

Thinking Clearly About Music

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RESUMEN

En este artículo argumento en contra de la arbitrariedad del concepto de música, en favor de una perspectiva esencialista y naturalista, según la cual la música es un fenómeno transcultural, definido por propiedades relacionales que tienen su sostén en características uniformes de la naturaleza humana. Basándome en la distinción hecha por Dickie, entre *teorías de tipo natural* y *teorías de tipo cultural*, argumento a favor de una teoría de tipo natural mejorada (que explica el elemento institucional), y empleo algunos desarrollos de la ontología social para demostrar la insuficiencia del enfoque institucionalista sobre el arte y la música.

PALABRAS CLAVE: *música, arte, definición, ontología, géneros sociales, institucionalismo, procedentalismo, funcionalismo, naturalismo.*

ABSTRACT

In this article I argue against the arbitrariness of the concept of music and for an essentialist and naturalist framework, according to which music is a cross-cultural human phenomenon, defined by relational properties held together by uniform features of human nature. Building on Dickie's classification of theories of art in *natural-kind theories* and *cultural-kind theories*, I argue for an enhanced natural-kind theory (which explains the institutional element), and use some developments in social ontology to show the inadequacy of an institutionalist approach to art and music.

KEYWORDS: *Music, Art, Definition, Ontology, Social Kinds, Institutionalism, Proceduralism, Functionalism, Naturalism.*

What is music? Here is a question not easy to answer with anything truly insightful, as opposed to something true but trivial, such as “music is organized sound” or “music is sound evolving in time”, or (worse) some inspiring and obviously false statement we're supposed to interpret figuratively. A notorious example of inadequate definition is Joseph Beuys' “Art is life, life is art” [Stachelhaus (1991)]. While this may express the insight that art and aesthetic concerns are pervasive in human life, not just on a few established art forms, and that we can find artistic elements in many activities that aren't standardly classified as art, it is hopeless as a definition.

The extant literature on the definition of music is scarce. Recent contributions are found in Jerrold Levinson (2011), Andrew Kania (2010), and Andy Hamilton (2007). I will not discuss these at length here, since my purpose is more methodological than definitional: I don't seek to provide a new definition of music but to enquire what *kind* of philosophical theory of music we should endorse, though at the end of the essay I clarify the connections between the ideas I develop here and one of the extant definitions of music.

The problem of defining music is independent from the problem of defining art. In principle, we don't need to know what art is in order to know what music is. Nevertheless, the same (kinds of) rival theories that seek to explain the nature of art can be brought to bear on the nature of music, though the arguments for them will differ. For instance, maybe the nature of music is best explained by a functionalist theory, examples of which are aesthetic theories (theories that rely on the notion of aesthetic properties or aesthetic experiences); or maybe it turns out the best definition is an institutional or an historical one.

I. THE FRAME THEORY AND THE PROJECT OF DEFINITION

Maybe the most widely accepted view on the nature of music (or at least one that fits well with the *Zeitgeist*, though not a default philosophical stance on the subject) is a kind of folk institutional or procedural theory: "Music is whatever a musician says it is." This is what we may call a "frame theory", following a witty remark by Frank Zappa:

The most important thing in art is The Frame. For painting: literally; for other arts: figuratively — because, without this humble appliance, you can't know where The Art stops and The Real World begins. You have to put a 'box' around it because otherwise, what is that shit on the wall? If John Cage, for instance, says, "I'm putting a contact microphone on my throat, and I'm going to drink carrot juice, and that's my composition," then his gurgling qualifies as his composition because he put a frame around it and said so. "Take it or leave it, I now will this to be music." After that it's a matter of taste. Without the frame-as-announced, it's a guy swallowing carrot juice. So, if music is the best, what is music? Anything can be music, but it doesn't become music until someone wills it to be music, and the audience listening to it decides to perceive it as music [Zappa & Occhiogrosso (1990), p. 140].

The "frame" here isn't essentially a material object but a *procedure* that may or may not be signaled through a material object. Make any kind of noise you want, or record any raw sound, natural or artificial, lacking rhythm, melody or harmony, or produce a silent performance, allowing people to hear fortuitous noises external to the performance, present it to an audience ("frame" it) and *voilà*: music. What worries me though is the following: *what does it mean* to say of something that it is music? What does "willing something to be music"

mean? What is the *content* of such an intention? And if musicians have the power to turn anything into music by sheer force of will, what happens if different musicians *disagree* about the music-status of a particular case? Should we say that it is *and* it isn't music? Is it "the artworld" that has final say? But we can easily imagine examples of cross-cultural, cross-temporal and cross-modal artworld disagreement, not to mention simpler cases of institutional disagreement within the same culture, the same time and the same world. How are we to make sense of that?

Let me call your attention to a reasonably well-known statement by the composer Edgar Varèse, one of the pioneers of electronic music:

Although this new music is being gradually accepted, there are still people who, while admitting that it is "interesting," say, "but is it music?" It is a question I am only too familiar with. Until quite recently I used to hear it so often in regard to my own works, that, as far back as the twenties, I decided to call my music "organized sound" and myself, not a musician, but "a worker in rhythms, frequencies, and intensities." Indeed, to stubbornly conditioned ears, anything new in music has always been called noise. But after all what is music but organized noises? And a composer, like all artists, is an organizer of disparate elements [Varèse e Choun Wen-chung (1966), p. 18]

Here Varèse seems to be making the suggestion that "music" is (or *should* be) a general term for "sound art", not restricted to sound events produced with traditional instruments and organized in tonal structures, though he speaks of "rhythms", which are a traditional ingredient of music. Any sound-oriented activity with an artistic purpose and any sound event produced by such activity would be, according to this, music. This would make the definition of music dependant on the definition of art: as if "music" referred more to the artistic medium of sound than to a specific way of working that medium. This is implausible in that there is more to the identity of an art form than the identity of its medium – different art forms can share the same media (e.g. jewelry and sculpture) So more must be said about the relationship between the concept of *music* and the concept of *sound art*, even if we further qualify the latter as non (primarily) linguistic sound art, to exclude cases of spoken poetry, drama, and the design of things like public water fountains, which include acoustic aspects. Even when all of these are excluded, there may still be more than one sound-oriented activity subsumable under *sound art*.

Though apparently dismissing the question of whether a given sonic work is also a *musical* work, in the same article, a couple of paragraphs later, Varèse seems to unwittingly reintroduce that question:

But, considering the fact that our electronic devices were never meant for making music, but for the sole purpose of measuring and analyzing

sound, it is remarkable that what has already been achieved is musically valid [op. cit., p. 19].

This contrasts with what was said before, since it seems that in addition to being organized noises, some sound events are also “musically valid”, a property which they can arguably lack, if there is any sense to the word “remarkable” in that sentence. And even if no one had “stubbornly conditioned ears” it would still make sense to ask in what being “musically valid” consists, which seems to me another way to phrase the question “what is music?” since there can be no “musical validity” if there is no objective difference between music and non-music (whether or not the concept of music is an “evaluative” concept) and no matter how vague around the edges that concept is. To be “musically valid” can only mean “to satisfy conditions for musichood”.

Now, can a “frame theory” be a satisfactory theory of music’s nature? Is the concept of music an arbitrary concept, one that applies to whatever we decide it applies? Is it the concept of a culture-bound reality, so that nothing can be music except in a culture that has some concept of music? Or does the concept of music we *seek* (whether or not that is the concept or concepts we *have*) actually pick out a cross-cultural, non-arbitrary human phenomenon, a universal human feature?

The reason an institutionalist or proceduralist approach has some *prima facie* plausibility is that, in a sense, we really decide what is art and what is music, but not in a way that vindicates the metaphysics of the institutionalist or proceduralist (both “frame theorists”). That is, we can establish arbitrary rules about what counts as art and what counts as music in what context. We can create *art-institutions*, just as we can create all sorts of other institutions. We can also extend concepts beyond their original domain of application (Pierre Schaeffer’s concept of *musique concrète* is one such example). But this still leaves us with the problem of why we have those institutions in the first place and what individuates them as art-institutions.

The problem of the definition of music is often presented as a problem about the *concept* of music. However, we should clearly demarcate *concepts* or *representations* of reality and reality itself. Maybe this line tends to blur when it comes to social kinds because of a certain background belief that social kinds aren’t “really” a part of the furniture of reality. We shall now try to unblur this line.

II. CONCEPTS FOR SOCIAL KINDS

We must be very careful when talking of *the concept of* music or *the concept of* art, as if it was any clearer what a *concept* is than what music and art themselves are. It is not obvious that we refer to things by “expressing concepts” with our words nor that concepts aren’t just a philosophical inven-

tion. Here is a tentative view on how we arrive at concepts: we start by having coordinated noises (words) that refer to roughly the same things in virtue of perceived similarities that might prove misleading. In time, our discernment of relevant similarities becomes more and more fine-grained; we form provisional lists of properties that apparently all cases of *X* have in common, calling such lists “concepts of *X*”, and as we abstract more and more aspects of the things referred to by the same coordinated sounds we come to realize, in some cases at least, that they in fact share a common nature, and with each addition or subtraction from our list we have a *reformed* conception of *X*. So “music” and “art” are such coordinated noises, by which we refer roughly to the same activities, objects and events. In time, we either discover that different things we refer to by the same coordinated noises have in fact relevant similarities or share a common nature or not; we either discover that those activities, objects and events are (relevantly) cross-culturally related to other activities, objects and events, or not. It is only in hindsight that we speak of *concepts of music* and *concepts of art*. So when the ethnomusicologist remarks that “they don’t have our concept of music”, either implying that they have a *different* concept of *music* or that they don’t have a concept of music at all, the appropriate answer is: how is that relevant? We can’t assume without argument that just because people don’t share the same concepts then their activities don’t have relevant similarities nor share essential properties. Very often, different people abstract different aspects of the same reality and exaggerate the significance of the particular aspects on which they focus, creating the cognitive illusion of a radical, unbridgeable gap between “different concepts of *X*”. But in fact, if such different concepts are concepts of the same thing at all, then there must be an overarching concept (i.e. a list of properties which we arrive at in hindsight) that includes both (whether or not we explicitly *have* it), no matter how they may differ, since otherwise we have no justification for calling them “concepts of *X*”. The concept of H_2O and the concept of *the stuff that fills lakes and runs from taps* have the same extension, but they are concepts of the same thing because *water* is what happens to fill lakes and run from taps. The concept of *water* is the overarching concept that includes both the concept of H_2O and the concept of *the stuff that fills lakes and runs from taps*. These “different” concepts are in fact concepts of *different features of the same substance*. As noted by Sainsbury and Tye (2011), “A conception of water is a body of information concerning water. There is no such thing as *the* concept of water (various distinct concepts, like the concept of H_2O and the concept *stuff that falls as rain*, have water as their referent, and so are concepts of water). By contrast, there is such a thing as the unique concept *water*.”

Now, what is the overarching concept that binds all (actual or merely possible) culturally-relative concepts of a social kind such as art or music? What feature (or features) must any culturally-relative concept of music have,

if it is to be a concept of music at all? And what does “culturally-relative concept of *X*” exactly mean (where *X* is a social-kind term)? As far as I can see, a culturally-relative concept of *X* is a restrictive concept of *X*, a concept that, in virtue of ignorance or chauvinism, excludes a subset of *X*-variants from its extension. From this I gather that a culturally-relative concept of *X* either collapses into a concept of a particular *X*-variant, or into a concept of a subset of *X*-variants, accompanied by unawareness that these are in fact *variants*, that they are cross-culturally related to other phenomena (think of different cultures unknowingly producing variants of the same board game). But then no such concept could have explanatory power to deal with cross-cultural, cross-temporal and cross-modal scenarios where there are enough deep similarities between different things that in a more parochial context would not be considered tokens of the same *X*. Social phenomena can have relevant or deep similarities, even if they originate in different cultural contexts or from the actions of people who don’t share an overarching, cross-cultural concept of such phenomena, the most striking examples being that of language and money: different cultures that don’t have any concept of language and money can share the properties of having language and having money, and this state of affairs is compatible with their ignoring crucial facts about language and money.

If when thinking about the nature of a social phenomenon demanding explanation, people don’t have an overarching, cross-cultural concept of it in mind, then they *should* have it, if they are to think correctly about the subject. There is otherwise no interest in the philosophical project of definition. The point of defining concepts such as *art* and *music* is not just to have a definition that is extensionally adequate, with special emphasis on recalcitrant cases of avant-garde works, as if accommodating such works and taking at face value artist’s often hasty and ideologically motivated *statements* about art took precedence over understanding what it is that artists *do* when creating art, what audiences do when appreciating it, and why we came to have any conceptions of art at all. What we want to define, therefore, isn’t the concepts we *happen to have* but the concepts we *should* have if we are to make sense of how the culturally-relative concepts connect with each other and of the nature of the phenomena in question.

In the philosophy of music in particular, we should be engaged with enquiring whether there is a usable concept of music such that a) it captures a subset of human sound-oriented activities (independently of how different cultures divide sound-oriented activities) which b) constitute a cross-cultural, non-arbitrary human phenomenon, a universal human feature, c) that we can use to explain 1) why we have culturally-relative conceptions of music at all, 2) what makes them conceptions *of music* instead of something else, and 3) why we are inclined to describe as “music” sound-oriented activities that may originate in cultures that lack “our” culturally-relative concept of music (sup-

posing we have one and whatever it is) 4) why (primarily) non linguistic sound-oriented activities from the distant past or from an alien social background can still appeal to some of us, why this appeal seems independent of any procedural or institutional framework, with which we have nothing to do anyway. In other words, the role of a philosophy of music isn't to tell us how we already think about music but how we *should* think about music if we are to understand why we have any culturally-relative concepts *of music* at all. If our theory doesn't do that, then it's not a philosophical enquiry on music.

Social kinds raise complications that natural kinds don't, since social kinds don't exist independently of social beings and their representations of reality. Whereas the nature of things like water, silver and cadmium is mind-independent, it's not obvious, at the very least, that the same is true of social kinds. We can be wrong about the nature of water and there are empirical discoveries (such as water's chemical structure) that can make us change our views. But what empirical discoveries could we make that would lead us to revise our concepts of art or music? Of course, every time we encounter a new work of art or become acquainted with artworks from a different culture, we learn something about the *extension* of the concept of art. But there is no empirical finding, other than acquaintance with the work itself, from which we learn that those things are art (that is, no artistic parallel to the empirical discovery of the chemical structure of water). We simply *recognize* those objects as art (or we don't). We can learn about the essence of art neither by chemically analyzing artworks nor by any such empirical scrutiny. Even though the recognition of art is a matter of experience, the essence of art must be captured, if only partially, through *a priori* reflection on our experience of what are thought to be central cases of artworks and how we already think about them.

In a particular case, we may have doubts concerning the artwork status of a given object, or we may be unaware that a certain object is a work of art. Someone may then call our attention to the work's aesthetic properties. But how do we know that having aesthetic properties is a part of the essence of art? How do we know whether that is necessary or sufficient for art? And how would we try to disprove such idea? Providing examples of works of art with no aesthetic properties will only be useful if we already have an idea of what a work of art is. Otherwise, how do we know that the proposed counterexample *is* a work of art and therefore a genuine counterexample? Moreover, if the existence of aesthetically dysfunctional or even anti-aesthetic artworks is compatible with an aesthetic theory of art, there is no way we can know that empirically. We have no alternative but to *think* about it. This doesn't mean that social kinds are any less objective or that the essence of a social kind isn't mind-independent (in the same sense that the nature of mind is mind-independent). There is confusion between the mind-dependence of facts about whether a particular thing counts as an instance of a social kind

and the mind-dependent nature of the social kind itself. A confusion between something's being contingent upon the existence of social beings and having its nature determined by the subjective states of social beings. This mistake is easily dispelled: beliefs are contingent upon the existence of thinking beings, but what a belief is (what makes it different from other mental states) doesn't depend on the beliefs of thinking beings about the nature of beliefs.

The most straightforward analogy with a social kind I can think of is with language: the existence of language is contingent upon the existence of social beings capable of having beliefs about their grunts and squiggles, but what language *is* (how it differs from other social kinds) doesn't depend on our beliefs (or absence thereof) *about* language. One of the tasks of a philosophy of music is to determine whether, despite superficially appearing to be an arbitrary concept, the case of music turns out to be relevantly similar to the case of language.

III. NATURAL-KIND THEORIES OF ART AND CULTURAL-KIND THEORIES OF ART

To clarify what I'm aiming at, I'll use a classification of theories of art presented by George Dickie (1997) in his article "Art: Function of Procedure, Nature or Culture?"

In that article, Dickie divides theories of art into *natural-kind theories of art* (NKTA) and *cultural-kind theories of art* (CKTA). These notions will prove to be immensely helpful. Here is how he defines both types:

NKTA: A natural-kind theory of art would be one in which it is claimed that art first emerged as a result of natural-kind activity and that art has continued to be created as a result of natural-kind behavior [Dickie (1997) p. 26].

CKTA: The institutional theory of art, in either its earlier or its later version, is clearly a cultural-kind theory because it takes a cultural, institutional structure to be the necessary and sufficient matrix for works of art. [...] For the institutional theory, various natural-kind activities may show up in various artworks, but there is no reason to think that any one natural-kind activity is or needs to be present in every artwork [Ibid., pp. 27-28].

By "natural-kind activities" (NKA) and "natural-kind behavior" Dickie means those things that are spontaneously done by living organisms; activities like "gathering food, stalking prey, eating, mating, building nests, constructing the elaborate courtship bowers that birds do, living solitarily and living in social groups" [Ibid., p. 25]. Cultural-kind activities (CKA) and cultural-kind behavior are characterized by not being genetically fixed. They are "particular ways of living together, particular ways of hunting, particular ways of raising food, rituals of eating and marriage" [Ibid.], etc.

There isn't a strict separation between NKAs and CKAs, though not all CKAs are NKAs. The relation is somewhat more complex. "Some cultural-kind activities are particular ways that, in one way or another, human beings have come to organize their natural-kind activities. Such activities are in some sense invented by the members of a particular group and are passed on by learning" [Ibid.].

A natural activity organized in multiple ways not biologically pre-determined is still a natural activity. Human CKAs comprise biologically non-rigid activities that may be performed in a biologically rigid (narrowly innate) way by other species (e.g. mating, stalking prey and gathering food), activities that are discovered, invented, passed on by learning (e.g. writing and the use of fire), and the creation of institutional reality (e.g. counting a line of stones as a territorial boundary, counting wampum shells as money, etc.). It's very important not to confuse natural-kind *activities* with what we usually call *natural kinds*: things like *water*, *silver*, and *willow tree*, things that are independent of any mental states or conscious activity. A natural-kind theory of art isn't a theory according to which *art* is a natural kind in this sense. A natural-kind theory of art is a theory according to which the activity-type *art-making* is a cross-cultural, non-arbitrary human phenomenon, independent of any *art concepts* that people may form or acquire (the same way *language* is independent of a language-concept and *depiction* is independent of a depiction concept).

By "conceptual dependence" I mean the property in virtue of which the fact that some object X counts as Y is dependent upon X's being *conceived* or *described* as Y. A classic example of conceptual dependence, given by Nelson Goodman (1983), is that of configurations of stars as constellations. A configuration of stars is only a constellation from the viewpoint of an earthly observer and under a shared description (the fact that a certain stellar configuration counts as the constellation of Orion the Hunter is also a *social* fact). Facts about what configurations of stars count as constellations are conceptually dependent facts. Though Goodman was making a case for a kind of constructivism (the belief that all facts are conceptually dependent), we don't have to embrace constructivism to accommodate conceptual relativity as a real phenomenon, since conceptual relativity is perfectly consistent with realism. Some facts can be conceptually dependant only because not all facts are. For there to be conceptually dependent facts such as the fact that X counts as constellation Y there must be conceptually independent facts: the fact that there are configurations of stars, the fact that some of these are visible to earthly observers as describing certain forms, the fact that there are earthly observers endowed with imagination (the ability to see hunters or giants in arbitrary stellar configurations) and capable of having shared beliefs, etc.

Some CKAs are NKAs but not all are. NKAs that are biologically rigid are not CKAs. CKAs that are conceptually dependant are not NKAs, though

they are partly constituted by NKAs. CKAs that are conceptually independent are cross-cultural phenomena.

The notion of conceptual dependence allows us to make a relevant distinction between CKAs: those whose individuating properties include the property of being represented as the activity-type they are, and those that are individuated merely by their constitutive NKAs, independently of being thought under any description. Another way to put this is to say that CKAs that are conceptually independent are *human universals*, that is, cross-cultural, non-arbitrary, biologically non-rigid human phenomena. Roughly, we have CKAs that are conceptually dependent and CKAs that are not conceptually dependent. What characterizes the former is that they involve at least one biologically non-rigid NKA – *language*, without which no object X can count as any Y in whatever context. Conceptually dependant CKAs are those that essentially involve the act of counting some X as some Y in a context.

These conceptual relations can be represented in the following diagram:

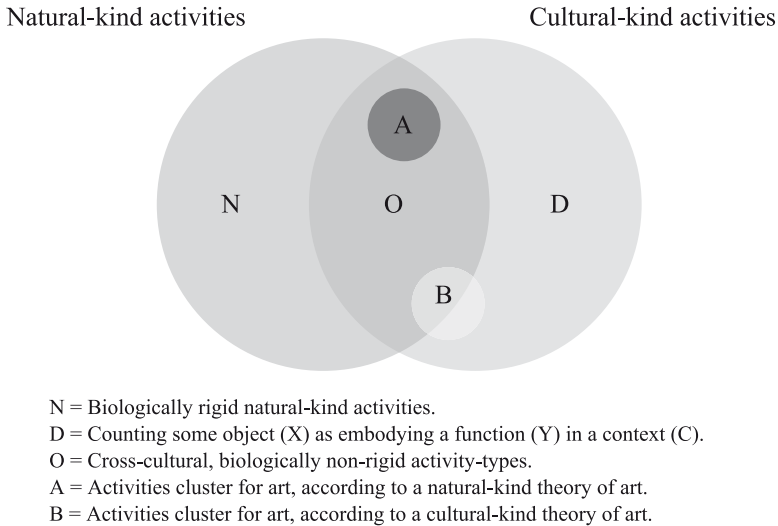


Fig. 1

We can illustrate this with a few examples: *speaking English* is like B in the above diagram. It satisfies two important conditions: 1) though speaking, like all our activities, has biological constraints, it is not biologically rigid, in the way that the cries and calls of many non-human animals are. 2) There are no facts about what grunts and squiggles count as English utterances

independently of there being a concept of *English*. In a world where people have no shared beliefs about what grunts and squiggles count as utterances of English, there are no utterances of English.

Satisfying condition 1 (lacking biological rigidity) is both necessary and sufficient for a particular NKA to be a CKA. Satisfying condition 2 (being conceptually dependent) is sufficient but not necessary to be a CKA. CKAs that satisfy condition 2 are partly constituted by a NKA or cluster of NKAs, though no cluster of such activities is sufficient to individuate them as the activity-type they are. They must include shared beliefs or representations about their component activities, for instance, the shared belief that these amount to *speaking English*. (Of course, a subgroup could speak English without being aware that's what they're doing.) Facts about what grunts and squiggles count as utterances of English are thus analogous to facts about what configurations of stars count as constellations. There is at least one NKA of which all activity-types located in the D area of the diagram in Fig. 1 depend: language. This is because all activity-types located in D have the same basic structure: *counting some object (X) as embodying a function (Y) in a context (C)*, which is at bottom a linguistic operation. (Searle:1995; 1999; 2010) Counting grunts as utterances, counting pieces of metal as money, counting certain utterances as promises, counting certain graphic patterns as national flags, and so on. In other words, the D area in the diagram is where the creation of social and institutional reality is, the most basic institutional fact being that of language itself. In fact, the whole of D area should be seen as an "outgrowth" of the O area, specifically of our linguistic abilities. Combining this analysis with Dickie's classification of theories of art in NKTA and CKTA enables us to see how the metaphysics of society illuminates the metaphysics of art in general and music in particular, and what kind of theory of music's nature will have the most explanatory power.

Now, consider the type *imposing syntactic structure on physical events* (such as grunts and squiggles), which is a non-rigid NKA. We don't need a concept of syntax in order to divide grunts and squiggles into discrete, repeatable units that preserve their identity and perform different functions in different contexts and in order to perceive separate grunts and squiggles as tokens of the same type (for instance, in this article there are exactly 26 tokens of the word-type *type* and 10 tokens of the word-type *token*, all of them separate spatiotemporal realities). The only thing required is that the relevant abilities are in place, that is, we need to have the right kind of brain. Doing this amounts to having linguistic behavior, without a *conception* or *description* of that behavior being necessary for the activity-type to count as *imposing syntactic structure on physical events*. In fact, we would have no descriptions and no articulate conceptions of things whatsoever if it weren't for this ability.

CKTA are not characterized by the trivial assertion that activities like art and music are cultural activities (they obviously are not biologically rigid NKAs and no plausible NKTA would assert they are) but the non-trivial assertion that no cluster of NKAs is sufficient for art. For a CKTA, a shared *conception* or *description* of the relevant NKAs *as art* (or as music), provided by a cultural or institutional matrix, is both necessary and sufficient for art (and music). The paradigmatic CKTA here is given to us by Danto:

It is the role of artistic theories, these days as always, to make the artworld, and art, possible. It would, I should think, never have occurred to the painters of Lascaux that they were producing *art* on those walls. Not unless there were neolithic aestheticians [Danto (1964), p. 58].

According to this view, it's not something intrinsic to the activity of cave painters that makes their paintings art, but the separate cultural activity of counting things as art (which is embodied in a "frame": be it a procedure or an institutional background), whereas for a NKTA it is something intrinsic to the activity (but *not* to the objects produced by that activity) that makes the products of such activity artworks. Artworks, according to NKTA, have *functional essences*: no arrangement of physical stuff or concatenation of sounds is an artwork or a musical work in virtue of intrinsic properties (though the relevant properties may depend on some of the object's intrinsic properties), but because it has certain functions in virtue of a causal history that traces back to human intentional states. An example of this are aesthetic theories of art for which the essence of art lies in the intentional realization of aesthetic properties in artifacts [Zangwill (2007)]. For NKTA, the transition from a world without art to a world with art is achieved simply when cognitive agents strive to realize aesthetic properties by producing objects with the appropriate non-aesthetic properties on which the relevant aesthetic properties depend. In so far as the type *intentional exploration of aesthetic properties* doesn't require that cognitive agents have a *concept of the aesthetic* or a *concept of aesthetic properties*, the individuation of the type *artistic creation* requires only the resources of a NKTA. The fact that cave painters weren't *aware* that they were creating artworks in virtue of the absence of such a concept is no more relevant to the existence of art than not having a concept of *language* is relevant to having language.

For CKTA, the transition from a world without art to a world with art is achieved by institutional reality (whether or not it involves an "artworld"): shared representations about what counts as "art" and about the appropriate context in which countings of things as art are successful or felicitous (e.g. maybe John Cage can make it the case that gurgling carrot juice counts as music but I can't). Here arthood is also characterized functionally but the functions in question are of a whole different sort. This may sound odd, given

the traditional contrast between functionalist theories of art and institutional theories of art, where functionalist theories belong in the NKTA side of the divide. To make sense of this we need a general characterization of functions.

IV. FUNCTIONS, ARTIFACTS AND INSTITUTIONS

In *The Construction of Social Reality*, Searle (on whose analysis of the nature of institutions I draw here, as in the previous section) offers a taxonomy of social facts, including the assignment of functions. For our present purpose, I need only focus on two kinds of function assignment: *causal agentive functions* and *status-functions*. (Nothing here hinges on Searle's being right (e.g. against Millikan) about functions in nature generally.) Causal agentive functions and status-functions are both kinds of agentive function, that is, functions an object has in virtue of being *intended* to have them (they contrast with *non-agentive* functions, such as the heart's function of pumping blood, which it performs independently of anyone's intentions). Examples of causal agentive function are the functions of artifacts in general, such as the function of being a screwdriver. An artifact has its function in virtue of having the right physical powers (like the power to screw in other things) *and* in virtue of being intended to have that function. However, in order to discharge their functions, artifacts depend solely on their physical structure, not on shared representations about them (there need not be some agreement about screwdriver status for something to be a screwdriver, all that is needed is the intention to screw in things using the appropriate physical structure). Causal agentive functions are not language dependent. Yet, no arrangement of physical stuff is an artifact if no one *intended* it to have a certain function.

Status-functions are functions no object can perform in virtue of its physical structure alone. No arrangement of physical stuff is a territorial border unless it's collectively represented as a territorial border, no matter how physically effective it is in keeping people from crossing it. But even a line of stones with no physical power to keep people from crossing it can be a territorial border if it's collectively represented as a territorial border. And the fact that it is so represented causally impacts people's behavior. These functions differ from causal agentive functions in that they are language dependent. According to Searle, the basic structure of all status-functions is *X counts as Y in C*, i.e., some object (X) counts as embodying a function (Y) in a context (C). Counting X's as Y, through shared representation (what Searle calls *collective intentionality*), creates and assigns *power*, generating properties of X's that they can't have in virtue of physical structure alone. Status-functions are the backbone of all institutional reality.

We can now see more clearly the difference between traditional functionalist theories of art and institutional/proceduralist theories of art, that is,

between theories that belong in the NKTA group and theories that belong in the CKTA group: while the former appeal to causal agentive functions, of the same kind involved in the individuation of artifacts generally, the latter appeal to a status-function. This is roughly how a cultural-kind theorist sees artwork status: *the snow shovel (X) counts as an artwork (Y) in the twentieth century artworld (C)*. And the same structure applies to music: *gurgling carrot juice (X) counts as music (Y) in the twentieth century artworld (C)*.

It's not the appeal to functions that distinguishes both families of theories, but the *kind* of functions appealed to, the former being language-independent and the latter language-dependent. It's just that traditionally in the philosophy of art, "functionalist" is a term reserved for theories that appeal to causal agentive functions of a specific kind, namely, *aesthetic* functions: the intention to realize an aesthetic property via certain non-aesthetic properties is analogous to the intention to screw in things using the appropriate physical structure; no linguistic articulation of the aesthetic property is needed, only the intention to produce a certain *kind* of experience of non-aesthetic properties. Of course, these intentions will become more complex and will integrate conventional aspects which are language-dependent. But at rock-bottom they're not language-dependent.

Now, status-functions have an interesting property that will raise serious difficulties for the institutionalist about art, namely, *self-referentiality*. Consider the case of money: it's part of the definition of money "to be represented as money", since nothing can be money in virtue of its physical structure alone. This seems like a vicious regress, but actually it isn't:

The word "money" marks one node in a whole network of practices, the practices of owning, buying, selling, earning, paying for services, paying off debts, etc. As long as the object is regarded as having that role in the practices, we do not actually need the word "money" in the definition of money, so there is no circularity or infinite regress. The word "money" functions as a placeholder for the linguistic articulation of all these practices. To believe something is money, one does not actually need the word "money". It is sufficient that one believes that the entities in question are media of exchange, repositories of value, payment for debts, salaries for services rendered, etc. And what goes for money goes for other institutional notions such as marriage, property, and speech acts such as promising, stating, ordering, etc [Searle (1995), p.52]

The self-referentiality of status-functions tells us something of key significance: although the existence in a given society of objects that embody a particular status-function depends on the activities of cognitive agents, the *nature* of that status-function isn't arbitrary and it doesn't depend on any beliefs people have about the nature of status-functions (two points: a) *what it is to be a status-function* is mind-independent, b) *what individuates a status-function from other status-functions* is mind-independent). There can only be

meaning in counting something as money because the nature of money is already established mind-independently by whatever it is to perform that role in that network of practices. There are objective restrictions (logical and metaphysical) on what can *function* as money once the status-function is assigned. The status-function itself is only intelligible *because* of those objective restrictions. “It’s money because I say so” means *nothing* in the absence of those mind-independent restrictions.

Likewise, if *art* and *music* really are status-functions, then “being represented as art” is part of the definition of art, and “being represented as music” is part of the definition of music (which is what the institutional theorist claims). But if they truly are status-functions then the terms “art” and “music”, as they occur in the *definientia*, must be placeholders for the linguistic articulation of practices, relations and causal roles involved in the individuation of those specific status-functions. *Status-functions are not individuated from other status-functions by their linguistic descriptions*. So, if all we have to go is a linguistic description (or a procedural “frame”), we don’t have a status-function, we have only the general form of a status-function.

This argument is different from traditional objections of circularity raised against the institutional theory. According to these objections, circularity shows that the concept of art can’t be an institutional concept. And a conventional response is to deny that circularity poses a problem, based on the idea that artworld institutions can’t be individuated from other institutions in an informative, non-circular way. By contrast, the objection I’m raising here, based on Searle’s analysis of institutional facts, is that we can very well have (and we do have) an institutional concept of art, but that concept *presupposes* a more basic functional concept. Language allows us to assign functions no object can perform in virtue of its physical structure alone. No mere line of stones can physically keep people from crossing it, but it effectively functions as a territorial border if represented as such. We can have a stone wall, which is primarily an artifact with a causal agentive function of keeping people out (or in) but if people collectively represent it as a territorial border it impacts their behavior even if through time it’s reduced to a mere line of stones. The same relation holds between a particular good that in a barter economy functions as a *de facto* medium of exchange, and an object that embodies the money status-function. Language extends power “at will”, but *what* that power *is* isn’t decided by us, any more than our use of concepts fixes the ontology of concepts. All institutional kinds, though immensely flexible and multiply realizable, bottom out in a network of practices, relations and causal roles. The conclusion this argument aims at isn’t to remove the institutional concept of art but to say that any such concept presupposes a more basic explanation. At best, a CKTA collapses into a NKTA enhanced with an explanation of how the basic functional roles essential to central cases of art-

works can be extended through language, analogously to the roles of the stone wall and the *de facto* medium of exchange in a barter economy.

This idea provides us a useful tool to think about recalcitrant cases of avant-garde art and indiscernible duplicates, so hastily taken to “refute” more traditional (functionalist) aesthetic theories of art. The same goes for recalcitrant cases of music, such as silent pieces, *musique concrète*, pieces with no temporal structure, or that lack “basic musical properties” such as rhythm, melody or harmony. Supposing a basic functionalist account of art in terms of the intentional realization of aesthetic properties, and a basic functionalist account of music in terms of the intentional realization of rhythmic, melodic or harmonic properties (to be developed elsewhere), what we need is an explanation of how, in the context of both a NKTA and a NKTm (natural-kind theory of music), our ability to create institutional reality from linguistic operations widens the scope of objects that can belong to a particular artistic or musical tradition, e.g. *found objects* and *found sounds*, even if no possible or actual tradition could be entirely constituted by objects of that kind. To give an example used by Kania (2011), pp. 8-9: there can be blank canvases in a tradition of painting even if no tradition of blank canvases could ever be a tradition of painting. I think an enhanced NKTA could explain exactly *why* and *how* this comes to be. The institutionalist, on the other hand, takes it for granted and moves on from there, since he takes the procedural “framing” (the imposing of a status-function) to be the explanatory mechanism, and not a part of the *explanandum*.)

V. ENHANCING THE NKTA

Though only a NKTA gives a rock-bottom explanation of the existence of art and music, I believe that a strict disjunction between a natural-kind explanation and a cultural-kind explanation won’t afford us the explanatory power required by a thoroughgoing metaphysics of art in general and music in particular. This is for the simple reason that, as language users, we can’t help creating institutional reality out of our biologically non-rigid NKAs: “Given a language you can, so to speak, create institutional facts at will (that is the top-down part); but when you have a language, other social institutions will inevitably grow up out of language (this is the bottom-up part)” [Searle (2010), p. 63]. Even if a cluster of biologically non-rigid NKAs is sufficient to individuate the activity-types *music* and *art*, that is, even if at rock-bottom, art and music are conceptually independent natural-kind activities, as language users we will inevitably have institutional reality of an artistic and musical ilk; we will form concepts of *art* and *music* and we will inevitably extend those concepts beyond their original domain of application, with meaningful artistic and musical consequences (objects with no apparent aes-

thetic functions can be “secondary works”, they can derive their art-status from the property of being *about* works that have recognizable aesthetic functions [Zangwil (2007), p. 70]. And we will have these institutional extensions of our natural abilities even in the absence of any explicit words for “art” and “music”. No complete philosophical theory of either art or music can leave out that portion of reality.

This means that the concepts of art and music we *seek* (not those we have) will both be two-layered concepts: they will have an element of “rock-bottom functionalism” (with causal agentive functions doing the explanatory work) and an element of status-function, explaining how the power of language to create institutions widens the scope of objects capable of art-status, in a way that renders such objects intelligible as members of an artistic tradition.

But what would a natural-kind theory of music look like? What activity-types would constitute a sufficient cluster for the (conceptually independent, cross-cultural) existence of music? Here is a rough (non-exhaustive) list of NKAs that might be included:

- a Dividing the pitch continuum into discrete, repeatable pitches and identifying separate tokens of the same pitch-type as “the same again”.
- b Perceiving sounds an octave apart as “the same but higher” or “the same but lower”.
- c Organizing pitches into divisions of the octave called “scales”, on which melodies are based.
- d Perceiving certain beats in a grouping of beats as unaccented relatively to an accented beat in the same grouping.
- e Perceiving separate tokens of the same accented-unaccented beat pattern as “the same again”.
- f Perceiving certain simultaneously-sounding pitch-aggregates as a “single entity” (chords) and identifying separate tokens of the same type as “the same again”.
- g Imposing different syntactic functions on tokens of the same pitch-type or pitch-aggregate-type, according to their context (pitches preceding and following it – tokens of the same pitch-type or pitch-aggregate-type sound consonant or dissonant according to context and can perform many different functions).

- h Forming auditory expectations.
- i Imaginatively perceiving movement in a sequence of sounds.
- j Recognizing “contour similarities” or isomorphisms between tonal movement and extramusical processes (e.g. the process of undergoing an emotion, or a fluttering movement).

All items in the above list are prospective “musical universals”, that is, types of mental activity that constitute the type *listening to sounds as music* and underlie any actual or counterfactual musical tradition, though no particular musical tradition needs to deploy *all* of them (a particular musical culture may lack what we call “harmony” or it may be constituted entirely by drones, drumming or rhythmic yelps). [For more on universals in music, see Brown & Jordania (2011); Stevens & Byron (2009); Patel (2008); Nettl: (2000), (2005)] As Searle has remarked concerning speech acts, the possibility that a particular tribe doesn’t have promises is as relevant for a taxonomy of speech acts as the inexistence of tigers in the South Pole is relevant for a taxonomy of animal types [Searle (2006)]. Likewise, the fact that a particular culture lacks one or more items of the NKA cluster for music is of no metaphysical significance, no matter how interesting in other respects. As long as enough items in the list are present, there is still *music* in that culture; and should music be totally absent from a particular culture, that would be an interesting fact but it wouldn’t dislodge a natural-kind theory of music, since a natural-kind theory is compatible with the idea that music, like reading and writing, is an invention that builds on existing brain functions and not a biological adaptation [Patel (2010)], though it is also arguably a very ancient and universal phenomenon (the oldest known artifacts capable of producing pitches are bone flutes dating back 35 000 to 40 000 years). A much more recent invention, chess, also builds on cognitive abilities that weren’t naturally selected *for* chess. A particular culture’s not having chess would be distressing if it were impossible, say, to teach a ten year old in that culture how to play chess. But it is possible, because the cognitive abilities on which chess depends are universal. Likewise, the ability to perform and appreciate music is all but restricted by parochial contingencies. The absence of anything remotely recognizable as music in a peculiar culture, were it to occur, would be no more significant than some cultures not having written language or chess, as long as it remained a natural possibility, say, to teach a ten year old in that culture to play a musical instrument. One would expect the ease with which cultural phenomena disseminate beyond their initial geographic boundaries (think of Anglo-Saxon pop music, movies, and videogames, but also, of course, writing, chess and phenomena such as the establishment of a *lingua franca* between linguistically separate communities) to temper enthusiasm in

cultural particularism. The universality of a human feature need not rest upon narrow innateness or direct biological adaptation.

VI. CONCLUSION

I said that the project of definition in the philosophy of art (and music) should aim at explanatory power and not just extensional adequacy or consistency with the way people *actually* think about the subject. I've been discussing the methodology of the philosophy of art and music rather than arguing for a particular definition of music. Though I can't pursue that task here, I don't wish to leave the reader without some suggestion of how we can pursue an enhanced NKTm and some material to think this question through.

As I've stated earlier, the extant philosophical literature on the definition of music is scarce. I don't have the space to engage in a full discussion of the more recently proposed definitions, but I want to say a few words about the definition that so far seems to me the most plausible and compatible with my proposal of an enhanced NKTm (by this I'm not implying, of course, that it is compatible *only* with my proposal). This is the disjunctive definition presented by Andrew Kania (2011), p. 12.

Music is (1) any event intentionally produced or organized (2) to be heard, and (3) *either* (a) to have some basic musical feature, such as pitch or rhythm, *or* (b) to be listened to for such features.

A disjunctive definition fits well with the two-layered structure I proposed above: the first disjunct (condition *a*) will be explained in "rock-bottom functionalist" terms – a natural-kind theory that accounts for the special character of rhythmic, melodic and harmonic properties. This could be done in terms of "metaphorical perception" [Scruton (1983), (1997), (2009), Peacocke: 2009] or in a way that dispenses with aesthetic metaphors (Budd: (2003); Trivedi (2008), (2011), such as a theory of resemblance plus (spontaneous) imagination. These are theories that seek to explain what it is ("at the foundational level") to *perceive a sequence of sounds as music* in terms of "basic" musical properties or "musical fields of force" to use Scruton's expression. This explanation of why rhythmic, melodic and/or harmonic properties are essential to (central cases of) music will eliminate the apparent circularity in the definition above. I have no space here to engage in a discussion of such views, but the relevant point is that they both appeal to biologically non-rigid NKAs (some form of imaginative perception) and so are equally appropriate for a rock-bottom functionalist explanation of the first disjunct of our definition. They are equally compatible with the idea that music is defined by relational properties whose non-arbitrary clustering is guar-

anteed by two key features of our cognitive architecture: a) the ability to impose syntactic structure on physical events, such as sequences of sounds and squiggles on a surface and b) the ability to imaginatively explore isomorphisms between domains.

The second disjunct (condition *b*) expresses the element of status-function in musical works. An event which has none of the properties essential to central cases of music can nevertheless have music status in virtue of a certain *aboutness* relating it to basic musical properties. This isn't to say that such works have no *aesthetic* functions. They merely lack basic musical properties. But sounds can have aesthetic properties in the absence of basic musical properties, the same way the literary description of a sunset can have aesthetic properties which will differ from the aesthetic properties possessed by the painting of a sunset.

This definition also leaves room for works of sound art that a) have aesthetic properties, b) don't have basic musical properties and c) are not music because they were not intended to be listened to for basic musical properties. This way, the concept *sound art* subsumes: 1) central cases of music, 2) derivative musical works, 3) non-musical artistic sound works, which include the arts of language (spoken poetry and narrative, drama), and things like *soundscape*s and all sorts of sound design involving aesthetic properties. It also leaves room for examples of non-artistic music, thus providing a neat classification of all possible and actual sound-oriented activities with social functions that may or may not be primarily aesthetic.

There are fears that disjunctive definitions are *ad hoc*. The fear is that once we accept two disjunctively sufficient conditions for being *X* there is no reason we can't keep on adding disjuncts until we have a perfectly gerrymandered concept, whose referents have no common nature. So, if we have two disjunct conditions for art, we'll soon have a thousand disjuncts, and so on, to infinity. Setting aside the slippery-slope argument – to which Denis Dutton (2006), p. 375 has given a sharp reply: “A thousand or more ways of being art is still a long distance from an infinite number of ways to be art” – a disjunctive definition might still be *ad hoc*. I don't think this is the case here though. The disjunction mirrors our twofold ability to impose functions on objects: functions they perform in virtue of physical structure (causal agentive functions), and functions they perform in virtue of collective representation (status-functions). We can have complementary theories of both art and music in terms of functional essences: Central cases of musical events issue from the intentional realization of rhythmic, melodic or harmonic properties *via* the realization of certain sonic properties. Central cases of artworks issue from the intentional realization of aesthetic properties *via* the realization of certain non-aesthetic properties. Central cases of musical artworks issue from the intentional realization of aesthetic properties *via* the realization of rhythmic, melodic or harmonic properties (I leave open whether the latter proper-

ties can be aesthetically neutral). The element of status-function is not present only in recalcitrant cases (in the absence of basic musical properties), but is more or less ubiquitous. Consider the type *composing a string quartet in the classical Western tradition* or the type *performing in the tradition of the Persian radif*. Analogously to the type *speaking English*, this is a conceptually dependent piece of reality, since no purely (intrinsic) sonic facts establish what counts as a *string quartet*, a *radif*, or any other conventional musical structure. Hence the appeal to status-functions isn't an *ad hoc* device to forcibly fit recalcitrant cases into our theory, since central cases are also embedded in institutional reality. What an enhanced NKTA / NKTM calls into question isn't the pervasiveness of institutional reality in concrete artistic practices, but the key proposition of cultural-kind theories, that the element of status-function is definitionally basic, that it is the mechanism by which art and music come into existence.*

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NOTES

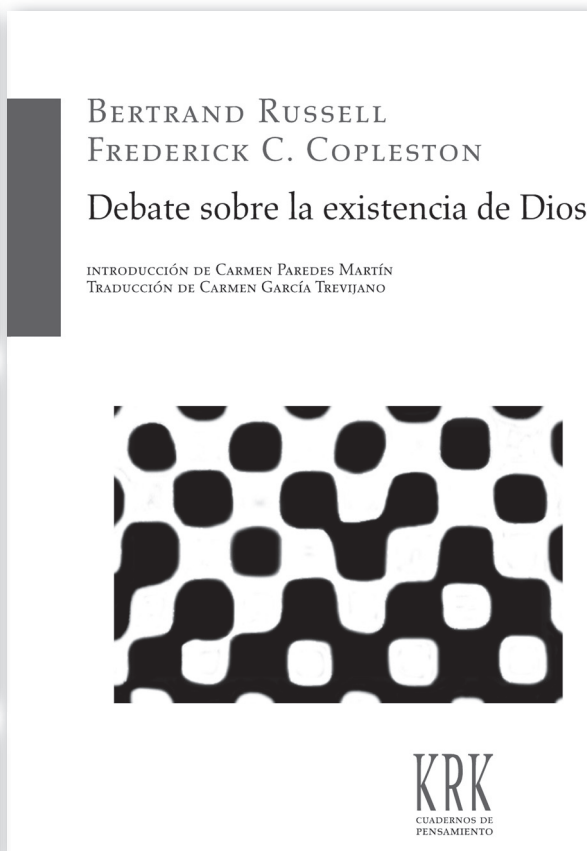
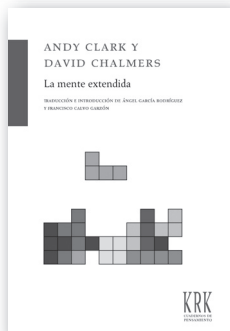
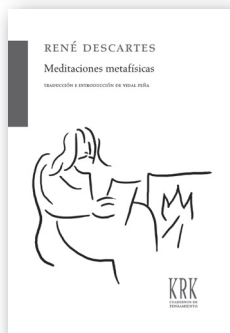
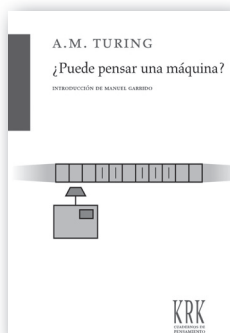
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