

Visions of Lopes Beyond

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ABSTRACT: In his book *Beyond Art*, Dominic McIver Lopes presents a multitude of arguments about main problems in the philosophy of art but centred on the problem of defining what is art and what is a work of art. He argues for “buck passing” theory of art. According to this theory, the task is passed to philosophical theories which, first, have to find necessary and sufficient conditions, or at least, some non-trivial conditions what makes each kind of art exactly that kind of art. It has a form: “X is a work of art if and only if X is a work of K, where K is an art”. Lopes offers support for his theory through many arguments around problems of aesthetic appreciation, aesthetic properties, value, appreciative kinds and practices, media used in various artforms, etc. He tries to show that theory is more viable and more informative than its competitors. I present and critically assess some of the claims from the book; it seems that, according to a form of the theory, we can do without the concept of “art” altogether.

KEY WORDS: Aesthetics, buck passing theory of art, definition of art, philosophy of art, theories of art, theories of arts, D. M. Lopes

One of the central tasks of the philosophy of art is to provide an answer to the question “What is art?” or “What is an artwork?” in most general terms. It seems that finding this answer would provide us with necessary and sufficient condition(s) so we can tell, for any object or event, whether it is an artwork or not. If some X satisfies these conditions, it would be an artwork; if not, then it would not be an artwork. It sounds easier than it is! Many ingenious proposals were given as an answer, but none is, it seems, very satisfactory. We are very familiar with the art, but very unfamiliar with explicitly saying what makes art art. In the first chapter of his book *Beyond Art*, Lopes (2014) makes fundamental difference between, as he calls them, “buck stopping theory of art” (in further text BUSTA) and “buck passing theory of art” (in further text BUPTA), and he will defend and develop “buck passing theory of art”.

In what follows, I would like to critically present just some of the claims from Lopes's book that offers and discusses clearly and thoroughly many interesting problems, arguments, and theories concerning philosophy of art with the main theme, as is already said, centered around the problem of answering what is art.¹

Lopes distinguishes "theories of art" and "theories of arts" in attempts to say what is art and what is an artwork generally. Theories of art try to find what is (or are) necessary and sufficient condition(s) for an item to be an artwork. They try to find one, a couple or several conditions which would constitute necessary and sufficient conditions for any item to be decided whether or not it is an artwork; and, if an item is an artwork, regardless whether it is a piece of music, a painting, sculpture, film etc.; such theories try to find some property or properties that would be common to any entity as artwork across all specific kinds of art or art forms. So, they try to show that there is something in common to all artworks what makes them artworks.

A theory of art has the following form: "X is an artwork if and only if ..." where dots are right-hand place for filling in with necessary and sufficient conditions. Such a theory Lopes calls "buck stopping theory of art". But he opts for what he calls "buck passing theory of art". Buck passing theory of art includes "theories of arts".

Theories of arts have the following form: "K is an art and K is ...". K is a placeholder where we put any kind of art from our art list (Lopes 2014: 14): painting, music, ballet, etc. (But the philosophical question may be – how we make such a list? Consider – X is a work of art = X is a work of K, where K is an art, but what is the criterion for some activity to be inserted in the place of K?) So we have to answer first, for example, question(s) about a particular artform or kind of art, and thus, form of the theory would look like: "Painting is an art and painting is...", "Music is an art and music is ..." etc. Proper theories of arts would be "included" in buck passing theory of art in making an effort to say what is art. So, BUPTA has the following form: "x is a work of art = x is a work of K, where K is an art." (Lopes 2014: 14). Now, it is clear why it is BUPTA: buck is passed to philosophical theories which, first, have to find necessary and sufficient conditions, or at least, some non-trivial conditions (Lopes 2014: 19) what makes each kind of art exactly that kind of art.

Two very important conditions are set for buck passing theory of art: it must be viable and it must be informative. Concerning informativeness, for example, Lopes thinks that BUPTA "...is more informative than its competi-

¹ Beside discussing Lopes's views, I shall seize the opportunity to express, more schematically than in a developed manner, a few of my views.

tion if it is no less systematically informative, if it better grounds empirical art studies, if it better grounds art criticism, and if it deals more effectively with the hard cases.” (Lopes, 2014: 22). He tries, of course, to show that BUPTA scores high on all of these demands for informativness, and that it is better than any BUSTA theory of art.

Let’s see the case about “hard cases”. First, there are various buck stopping theories of art.² We can classify these theories into two groups as such: theories that refer to exhibited properties, and theories that refer to genetic (or historical, causal, relational, “context of making”) properties. We can classify them in two groups as well on logical grounds: theories that are conjunctive and theories that are disjunctive. For example, formalist theory says that items which are intentionally made with (primary) function to have and exhibit significant form are artworks, expressive theory says that items which express feelings in a certain manner are artworks, aesthetic theory says that items made with a capacity to produce special kind of contemplative state – aesthetic experience – are artworks and they are all theories which dwell on exhibited features of items. There are also: institutional theory which says that an item which is made to be presented as a candidate to appreciation to an artworld is an artwork; historical theory that says that an item is artwork if it is intended to be regarded correctly as previous items were regarded – these are examples of theories that dwell on non-perceptible features; they dwell on provenance (for all of these see Lopes 2014: 47–51). These kinds of theories will differ regarding so-called “hard cases”. What are they?

Hard cases are those cases where we have some objects and events which are very dubious; it is even a preliminary question whether they are artworks. For example, Božidarević’s renaissance painting *Annunciation* or Dugan’s neobaroque *Prelude and fugue in G major* are no doubt artworks (painting and musical composition), but what with such “works” as are Duchamp’s *In Advance of a Broken Arm* (which consists just of ordinary shovel put in the gallery), Cage’s *4’33’*, Barry’s *Inert Gas Series*? We can count many other “works” from 20th and 21st century also.³ Some of them are even not in any single (exhibited) detail different from certain ordinary objects which are undoubtedly not artworks. So, can “hard cases” be artworks; are they artworks?

Here intuitions, and so, philosophies of art, depart. First of all, I think that we can take pre-theoretical stance of common sense towards so-called “hard cases”. This stance dispels the problem even before theorizing. Simply,

² See Carroll (1999) for excellent presentation of various theories of art.

³ As an example what contemporary “art” is and how the “works” “look” like today is book by Michael Wilson (2013): *How to Read Contemporary Art: Experiencing the Art of 21st Century*; I think that this is experience many of us don’t want to have. Except a few decent works, perhaps!

at the level of common sense, “works” as are “hard cases” are not even close to artworks; so I think that we do not have any trouble here to formulate an adequate theory of art or theory of the arts. Such works as *In Advance of a Broken Arm* or *4'33'*, and many “works” of so-called “contemporary art”, simply do not have to be considered! No obstacle, no problem! When we just commonsensically and pre-theoretically compare such “works” with for example, Božidarević’s, del Sarto’s, Bellini’s, Reni’s, Medović’s paintings, Beethoven’s, Pachelbel’s, Lukačić’s, Bruckner’s, Hindemith’s, Penderecki’s compositions, we see immediately that they are not on a par, and I do not mean in value or form, but in kind; they are just funny jokes – if taken sympathetically, or almost just nothing, taken not sympathetically. Why philosophers should not, just as more or less rational *persons*, and already at a level of common sense, simply say that such “hard” cases are not cases at all, and therefore that they do not have to be taken into account at all, due to the emptiness and to the void of such “works”? I would say so and many other people say so either!⁴

But some other approaches can be taken. Traditionally oriented philosophers say that, according to their favourite theory of art, hard cases simply do not satisfy necessary and sufficient conditions, so they are ruled out as artworks on theoretical grounds. It is a “colossal mistake” on a part of curators, historians of art, and some other people, to hold such items in museums⁵, for example (Lopes 2014: 55). That solution also sounds correctly to me.

On the other hand, some of the traditionally oriented philosophers take that items which are “hard cases” in fact have properties that even traditional theories require and so, if only marginally, they are artworks, if only barely, for some proponents of traditional theories.

Others think differently – we need to take such hard cases straight on as artworks and try to formulate theory which should accommodate them. I must confess that I see this, then, just as an interesting philosophical exercise

⁴ Personal note: I am constantly stunned by the emptiness, ugliness and uninterestingness of much of modern and contemporary “works” which pretend to be artworks (See, for example, Fineberg (2000) and Wilson (2013) – they are full of examples – choose your favourite ones, or (for visual arts) go to your local contemporary gallery, or see Rajko Grlić’s “films”; for contrast, to see what art and real beauty is, see for example, Pejaković (1996), Toman (1998), Tomić (1995), Murray (1967), Taylor and Bollaert (2009) and issues shall be clear.) This situation signals me that there is a vast misunderstanding of art and history of art on a part of the people who make these works. These characteristics of works are enough, even at the level of common sense, to disqualify such works as artworks. (So the theory of art should be such to disqualify them – and not in the sense to count them as bad art, but to disqualify them as art altogether – *tout court*) There is no aesthetics of ugliness; there is only ugliness. And I do not accept it even as a very bad bad art. So, in fact, hard cases are not hard; they are, simply, not cases at all!

⁵ See for example Beardsley (2004), Dutton (2000).

– trying to improve the workings of our little grey cells as Poirot would say – to try to find what would be common to such diverse things as Tizian’s real masterpieces, the worst artworks of lesser baroque or romantic painters, etc. on one side, and something (so empty) as inert gas release in the mountains, on the beach, in the Beverly Hills and in the Mojave desert (Barry’s “works” entitled *Inert Gas Series*) or *In Advance of a Broken Arm*. No wonder that it is so hard – frankly, by my opinion, there is nothing common what would make them the same category of beings – as artworks. But pursuit the philosophical exercise. Try to find perhaps some other strategy than traditional theories use, which would succeed to explain why some x is an artwork. This was the starting point of the theories as institutional or historical theories of art are – such theories are sometimes even motivated to account for hard cases items as artworks. So they find some causal, historical, institutional (non-exhibited) properties which make non-problematic items artworks as well as problematic hard cases. So, some theories rule out hard cases as artworks, some include them. For Lopes (2014: 53–58), this situation presents a dialectical impasse because at bottom, there is no way to escape from the circle of intuitions regarding what theory of art (as BUSTA) to choose as the right one. Well, as it is obvious, for me there is no dialectic impasse because those theories that embrace hard cases, this very embracing is the reason to reject them. They embrace something that is definitely not art as artworks – surely they are wrong then.

But, we shall continue our philosophical exercise to see how buck passing theory deals with hard cases.

BUPTA theory, according to Lopes, has better resources to deal with hard cases, if they are taken seriously. According to its form, BUPTA forwards the question, for example, whether $4'33'$ is music to a theory of music. If that theory says that it is music, then it is music and by that fact, and according to BUPTA – if music is an artform – it is an artwork; if it says that it is not music, then there are two options: we can say that $4'33'$, if not music, it is not an artwork; or we can ask whether this is a work that belong to some other artform; if theory of that artform says that it belongs to that artform, then $4'33'$ is, according to BUPTA, an artwork; if, in fact $4'33'$ does not belong to any artform, then it is not an artwork at all. Likewise for other hard-cases across artforms. So, Lopes thinks that only BUPTA will deal with hard cases in satisfactory way, passing the hard cases to the theories of arts.

Why be so sure that theories of art, and so BUPTA, will definitively settle the problem of hard cases? Who says that the situation would not be similar for buck passing theory of art as with buck stopping theories of art? Who says that there will be one theory for each artform or kind of art? We could come with different theories of one and the same kind of art – we could come with several different theories of music or sculpture or painting

or theatre and so on. Some theories what music is perhaps would say that 4'33' is music, others would say that it is not music; the same with sculpture, painting, theatre, and possibly for any kind of art and/or any kind of individual "hard case". What single theory of individual kind of art would buck passing theory of art accept, if there would be several different theories, and some of which would confirm and some would disconfirm that X, as a hard case, belongs to an artform? There is no guarantee that we shall have just one definitive theory, accepted by everyone, for each and every kind of art. I do not see that, just because of the form of buck passing theory of art, it will immediately fare any further from dialectical impasse.

In the fourth chapter, *Art in Culture*, Lopes tries to show that BUPTA has better resources to provide for empirical studies of the art. Namely, it could be argued that if someone has not the concept of art (though it need not be explicitly and consciously stated), then they could not produce the work of art. How could it be, nevertheless, that if someone really does not have a concept of art, and to produce an artefact or artefacts that are works of art? Lopes argues that it could be that someone can produce the work of art *incidentally*, though of course, such a kind of production would not be prevailing kind of production for the works of art. He gives the following analogy. The early manufacturers produced a mixture for fireworks and not for weapons (it was later use as such) so they intended to make black powder (but not gunpowder). "By making black powder, they made gunpowder, since black powder is gunpowder, but intending to make black powder is not intending to make gunpowder – intending is an opaque context" (Lopes 2014: 78). So, gunpowder is made incidentally: "S makes an F incidentally just in case S intends to make a G, S does not intend to make an F, S makes a G, and in making a G, S also makes an F" (Lopes 2014: 78).

So it is enough that the producers have a more narrower concept or intention only – of making paintings, music, pottery or poems. Provided we have theories of painting, music, pottery or poems, BUPTA has no trouble to explain that these works are works of art even if producers did not have a concept of art nor an intention to make an artwork. But, I would stress: *provided* that we have only one universally accepted theory what is each kind of art, but nothing guarantees that.

Is there, beside the aesthetic value of artworks, some other general value, namely, artistic value that artworks possess just as *artworks*, and which is different from aesthetic value, but is characteristic for such objects just because it stems from their *art* nature? So called twins argument seems to show that there is. Twins argument says that there can be, possibly, two perceptually indistinguishable artworks which, for example, have completely different causal and intentional history of production, so they are, as artworks, different, but

the difference is not perceptible; there can be, possibly, two perceptually indistinguishable objects, where one is just an ordinary object for everyday's use and the other is artwork, but, again, the difference is not perceptible. So, the value of artworks must be different from aesthetic value (see Lopes 2014: 84). Well, artworks can have a multitude of values and many such values do not stem from their artistic nature. For example, Herbert Ferber's *The Flame* statue may serve very well in defences from violent leftists, revolutionaries and communists. Ante Tomić's, Slobodan Šnajder's, Dežulović's, Ferić's and Jergović's books have enormous value when used as a fuel in stoves or as pillars of faulty tables (but, according to my opinion, nil value for reading); but these values, although enormous, are not values of these objects which stem from them as they attempt, or want to be, *artworks*. So it is trivial truth that artworks have other values other than specifically aesthetic value. But many of them stem from something that is not at all aesthetic or artistic in nature. We would not say that small statue used to drive away communist gang of four and thus having a value as a weapon, is an aesthetic or artistic value of that statue. So, is there some specific *artistic* value all artworks share regardless to which artform they belong to and which is not aesthetic in nature? Lopes goes on to show that there is no specifically general *artistic* value. When we appreciate artworks, we compare artworks; but we seldom if ever appreciate a certain artwork taking account of all other artworks from all artforms or kinds of art. Paintings are appreciated in the category of paintings, sculptures in the category of sculptures, musical compositions in the category of musical compositions. Of course, one artwork may and can be appreciated or compared with other artworks from other artforms to which it does not belong – we can appreciate and compare a painting with some musical composition or even with works that belong to several other artforms. But this happens rarely and we have good reasons when we do that. Never, or almost never, we appreciate an artwork from one category of artworks taking account of all other categories of art.

According to achievement theory, artworks are achievements regarding the way they are made. But, according to Lopes, there is no general artistic way how to make an artwork. There is a specific way how to make paintings, there is a specific way how to make musical compositions, there is a specific way how to make ballets etc., all with characteristically specific and different means. In a vivid example, Lopes (2014: 99) asks us to imagine that if we remove all the materials of painting from painter's atelier, and leave only artistic materials, what would we see? Of course, we would see nothing – there are no general artistic materials. Likewise for all other artforms.

So, based on these two arguments, Lopes thinks that there is no general artistic value of artworks. Artworks have only aesthetic value and they can have other values only as belonging to specific artforms: paintings have aes-

thetic value and some values as paintings. This does not tell anything about non-aesthetic values in other kinds of art. So, Lopes (2014: 83) thinks that BUPTA is informative here because “it correctly entrusts the task of grounding criticism to theories of aesthetic value and to theories of value in the arts.”

Chapter six is discussion about the “bricoleur problem” which is put in the context of BUPTA. Bricoleur problem consists in the question what *means* and in which *processes*, in the wide sense, are used in (each kind of) art to produce entities that are such that belong to the (kind of) art (in question). Means could be, of course, some, let’s say, *formal elements*, and *processes* could be processes by which these elements are assembled to make an entity or, in a wider sense, processes by which some entity can gain an art status. Elements can be colours, lines, shapes, tones, beats, riffs, volumes, words, rhymes, movements and so on. Processes are, of course, intentional processes which combine these elements into wholes and processes can be social processes as well. In this chapter, Lopez argues that, again, passing the buck to the theories of the arts will do the job in a finer detail in specifying which arts use which means and which processes are significant. Despite interesting and careful arguments, still the same objection as to the hard cases can be put here as well: only if there would be one and just one theory of some kind of art universally accepted, there would be unique precise list, description and explanation of the means and processes involved characteristically for a kind or form of art in question. Otherwise, we could have different theories which would characterise means and processes differently for the same kind of art.

One problem that has to be solved for BUPTA to be viable is so called “coffee mug objection”. Namely, as we have just seen, kinds of arts have their specific means and processes. People who work in the arts engage in certain (social and technical) practices. These practices include using specific media to produce works. Some media can be used in various arts. Some are central to a specific art, others are peripheral. Those which are peripheral for certain artform, can be central for some other kind of art. These practices also play a role in appreciation of artworks. (Appreciation of artworks is also a practice in art(s).) Lopes thinks that passing the buck to the theories of art can provide a much better solution to the problems of media and practices in the arts. Kinds of art are partly identified by media they use and partly identified by characteristic practices. Which ones exactly – the buck is here passed to the theories of arts – which will supply precise data what media and what practices are identificatory for each artform or kind of art. So, no doubt that we shall see that practices which are central to ceramics as artform are different from practices of making mass production objects which are also made in the medium of ceramics – so the objects will differ because some practices of producing and appreciation will differ for ceramics as artform and ceramics

of mass produced objects. But I shall offer here a bit different solution for coffee mug objection (and even I think that part of producing and appreciating practices which will be essential for ceramics as an artform we shall find, in reduced volume, when considering mass production objects).

I think that we can deal very efficiently and in a simple way with coffee mug objection. I already suggested elsewhere (Pećnjak 2015) how we can deal with industrial design objects that are, more or less, mass products. Namely, coffee mug in question is such a product. It is done in ceramics, and ceramics is a kind of art. But not every ceramic product is an artwork. How can we differentiate those that are from those that are not? For many products this is easy enough – regardless of which theory or definition of art we embrace – for example, ceramic plates on Space shuttle, however elaborate, original, and useful are, certainly are not artworks, though Chinese bust *Portrait of a Lohan* certainly is. What to do with certain products from industrial design? They are not artworks. But perhaps, *part* of these objects is an artwork. Here, part should not be understood as *physical* (or *temporal*) part. It should be understood as a *metaphysical* part. By metaphysical part, I'd like to say that just the *design* is the artwork, and design is just a part of coffee mug – the other part (and perhaps objects can have more metaphysical parts) and a fundamental one is – *utility part* – which consists in its primary function which is its useful function: to hold a certain liquid for drinking. So, just a *design* of a coffee mug *can* be an artwork and not the whole coffee mug. Its *utility*, for which coffee mug exists, is wrapped in something that is (perhaps) an artwork – so only part of that object, in metaphysical sense – just a part of a coffee mug is an artwork (see Pećnjak 2015: 91). This can hold whatever definition of art one holds, whether one endorses one of the buck stopping theories, or the buck passing theory.

Here it is how this would function in BUPTA. Part of the practice in designing coffee mug is the same as the practice in making ceramic artworks. The designer, though limited by the practical functional purpose of the object – in this case a coffee mug – use imagining process in designing the particular form of the coffee mug (that would be such to provide an aesthetic experience also, beside holding a liquid for drinking) as is used in designing a particular form (that, mostly, bears some meaning or content also) when an artist works on an artwork.

To be viable, BUPTA, as any other theory, Lopes thinks, must solve the “free agent” objection also. Namely, there could be works that are considered as artworks which do not belong to any kind of art – they are neither painting, music, poetry, architecture, film, nor they belong to any other artform (include here, for the sake of argument, contemporary forms as performance, computer art, etc.) Well, BUPTA can deal with such kind of works – they are

either wrongly considered as artworks or they can be considered as first works that establish a new artform or kind of art.

Let me conclude. Whether or not someone accepts the buck passing theory of art(s), we can find many careful arguments about main themes in the philosophy of art which clarify issues and are fruitful for further discussion.

BUPTA is a kind of second-order theory and Lopes in fact shows some (meta-) theoretical advantages of such a theory. But much important work is forwarded to first-order theories of artforms and kinds of art. So, on account of BUPTA, before this other first-order task is done, we do not know much about what works are artworks. It is a kind of (meta-) theory for the future; or, the term “art” is not needed at all and is in fact empty, because when we shall have a theory for each kind of what we now call art or artform, then these specific theories would be enough. Only stipulatively all these forms would be called art, because of the form of the BUPTA, but we can deal about such forms deleting the first part of the theory and modifying the second. From “x is a work of art = x is a work of K, where K is an art.”, why shouldn’t we have only “x is a work of K, where K is such and such activity” – “x is a work of music and music is *this-and-this*”. It seems to me that it would be better if we claim, according to arguments spelled in favour of BUPTA, that BUPTA in fact says that we can do without the concept of “art” altogether. We can dismiss it, after we have (if we shall have at all, which I doubt), uniquely accepted theory for each activity like music, painting, poetry, sculpture etc. BUPTA tells nothing why some discipline is on the list of artforms. It is just traditionally on the list, or we insert some new discipline, with some newly achieved consensus, but why all these disciplines are *artforms* we are not told! As I already posed a question, what is the criterion for inserting certain kinds of activities or disciplines, and not many others, for K in BUPTA’s formula; and if Lopes himself very vividly says that after removing all “the materials” from painter’s atelier (and we can add – from composer’s cabinet, from sculptor’s studio, etc.) we would be left with nothing “artistical”, then art is superfluous concept – we can do without it or we still would not know why painting, beside being painting, music, beside being music, etc. is also an *art*.⁶

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