Disentangling Borderline Cases of Art

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ABSTRACT. Many philosophers of art argue that a definition or theory of art[1] must clarify 'borderline cases of art' since most people take it to be obvious that art is not an all-or-nothing matter and, correspondingly, there are artefacts that are neither fully art nor fully non-art. Accordingly, the ability to account for borderline cases of art is perceived as a criterion for assessing the adequacy of a definition of art. In this paper, I will argue that the relevance of the concept of borderline cases of art for definitions of art should not be taken for granted. My argument follows from the observation that different philosophers of art put forward different artefacts as borderline cases of art. Thus, although the significance of borderline cases of art seems obvious and widely shared, there is no consensus on which artefacts fall under the concept. I will show that which artefacts are seen as borderline case of art depends on the theory of art that is held and not the other way around: there is no agreed-upon collection of artefacts that are seen as borderline cases of art, rather every theory creates its own borderline cases. Therefore, I will argue that the ability to account for borderline cases of art cannot be seen as a useful criterion for definitions of art.

1. Introduction

In the philosophy of art as well as in the broader field of the arts, it is widely accepted that arthood is not an all-or-nothing matter. Correspondingly, some artefacts are perceived as borderline cases of art: artefacts that are neither 'fully art', nor 'fully non-art'. Certain cultural artefacts such as pop songs, comic books, ceramic objects, ritual artefacts and films are sometimes talked about as 'artful', 'art-like', or flat-out as borderline cases of art. Therefore, many philosophers take it to be obvious that when one

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[1] I will use 'definition of art' and 'theory of art' more or less interchangeably here: they both refer to attempts to answer the question 'What is art?' by formulating conditions for arthood, whether or not these conditions are supposed to be necessary and sufficient.

theorizes about the concept of art, one should be able to clarify borderline cases of art. Even more so, the ability to account for borderline cases of art is accepted as a criterion for assessing the adequacy of a definition of art. This criterion is so widely acknowledged that it is nowhere questioned in the literature on defining art.

In this paper, I will argue that the relevance of the concept of borderline cases of art for assessing definitions of art should not be taken for granted. Borderline cases of art cannot constitute an adequate 'litmus test'. My argument follows from the observation that different philosophers of art put forward different borderline cases of art. Thus, although the significance of borderline cases of art seems obvious, there is no consensus on which artefacts fall under the concept: there is no pre-theoretical agreement on which artefacts are borderline cases of art. A definition of art simply cannot straightforwardly accommodate them. What will be shown here is that which artefacts are seen as borderline case of art directly reflects the theory that is held and not the other way around. In other words, a definition of art does not account for a group of established borderline cases of art, rather every definition of art brings with it its own borderline cases of art. For this reason, I will maintain that the ability to allow for borderline cases of art cannot be used as a standard for evaluating definitions of art.

In the first part of this paper, it will be shown that many philosophers defend the idea that the ability to account for borderline cases of art is an adequate litmus test for definitions of art. In the second part, I will point out that different definitions of art put forward different borderline cases of art. It follows that there is no pre-theoretical agreement on which artefacts are rightly seen as borderline cases of art: which artefacts are seen as borderline cases of art hinges on the definition that is held. Finally, it will be exposed that this preoccupation with the ability to account for borderline cases of art turns out to be wrongheaded, since this ability cannot provide us with a valid criterion for assessing the viability of a definition of art.

2. Borderline Cases of Art as Litmus Test

In the first part of this paper, it will be exemplified that the significance of

borderline cases of art for definitions of art appears to be an established fact. Correspondingly, many definitions are defended in terms of their ability to account for these cases.

One of the most notable examples is Berys Gaut's Cluster Account of Art. This account is in big part defended because of its adequacy for explaining borderline cases of art. His anti-essentialist identification theory entails that there are no necessary and sufficient criteria for arthood. There are only criteria that are jointly sufficient, but not necessary (Gaut, 2000, 27). It follows that, firstly, if all criteria are fulfilled, the object is art and if some are fulfilled, then the object might be art. Secondly, not one of the proposed criteria is a necessary criterion for arthood. Thirdly, the criteria are disjunctively necessary: at least some of them must be instantiated if the object is to fall under the concept (Gaut, 2005, 273-274). As such, when some, but not all criteria are met, there is some indeterminacy whether or not an artefact is art. In this way, Gaut contends, the theory can explain borderline cases of art. He claims that

> [i]t is a signal advantage of the cluster account over the more straightforward definitions of art that it can preserve the hardness of such cases, and allow us to explain what it is that makes them hard; such cases can be shown to be genuinely borderline and indeterminate (Gaut, 2000, 36).

Likewise, in their reformulation of Gaut's cluster account, Francis Longworth and Andrea Scarantino remain intentionally unclear about exactly which clusters of criteria are sufficient for arthood (Longworth & Scarantino, 2010, 164). They claim that this vagueness enables them to explain borderline cases of art. This is needed, since they follow Gaut 'in thinking that accounting for borderline cases is a requirement for any good theory of art' (Longworth & Scarantino, 2010, 164). Why they agree on this point is left unexplained. It is noteworthy that while Gaut's cluster account has been critised from many different perspectives, these criticisms either leave the question of borderline cases unaddressed, or take for granted that a definition or theory of art must be able to deal with them. In the latter case, it is argued that Gaut's cluster account is not able to meet this requirement.[2] Thus, the idea that a theory of art must be able

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[2] Thomas Adajian rightly argues that '[...] the cluster view has no resources for saying,

to account for borderline cases is left unchallenged.

The cluster account is not the only theory of art that is defended in these terms. Some aesthetic definitions of art are also seemingly reinforced on account of their ability to clarify borderline cases. William Tolhurst's aesthetic theory of art is a case in point. Tolhurst proposes that arthood depends on primary design functions, and whether or not the aesthetic function is a primary design function. He states that

> [t]here is no definite line separating those functions which are primary from those which are not. Introducing this phrase renders the analysis vague, but not unclear. In this respect it is not unlike our ordinary concepts of being bald or of being a tall man (Tolhurst, 1984, 266).

He suggests that his theory is superior to many other theories of art because of this vagueness; it shows why some artefacts are art, others are non-art and still others have an indeterminate status and are rightly called 'borderline cases of art' (Tolhurst, 1984, 266). Furthermore, the notion of borderline cases is often used by aesthetic philosophers of art to grant an indeterminate status to 'non-aesthetic' avant-garde artworks. Jerome Stolnitz, who adheres an aesthetic theory of art, simply contends that '[i]t will be generally agreed that the avant-garde objects [...] are borderline cases of art.' (Stolnitz, 1979, 406). Stolnitz grants a borderline status to avant-garde art, since he maintains that these artworks are not truly worthy to be called art.

To summarize, the ability to account for borderline cases of art is explicitly or implicitly seen as a requirement for any definition or theory of art.[3] In the next part of this paper, it will be argued that this preoccupation with the ability to account for borderline cases of art turns out to be wrongheaded.

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of any given thing with some but not all of the criterial properties, whether that thing is an artwork, not an artwork, or a borderline case. That is, the same 'explanation' of why one thing is a borderline case - it has some but not all of the criterial properties - is also the 'explanation' of why a second thing is an artwork, as well as the 'explanation' of why a third thing is not an artwork.' See: (Adajian, 2003, 382). Stephen Davies holds that this is an adequate criticism. See: (Davies, 2004, 300).

[3] Only one main figure within contemporary analytic aesthetics explicitly maintains that the borderline between art and non-art is absolute, namely Arthur Danto. See: (Danto, 1992, 94).

3. Different Theories, Different Borderline Cases of Art

It has been indicated that the concept of borderline cases of art is used in order to defend quite different and often explicitly conflicting theories of art. Hence, it may come as no surprise that although philosophers seem to agree that there *are* borderline cases of art to account for, they do not agree on *which instances* fall under the concept. Nevertheless, these philosophers assume that people generally agree on which artefacts are borderline cases of art. When Stolnitz, for example, argues that avantgarde artworks are borderline cases of art, he clearly postulates a broad consensus, as can be seen in the quote above. This agreement on borderline cases of art is needed. Otherwise, the ability to account for these cases could not be seen as a valid criterion for assessing the value of a definition of art. Let me spell this out more clearly. The reasoning goes as follows: (1) a good definition fits the facts about the concept of art, it clarifies how the concept is used; (2) borderline cases of art are a fact about the concept of art: people agree that specific artefacts are not fully art, not fully non-art; (3) accordingly, this is an important fact about the concept of art that should be taken into account by any definition of art. Yet, if it can be shown that different artefacts are attributed borderline status by different philosophers, then this attribution does not depend on "the facts", i.e. common usage. If this is the case, it would seem likely that the attribution of borderline status depends on the definition that is defended, rather than on an agreed-upon fact about the concept of art. Succinctly put, if it can be shown that there is no collection of artefacts on whose borderline status people substantially agree, then the ability to account for borderline cases does not provide us with a good criterion for assessing the viability of a definition of art.

The borderline cases put forward by different philosophers range from Marcel Duchamp's *Fountain* to folktales, from cookery to 'Outsider Art', from children's drawings to chimpanzee's scribbles and from ritual objects to jokes (See: Cohen, 1973, 78-79, Dutton, 2006, 368, Gaut, 1998, 65, Gaut, 2000, 36, Levinson, 1993, 422, Slivers, 1976, 446, Winner, 1982, 8, Zangwill, 2002, 113). What will be demonstrated here is that it is likely that none of these cases are well-argued for and that the attribution of the borderline status is a direct reflection of the definition that is held by the philosopher

under consideration and not of a well-established consensus. In order to do this, I will examine the case of avant-garde art and of historically and culturally remote artefacts. Both types of artefacts are often seen as borderline cases of art.

3.1 Avant-Garde Art

Avant-garde artworks are often seen as borderline cases of art. As noted above, some aesthetic theoreticians of art invoke the notion 'borderline case of art' in order to marginalise most avant-garde art within the domain of art. Jerome Stolnitz's claim that avant-garde artworks are borderline cases of art provides a good example. His disdain for avant-garde art can hardly be ignored, when he, for example, maintains that '[s]ome recent avant-garde art is like the jokes that are used up once one knows the punch line' (Stolnitz, 1979, 403). According to Stolnitz, avant-garde art is virtually only interesting as a symptom. Consequently, a definition of art should not concern itself with being inclusionary towards avant-garde objects whose value does not depend on their exhibited aesthetic properties. The concept of art can only be clarified adequately through an aesthetic theory (Stolnitz, 1979, 403). Likewise, Nick Zangwill proposes that the unique value of art lies in its aesthetic value. Accordingly, anti-aesthetic art is seen as second-order art (Zangwill, 2002, 113). The art status of such works depends on 'real' first-order aesthetic art. As such, they should be seen as art to a lesser degree than aesthetic art. Aesthetic theories aim to show that aesthetic properties or aesthetic experience are essential to arthood. Therefore, the marginalisation of so-called 'anti-aesthetic' avant-garde artworks simply follows from their theories.[4]

From a quite different perspective, Ted Cohen also supports the view that avant-garde artworks like Duchamp's *Fountain* are borderline cases of art. He criticises George Dickie's institutional definition of art, because this definition renders the inclusion of avant-garde art into a primary concern. However, Cohen does not aim at diminishing the importance of such

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[4] Not all philosophers who defend the importance of the aesthetic for arthood marginalise avant-garde art. James Shelley, for example, suggests that there might be no non-aesthetic art. According to Shelley, so-called non-aesthetic artworks do not exhibit perceptual aesthetic properties, yet they do possess non-perceptual aesthetic properties. As such, avant-garde artworks are clearly art. See: (Shelley, 2003, 363-378).

works. Rather, he suggests that when a definition of art can easily accommodate such artworks, it actually misperceives them. According to Cohen, *Fountain* is an unclear case of art.[5] Hence, philosophers of art should not concern themselves with showing that Fountain is a clear example of arthood, but should discuss the ways in which *Fountain* is very much like normal art and very much unlike normal art. They should do this to clarify the character of Duchamp's act of putting *Fountain* forward and having it called art (Cohen, 1973, 81-82). Thus, Cohen seems to attribute a borderline status to avant-garde objects as a way for us to be able to correctly appreciate these artistic endeavours.

Although different reasons are given for attributing the status of borderline case of art to avant-garde artworks, there seems to be some consensus on their borderline status. Moreover, if we go outside of the field of philosophy, there are many people who are doubtful of avant-garde objects' art status. Yet, this agreement on their borderline status is, as is well-known, not at all general. Avant-garde art occupies a major place in the contemporary artworld, whether we think of aesthetic and artistic education, museums or cultural media. This fact is also mirrored in the philosophy of art. Arthur Danto, for example, unambiguously grants full art status to avant-garde artworks. He maintains that the boundary between art and non-art is absolute. As such, the philosophical structure of avant-garde art is the same as the philosophical structure of any other artwork (Danto, 1992, 94; 110). Roughly, to be a work of art is to be about something and to embody its meaning (Danto 1997, 195). From this perspective, avant-garde art is not a borderline case of art. When an avant-garde object is about something and embodies its meaning, then it is a work of art. Otherwise, it is not. Danto is by no means the only philosopher who grants full art status to avant-garde art.[6] It can be concluded that accord-

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[5] Against Cohen, Anita Silvers has rightly pointed out that we cannot relegate every artwork whose status is contested because it challenges our view on the concept of art, to the borderlines of the domain of art. See: (Silvers, 1976, 448).

[6] Other definitions and theories that explicitly grant full art status to avant-garde artworks are numerous. Stephen Davies has introduced a famous distinction between functional and procedural definitions/theories of art. The functionalist defines art in terms of distinctive artistic functions (such as providing aesthetic experience), while the proceduralist believes that an artwork is necessarily created in accordance with certain rules and procedures. Davies has rightly shown that according to the proceduralist, it is

ing or not according borderline status to avant-garde objects depends on the theory that is held, along with the philosopher's own aesthetic preferences and interests[7], and not on an empirical or factual consensus on their borderline status, since there is no such consensus.

3.2 Remote Art

Another set of artefacts often considered to be borderline cases of art, are historically and culturally remote artworks. This view can be found in the writings of Jerrold Levinson. Levinson defends a historical-intentional conception of art; this conception roughly entails that art must be intended for similar regards as past uncontested art.[8] He allows that his theory cannot fully accommodate historically and culturally remote artworks, since many of these artworks are not obviously related to past uncontested artworks. However, Levinson suggests that if culturally and historically remote practices are aimed at similar regards as our artistic practices or show the same kind of connectedness, we can grant these artefacts the status of 'artful', i.e. of borderline case of art:

> [...] in applying an intentional-historical criterion to activities such as these, one should expect to find it holding to various degrees, reflecting how related to those of historically paradigmatic artmaking are the creative or projective stances involved. On an intentional-historical account, as on any other viable one, arthood is not an all-or-nothing thing, and makings can be described as more or less unequivocally artful (Levinson 1993, 422).

According to Levinson, these artful artefacts can often be found in domains like handmade furniture, sculpted masks, ritual music and ceramics (Levinson 1993, 422). What is significant is that their status as 'artful' or borderline case fully depends on the fact that the historical-intentional conception of art cannot wholly accommodate them, and not on a factual

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(almost always) beyond question that avant-garde artefacts are artworks. See: (Davies, 1991, 41).

[7] Denis Dutton has pointed out that theories of art tend to start from personal aesthetic predilections. See: (Dutton, 2006, 367).

[8] This definition is fully elaborated in following articles: (Levinson, 1979; 1989; 1993; 2002).

consensus regarding their borderline status. Again, the borderline status of culturally and historically remote artefacts is not a pre-established fact, but appears to be derived from the definition that is held.

Contra Levinson, there are many philosophers who grant full art status to historically and culturally remote artworks. Broadly two kinds of theories do not in the slightest doubt their full art status. On the one hand, there are philosophers like Denis Dutton and Richard L. Anderson who aim at characterising art cross-culturally (Anderson, 1989; Dutton, 2006). For this reason, they start from a broad range of worldwide examples of art. As such, they take culturally remote art, most notably non-Western art, to be central cases of art. They are, along with Western canonical art, the starting points of their definitions and theories of art. Consequently, historically and culturally remote artworks are granted full art status (Dutton, 2006). On the other hand, most aesthetic theories of art grant full art status to historically and culturally remote artefacts (Bell, 2003, 109); (Fry, 1937, 88-89). Aesthetic theories broadly define or identify art in terms of aesthetics; whether it is the capacity to convey or provoke aesthetic emotion or the exhibition of aesthetic properties. Culturally and historically remote artefacts that meet these criteria are seen as full-blown artworks. Although most aesthetic theories do not necessarily take these kinds of artefacts to be paradigmatic artworks, they usually have no problem with according full art status to them.

Similar analyses can be made for other examples of supposed borderline cases of art such as 'Outsider Art'[9] or art in non-central art forms. This indicates that the different artefacts that are put forward as borderline cases of art are not necessarily on the borderline of the domain of art. However, they are on the borderline of the different theories developed by different philosophers of art. The presentation of artefacts as borderline cases of art does not rest on empirical arguments, i.e. on a factual consensus over their status, but on the theory of art that is accepted or defended. There is no consensus regarding borderline cases independent

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[9] David Davies has convincingly shown that some artefacts that are considered 'Outsider Art' are clearly examples of non-art, while others are rightly called art, depending on their individual provenance. This, indeed, shows that they are 'hard cases', but does not show that there is an agreement on seeing them as borderline cases. See: (Davies, 2009).

of the theories of art that are held. It can be concluded that the borderline cases philosophers of art put forward are tailored to their theories of art and not the other way around. Since there is no consensus on which instances fall under the concept of borderline cases of art, an artefact is not defined as a borderline case of art apart from a definition of art. Therefore, a definition of art cannot be proven to be adequate by pointing at its ability to account for borderline cases of art.

4. Conclusion

The ability to account for borderline cases of art is widely accepted as an adequate litmus test for definitions of art. In this paper, I have shown that this is fundamentally problematic, since there is no consensus on which artefacts are seen as borderline cases of art. There is no pre-theoretical agreement on which artefacts fall under the concept of borderline cases of art. Furthermore, I have demonstrated that the borderline cases philosophers of art put forward are tailored to their theories and not the other way around. Therefore, the ability to account for borderline cases of art cannot be seen as a valid criterion for assessing the value of definitions of art.[10]

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