Rohrbaugh, 2003; Dodd, 2007). It is a feature that has been taken to characterize them as multiple artworks, by contrast with pictures or sculptures, which are regarded as singular artworks. The thesis that musical works are types has been defended as the ontological account that offers the best explanation of musical works' repeatability (cf. Dodd, 2007; Davies, 2003; Levinson, 2011; Wollheim, 1980). Musical works *qua* types are abstract objects that are instantiated in musical performances, which are regarded as tokens of those types. A type is an abstract and generic entity that becomes instantiated when a token holds a certain set properties. Tokens are concrete particulars. The relation between types and tokens is usually taken to be that of exemplification: a token is not a copy that resembles a type, but an exemplar of it where the type is manifested. Accordingly, Beethoven's *5th*

Against Hazlett's Argument

Symphony is a type, and its properly formed performances are soundsequence events that satisfy the set of conditions to be tokens of that type, and hence events in which we can hear, encounter and experiencing the whole thing that Beethoven composed in 1808. By this way, type/token theories offer a simple and clear explanation of musical works' repeatability.

However, recent accounts rejecting the idea that musical works are types can be found (cf. Hazlett, 2012; Bertinetto, 2012, 2016; Rossberrg, 2012; Kania, 2012). This paper is focus on the argument defended by Allan Hazlett (2012). Hazlett assumes that type/token theories offer the best explanation of musical works' repeatability. His strategy, nonetheless, is to reject the idea that repeatability is a feature of musical works, and hence derivatively to reject the thesis that musical works are types. Accordingly, his argument is not strictly an argument against the thesis that musical works are abstract objects, i.e. types, but an argument against the idea that musical works are repeatable. The argument is presented in the following way (Hazlett, 2012, p. 162):

- (i) If there are repeatable artworks, they are abstract objects.
- (ii) No abstract object has any accidental intrinsic properties.
- (iii) Would-be repeatable artworks have at least one accidental intrinsic property.

Against Hazlett's Argument

(iv) Therefore, there are no repeatable artworks.

The conclusion of Hazlett's argument is not that musical works are not abstract objects, and hence types, but that musical works are not repeatable. In this paper, it will be shown that Hazlett's argument does not serve to this purpose. It will be argued that, although the three premises of Hazlett's argument are true, the argument is not valid because the conclusion does not follow from the premises. The thesis that will be defended here is that musical works qua types are modally flexible entities. In particular, it will be argued that the modal inflexibility of types is compatible with the modal flexibility of musical works even if we identify musical works with the ontological category of types. The solution will be given by modal realism and David Lewis' counterpart theory, although it seems not to be the only option available, as it will be shown in the final part of this paper. With this aim, this paper is divided in four parts. The next section will assess Hazlett's argument examining the truth of its premises. The third one will be devoted to present the compatibility between the modal inflexibility of types and the modal flexibility of musical works even if we identify them with types. The fourth one will consider two possible objections. And the final one will be devoted to sketch some alternatives that elude a commitment to the counterpart theory and modal realism.

2. Assessing Hazlett's Argument

Hazlett's argument appeals to the notion of essences and the distinction between intrinsic and extrinsic properties. These notions may add unnecessary difficulties to the issue that is being addressed here. Nonetheless, the argument may be presented in an equivalent formulation that avoids the use of those notions. This formulation will be preferred here to the original one, and it runs as follows:

- (i) If there are repeatable artworks, they are abstract objects.
- (ii*) Abstract objects are modally inflexible entities.
- (iii*) Would-be repeatable artworks are modally flexible entities.
- (iv) Therefore, there are no repeatable artworks.

Claim (ii*) is regarded here as equivalent to claim (ii). In (ii), Hazlett states that abstract objects have all their intrinsic properties essentially. According to Hazlett, essences play two simultaneous roles. On the one hand, they individuate the things that they are essences of: 'the essential properties of x are meant to distinguish x from other things' (Hazlett, 2012, p. 165). On the other hand, they provide the persistence conditions of the things of which they are essences by constraining the properties these things could have in other possible worlds: 'the essential properties of x are meant to tell us the

Against Hazlett's Argument

ways in which *x* couldn't be different from how *x* actually is' (Hazlett, 2012, p. 165). The properties an object essentially has are the properties that it has in all possible worlds. Accordingly, if abstract objects have their intrinsic properties essentially, they have their intrinsic properties in all possible worlds. In other terms, abstract objects are modally inflexible to the extent that they could not have been different from the way they are in our actual world. This is the sense in which (ii*) is equivalent to (ii). The reason of this phenomenon lies, according to Hazlett, on the fact that 'the existence of (...) abstract objects (...) makes no demands on the world (...). There is nothing the world must be like for it to be the case that (...) abstract objects exist' (Hazlett, 2012, p. 166).

Meanwhile, claim (iii*) is regarded here as equivalent to claim (iii). Hazlett posits that musical works do not have all their intrinsic properties essentially. For instance, Hazlett claims that *Pictures at an Exhibition* 'could have not included the reprise of the 'Promenade' between the sixth and seventh 'picture', had Mussorgsky not included it' (Hazlett, 2012, p. 168). *Pictures at an Exhibition*, and all musical works in general, have in other possible worlds intrinsic properties different from the ones they have in our actual world. In other terms, musical works are modally flexible to the extent that they could have been different from the way they are in our actual world. This is the sense in which claim (iii*) is equivalent to claim (iii).

The defenders of type/token theories would be prone to say that the argument is incorrect because (iii*) is false (cf. Dodd, 2007). However, it seems plausible to say that musical works could have been different from

Against Hazlett's Argument

the way they actually are. If we attend to our musical practices, we can find that composers are externally constrained by deadlines, specific requirements of a commission, limitations in the instruments available for performance, and so on. For instance, Sibelius composed the 1915 version of his *5th Symphony* with hurries of all sorts. Different comments in his diary evince his worries to finish the work on time for its premiere, the 8 December 1815 (cf. Hepokoski, 1993, pp. 41-2). It makes sense to think that, if Sibelius had had more time, his work would have been different. Therefore, (iii*) seems to be right according to the intuitions involved in our musical practices.

By contrast, those views that regard that (iii*) is well established by our musical practices would be inclined to say that (i) is false (cf. Rohrbaugh, 2003). However, there seems to be no good alternative account to types in order to explain musical works repeatability. Perdurantist accounts, which regard musical works as continuants ontologically dependent on their incarnations –scores, performances, recordings and so on–, do not offer a suitable explanation of repeatability. From the fact that an entity is ontologically dependent on others, it does not follow that the latter are occurrences of the former (cf. Dodd, 2008, p. 1128). Moreover, if performances are temporal parts of musical works, what we hear in a performance is just a part of a musical work, but not the musical work *in toto* (cf. Dodd, 2007, p. 157). The action-token theory, meanwhile, also fails to explain repeatability because it considers musical works to be events, and events are not repeatable (cf. Dodd, 2008, p. 1124). Musical nominalism, in turn, has to face some worries regarding the individuation and existence

Against Hazlett's Argument

conditions of unperformed works, as well as regarding the explanation of our talk about musical works when this not reducible to our talk about performances (Dodd, 2007; Davies, 2003). Therefore, (i) seems to be also right.

Finally, (ii*) seems to be right, not just considering abstract objects in general, but also regarding types. Types are ontologically thin entities –they are individuated by the condition to be satisfied by their properly formed tokens (Dodd, 2007, p. 54). A possible change of a type entails a change in the condition for something to be an instance of it, which results in a different type. Therefore, a type could not have been different from the way it is in our actual world. Consequently, the puzzlement with Hazlett's argument is that its three premises seem to be true and, however, we would be reluctant to accept its conclusion because it denies a musical work's feature, repeatability, that corresponds to a familiar and widespread intuition assumed by a broad number of projectable hypothesis that we make in our musical practices. Accordingly, this intuition concerning the nature of musical works should be accommodated by a reasonable ontological account unless there were good reasons to justify its revision.

3. The Solution to the Puzzlement: Lewis' Counterpart Theory

In the two responses offered above against Hazlett's argument, the main assumption in which this argument is grounded has not been questioned,

Against Hazlett's Argument

namely, that the modal inflexibility of abstract objects –premise (ii*)– is incompatible with the modal flexibility of musical works –premise (iii*). This assumption is false, at least concerning types, and this is the reason why the conclusion does not follow from the premises, making the argument invalid. The defender that musical works are types has a way to show that musical works *qua* types are not modally inflexible entities. A solution to this puzzlement is given by Lewis' counterpart theory about modality, and it is inspired by the strategy followed by Caplan and Bright (2005) to defend that ordinary objects *qua* fusions are modally mereologically variable even if fusions are modally mereologically constant.

According to Lewis, a world includes all the things that are at any distance or time (Lewis, 1986, p. 1). The limits of a world are given by the maximal sum of spatiotemporal relations between its members. If two individuals are spatiotemporally related, they are inhabitants of the same world. As Lewis claims, 'nothing is so far away from us in space, or so far in the past or the future, as not to be part of the same world as ourselves' (Lewis, 1986, p. 70). The consequence of this idea is that possible worlds are isolated from one another. Since a possible world comprehends anything that is at any distance or time, there are no spatiotemporal relations between different possible worlds (cf. Lewis, 1986, pp. 70-1). Consequently, the same thing cannot be in different possible worlds (Lewis, 1983, p. 27). Since possible worlds are isolated, the individuals belonging to a possible world are confined to that world. What happens then with our modal talk? It involves considerations about possible worlds. With a modal claim we are saying how things could be in a different way than they actually are. What

Against Hazlett's Argument

am I doing when I claim that 'Nemesio could have been 2 cm taller than he is'? If possible worlds are isolated, my claim is not that there is a possible world in which Nemesio –the very same individual to which 'Nemesio' refers in our actual world– has different properties, in this case the property of being 1,70 cm tall. Alternatively, what I claim is that there is a possible world (W) in which an individual x of W is 1,70 cm tall and that x is a counterpart of the individual referred by 'Nemesio' in our actual world (@). Hence, the individual referred by 'Nemesio' in @ and the individual x of W stand in a counterpart relation. In Lewis' words, 'to say that something here in our actual world is such that it might have done so-and-so is not to say that there is a possible world in which that thing itself does so-and-so, but that there is a world in which a counterpart of that thing does so-and-so' (Lewis, 1971, p. 205). Therefore, to say that Nemesio could have been two centimetres taller is to say that there is a possible world in which Nemesio has a counterpart who is 1,70 cm tall.

Given this framework, two observations are to be made. The first one is that our modal predications are *de re*, and not *de dicto*, predications (cf. Lewis, 1971, p. 204-5). Regarding a specific modal claim, we are not considering what happens to it in different possible worlds. For instance, we are not considering whether the dictum 'Nemesio could have been 2 cm taller' is true by looking for a possible world in which the individual denoted in that world by 'Nemesio' is 1,70 cm tall. Rather, we are considering what happens in other possible worlds to the thing denoted in our actual world by the term 'Nemesio'. Modality is modality of things, not of expressions. However, since possible worlds are isolated, we cannot

Against Hazlett's Argument

consider the way in which the very same individual denoted in @ by 'Nemesio' is in a different possible world. Instead, we are considering the way in which the counterpart in that world of the individual referred in @ by 'Nemesio' is.

The second observation is that a counterpart relation, Lewis argues, is a relation of similarity, the only kind of trans-world relation available given the isolation of possible worlds (cf. Lewis, 1983, p. 28; 1986, p. 71). Accordingly, the former relation inherits the indeterminate character of the latter. Lewis enumerates four aspects in which the counterpart relation is indeterminate:

(1) As to which respects of similarity and difference are to count at all,(2) as to the relative weights of the respects that do count, (3) as to the minimum standard of similarity that is required, and (4) as to the extent to which we eliminate candidates that are similar enough when they are beaten by competitors with stronger claims (Lewis, 1983, p. 42).

Accordingly, Nemesio's counterpart may be sometimes a French horn player, but other times may be a Benfica's football player, a prime minister or even a gorilla. Which one the relevant counterpart of Nemesio is in a given possible world depends on how items (1) to (4) are determined by the context in which the proposition 'Nemesio could have been 2 cm taller than he is' is uttered. The resolution of the vagueness of the counterpart relation is context-dependent, and it may be resolved in very different ways in

Against Hazlett's Argument

different contexts (cf. Lewis, 1983, p. 43). Consequently, a variation in the relative relevance of the different aspects of similarity and dissimilarity results in the selection of different counterpart relations (cf. Lewis, 1971, p. 208). For instance, as Lewis puts it, two aspects of similarity between human beings are personal traits and bodily traits. If the conversational context puts the focus on personal traits, the relevant counterpart of Nemesio in a possible world W will be surely a French horn player, regardless of whether that French horn player is very different from Nemesio in bodily traits. However, if the conversational context highlights bodily traits, and in W there is other individual who, in spite of not being a French horn player but a prime minister, resembles much more Nemesio in bodily traits, the relevant counterpart of Nemesio in W will be the prime minister.

The counterpart theory provides a way to reconcile the modal inflexibility of types with the modal flexibility of musical works. If the thesis that musical works are types is right, *Pictures at an Exhibition* is identical with T in @ –being T a type of sound-sequence events whose tokens are the properly formed performances of that work. Accordingly, '*Pictures at an Exhibition*' is substitutable *salva veritate* by 'T' in all claims about that work in @. For instance, the claims '*Pictures at an Exhibition* has 15 movements' and 'T has 15 movements' are both true. The relevant point is that '*Pictures at an Exhibition*' and 'T' are not substitutable *salva veritate* in modal claims. While the claim '*Pictures at an Exhibition* could have not included the reprise of the 'Promenade' between the sixth and seventh movements' is true, the claim 'T could have not included the reprise of the

Against Hazlett's Argument

'Promenade' between the sixth and seventh movements' is false. The reason is that the use of each one of these terms gives rise to different contexts that select different counterpart relations, even if Pictures at an Exhibition is identical with T in @. In a modal claim, while the use of 'Pictures at an Exhibition' selects a musical work counterpart relation, the use of 'T' selects a type counterpart relation. Let us consider a possible world W in which the counterparts of all movements of Pictures at an Exhibition, with the exception of the 'Promenade', are disposed in the same way as they are disposed in @. Let us call T* the type of sound-sequence events that obtains in W from the counterparts of all the movements of Pictures at an Exhibition with the exception of the 'Promenade'. T* is a musical work counterpart of *Pictures at an Exhibition* in W. Accordingly, *Pictures at an Exhibition* could have had different movements than it actually has and, consequently, *Pictures at an Exhibition* is a modally flexible entity. By contrast, T* is not a type counterpart of T, and any type that does not have counterparts of all the movements that *Pictures at an Exhibition* has in @ is a type counterpart of T. The type counterpart relation only selects as counterparts of T those types of other possible worlds individuated by the same condition that individuates T in @. Accordingly, T could not have had different movements than it actually has and T is thus a modally inflexible entity.

In conclusion, musical works *qua* types are modally flexible entities, even if types are modally inflexible. Identifying musical work with types is thus compatible with regarding musical works as modally flexible entities and types as modally inflexible ones. The type T with which we have

Against Hazlett's Argument

identified *Pictures at an Exhibition* in @ has different counterparts in other possible worlds depending on the relevant counterpart relation determined by the conversational context in which a modal claim is uttered. In the next section, two main objections against the view developed here will be considered.

4. Two Possible Objections

A first objection against the view proposed in the previous section stresses a particular feature of the counterpart relation. The counterpart relation is a relation that holds between inhabitants of possible worlds. A relevant worry that might arise at this point is whether types are inhabitants of possible worlds. According to Lewis, inhabitants of possible worlds are things that are at any distance or time. Are types things of this kind? On the one hand, an affirmative answer trivially follows from those views that regard types as universalia in re, i.e. as existing in space and time (cf. Armstrong 2010, pp. 7-16; Rodríguez-Pereyra, 2011; Swoyer and Orilia, 2011). Nonetheless, this view of types offers different sorts of difficulties regarding the persistence and existence conditions of musical works, and has been rejected as suitable explanation of musical works' ontological nature (cf. Rossberg, 2012). On the other hand, the answer is not so clear for types conceived as universalia ante rem. In addition, the worry introduced by this objection is specially pressing concerning the platonic view of types, according to which types have no temporal origin and are neither created nor destroyed. Types that exist outside their instances and that, in addition, have no origin are more

Against Hazlett's Argument

difficult to be regarded as inhabitants of possible worlds, i.e. as things that fall under spatiotemporal relations.

However, the Platonist has a way to accommodate types as inhabitants of possible worlds. Two explanations have been given for their characteristics of lacking temporal origin and the impossibility of being destroyed. The first one regards types as timeless entities, i.e. that types exist outside space and time. The second one is that types, qua abstract objects, exist outside space, but are eternal, i.e. they exist at all times. As Dodd has noted, the first option is problematic because it cannot explain the epistemic availability of types in virtue of which we can think and talk about them. In the case of musical works, it cannot explain how we can hear, experience and encounter musical works qua types in their performances as tokens of them (cf. Dodd, 2007: 59). For instance, if I go to listen to a performance of *Pictures at an Exhibition* tonight, 27th February of 2018, the work has to be available to be heard at that time. Considering types as eternal entities rather than as timeless ones helps us to explain our epistemic access to them by means of their tokens. But if types are eternal and hence exist at all times, they are inhabitants of possible worlds, and the counterpart relation applies to them. Therefore, musical works qua types are modally flexible, even if we accept the platonic intuition that types have no temporal origin and that they are neither created nor destroyed.

A second objection against the view defended in this paper can be posed in the following terms. Given the isolation of possible worlds, a counterpart of a musical work T of @ in other possible world W is a different object from T, namely, T*. The counterpart relation will always

Against Hazlett's Argument

assign as a counterpart of *Pictures at an Exhibition* an object different from the object it is in @. Consequently, if we follow the counterpart theory, what we obtain is not that the modal inflexibility of types is compatible with the modal flexibility of musical works. What we obtain, rather, is that premise (iii) is false, i.e. that musical works are not modally flexible.

My answer to this objection is that this phenomenon does not arise only for musical works, but for any modally flexible or inflexible object under the counterpart theory. For any object O -musical works, persons, medium-size physical objects, etc.-, when we say that O could have been different (i.e. that O is modally flexible), we say that O has counterparts in other possible worlds with properties different than O's properties. Modal flexibility just means this under the counterpart theory. Alternatively, for any object O -musical works, persons, medium-size physical objects, etc.-, when we say that O could not have been different (i.e. that O is modally inflexible), we say that, for any object O* that is the counterpart of O in a possible world W_n, O* has the same properties than O has (this does not imply that O* cannot hold relations with other inhabitants of W different from the relations holding between O and the inhabitants of @). Modal inflexibility just means this under the counterpart theory. Consequently, even in the case of modal inflexibility, the counterparts of O in other possible worlds are objects that, despite having the same properties as O, are different from O. Therefore, the objection is misguided because it is grounded on a misunderstanding of the counterpart theory and modal realism.

Accordingly, none of the two objections seems to be right and they do

Against Hazlett's Argument

not defeat the thesis defended in this paper. We can still hold that the modal flexibility of musical works is compatible with the modal inflexibility of types even if we identify musical works with types. Hazlett's argument does not justify the revision of the intuition that musical works are repeatable, and hence it does not constitute an objection to the thesis that assigns to musical works the ontological category of types.

5. A Third and Awkward Worry

Finally, it might be argued that the compatibility between the modal flexibility of musical works *qua* types and the modal inflexibility of types offered here depends on the assumption of modal realism and the counterpart theory. In this sense, it might be objected that the defence of the idea that musical works are types rests on too strong assumptions. One might be tempted to reject the idea that possible worlds really exist and that they are spatiotemporally isolated, holding between them only counterpart relations. Accordingly, accepting that musical works *qua* types are modally flexible entities would lead us to an ontological inflation concerning possible worlds via the assumption of modal realism.

An immediate answer to this objection would be that to prove that Hazlett's argument fails requires just showing that there is at least one way in which the modal flexibility of musical works and the modal inflexibility of types is not incompatible even if we identify musical works with types. This is enough to prove that the conclusion does not follow from the premises of the argument. And this is precisely what has been done in this

Against Hazlett's Argument

section. The objection concerns a different issue from the one addressed here. It points to the discussion of what the ontological framework about modality that we should embrace is, which is something outside the scope of this paper.

Nonetheless, in an attempt to respond to this worry, we will try to briefly sketch the plausibility of the thesis that musical works qua types are modally flexible entities under an approach that presupposes neither the counterpart theory nor modal realism. Such an account is the one provided by Armstrong (1989). Armstrong maintains a combinatorialist view of possible worlds, according to which a possible world is any conjunction of possible atomic states of affaires, and mere possibilities are no-existent recombinations of actual elements (Armstrong, 1989, pp. 47, 54). In Armstrong's ontology, the world contains individuals and universals (properties and relations), which only exist as constituents of states of affaires. In this sense, the state of affairs *a's being F* is the truthmaker of 'a is F'. Consequently, there are no uninstantiated properties or relations. Armstrong follows the principle of instantiation of properties, according to which a property begins to exist only when it is instantiated or, in other words, only when it is the constituent of a state of affairs. Armstrong argues to this extent that 'a possible property or relation (...) is not ipso facto a property' (Armstrong, 1989, p. 43). In Armstrong's framework, mere possible states of affairs are non-existent recombinations of actual elements, i.e. mere logical possibilities (Armstrong, 1989, p. 48). Accordingly, possible worlds are all the conjunctions of atomic states of affaires. This view leads Armstrong to defend a fictionalist view about possible worlds in

229

Against Hazlett's Argument

which 'the merely possible worlds and possible states of affaires do not exist, although we can make ostensible or fictional reference to them' (Armstrong, 1989, p. 49).

Within this framework, the plausibility of the thesis that musical works qua types are modally flexible entities can be understood as follows. Let us consider again the modal claim 'Pictures at an Exhibition could have not included the reprise of the 'Promenade' between the sixth and seventh movements'. A performance of Pictures at an Exhibition is a state of affairs constituted by a set of individuals (physical sounds) disposed in a specific relation R, a universal that might be regarded as a type. *Pictures at an* Exhibition is R (a type) that only exists in the states of affaires that it constitutes. *Pictures-minus-Promenade* would be the type R*, which would determine the same relation between physical sounds in performance except for the Promenade. However, according to Armstrong's fictionalism, we just make fictional reference to *Pictures-minus-Promenade* (R*), and hence we do not make any ontological commitment to this entity in our modal claims. Consequently, we speak about how Pictures at an Exhibition could have been in a way different from the way it actually is without identifying it with another type -and hence with another musical work- different from R, namely R*, because while R exists, R* does not exist. R* is just an alien universal, something that is neither identical with actual (instantiated) universals nor has as constituents actual universals (cf. Armstrong, 1989, p. 54-6). In other words, R* is a fiction that results form the recombination of the atoms that are constituents of the states of affairs in which R exists.

Therefore, in our modal claims concerning Pictures at an Exhibition,

Against Hazlett's Argument

we are not identifying this work –which in the actual world is identified with the type R– with other types different from R. In this sense, there is no ontological impediment to regard *Pictures at an Exhibition* as a modally flexible entity, given Armstrong fictionalism about possible worlds. The idea that the modal flexibility of musical works is compatible with the modal inflexibility of types, even if we identify musical works with types, is plausible under an ontological approach to modality that escapes modal realism and the counterpart theory. This plausibility has been briefly sketched here without going into further details, but it should be enough to reassure the objector on this point.

6. Conclusion

This paper has been devoted to defend the type/token theory in the ontology of music against the argument addressed by Allan Hazlett. This argument aims to show that musical works are not repeatable entities. It is grounded on the assumption that the modal flexibility of musical works is incompatible with the modal flexibility of types if we identify musical works with types. It has been shown that the counterpart theory and modal realism provides to the type/token theorist with a tool to overcome Hazlett's objection. In our modal talk about musical works, the relevant counterpart relation is a musical work counterpart relation that may associate a work w with a type belonging to a possible world W that is individuated by a condition different from the one that individuates the type with which w is identified in @. This possibility is not open for type counterpart relations.

Against Hazlett's Argument

Finally, it has been shown the plausibility of musical works *qua* types being modally flexible entities under other modal accounts free of the assumptions of modal realism and the counterpart theory.

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234