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ABSTRACT

Much contemporary art seems morally out of control. Yet, philosophers seem to have trouble finding the right way to morally evaluate works of art. The debate between autonomists and moralists, I argue, has turned into a stalemate due to two mistaken assumptions. Against these assumptions, I argue that the moral nature of a work's contents does not transfer to the work and that, if we are to morally evaluate works we should try to conceive of them as moral agents. Ethical autonomism holds that art's autonomy consists in its demand that art appreciators take up an artistic attitude. A work's agency then is in how it merits their audiences' attitudinal switch. Ethical autonomism allows for the moral assessment of art works without giving up their autonomy, by viewing artistic merit as a moral category and art-relevant moral evaluation as having the form of art criticism.

KEY WORDS

moral evaluation of art, art as moral agent, contemporary art

1. Moral evaluation of art

It is no coincidence that artists who are on the front end of art, like Stockhausen and Hirst, should compare the expressive effects of the attack on the World Trade Centre with those that even a masterpiece like Picasso's "Guernica" has. Within our culture, art is considered to be a practice both important and autonomous. Within the limits of art or in its name we endorse events and actions that would be subject to judicial constraint in everyday life. Some artists, however, in their search for the front line, go a long way in what seems to be the wrong direction. We might mention the Austrian *Aktionskünstler*, Wolfgang Flatz, dropping a bull filled with fireworks from a helicopter; or auto-mutilating performance artists; or Orlan who, induced by no apparent physiological or psychological accident, had her appearance rebuilt through plastic surgery, to reflect facial traits of famous women from art history, such as Botticelli's Venus, and Leonardo's Mona Lisa; or, Günther von Hagens, a German self-acclaimed professor in anatomy who applies artistic procedures to real human corpses, even though the educational benefit of that is doubtful.^[1] One can think, also, of the recent boost in pornography in all layers of art: think of the large pictures of Jeff Koons' *Made in Heaven* series, rap singers posing as pimps, or French taboo-breaking sex-novels.^[2] Artists take their task of touching their audience seriously, but, out of a jealousy of sorts of real life, in their work they seem to think that being art is part of what hinders their work in being effective. Hence their often rather impertinent intrusions into real life.

The motivation to morally evaluate works of art seems to follow no more than three routes. First, one may find out that in the *creating* of a work immoral activities were involved. For example, Bernardo Bertolucci supposedly had Marlon Brando rape Maria Schneider in front of the camera, to make it look more real (in *Last Tango in Paris*, 1973). Secondly, one may assume that certain works cause immoral conduct, either directly e.g. a film showing sexual activities involving children is nowadays condemned on the assumption that it will be used by criminal paedophile networks to sustain their criminal activities; or indirectly, if certain works are held to sustain certain fantasies, which may eventually lead people to immoral conduct. Motivations

for moral condemnation such as these are heteronomous, and fairly clear-cut. In contrast with their denouncing a work because of actions preceding or following upon it, one may, thirdly, morally denounce a work because of what it is within the limits of art. These moral judgments are my subject matter.

Philosophically, the position that I defend, ethical autonomism, holds a middle ground between moralism and autonomism, positions that have produced a stalemate in the relevant contemporary debates and that seem unfit, due to certain assumptions, to deal with cases such as those cited above. I argue, contra moralism, that moral flaws in events represented in works do not, as such, count morally against the artistic merit of such works, since art assumes that the beholder takes on an artistic attitude which allows him to think and feel (morally) relevant thoughts about the represented *without* being obliged to act according to these thoughts and feelings. This is what I take art's autonomy to consist in (in the present historical constellation).

Contra autonomism, I argue that, since it is not morally neutral for a person to have morally relevant thoughts and feelings and not act according to them, i.e. to take on an artistic attitude, by insisting that the beholder take on such an attitude, a work can be conceived of as acting morally. This rather abstract level of moral agency is then filled in by reference to how material choices on the part of the artist have perceptual and experiential consequences on behalf of the audience. Works of art act upon their audiences, as members of the moral species, i.e. they do not merely have causal effects like a hurricane will, but make use of any such causal effects inherent in artistic material to induce people to think and feel certain things about events often morally profound. This 'semantic agency' can be assessed morally, but only by doing art criticism, because the nature of a work of art's agency derives from just how it makes use of the potential inhering the artistic material, the relevant art form, and genre, and, more generally, art history and the work's social and historical, i.e. non-artistic context.

2. A recent debate's assumptions

In a recent debate in *The British Journal of Aesthetics* more than ten positions are put forward with regard to art-internal moral evaluation.^[3] This is a confused debate, though. The confusion seems due to an old dualism in aesthetics: defenders of autonomism are supposed to deny the inappropriateness of moral evaluation, whereas one who defends moral evaluation presumably denies art's autonomy. 'Moralists' point to the moral nature of a work's represented contents, whereas autonomists refer to a work's artisticity. No middle way seems to be available.

The reciprocal exclusion of art's autonomy and art's moral evaluation points to the premise that moral evaluation is about propositions (those that are incorporated in or supported or expressed by the work of art, or are caused in the work's beholder).^[4] The temptation to yield to this premise may be due to the demand of universalizability inherent in the moral stance. Yet both concentrating on a representation's contents or, alternatively, neglecting those contents, leads one to disregard many relevant aspects of works, thus adding to the uneasy rapport between aesthetic and moral values. In contrast, I submit that it is individual actions that form morality's proper subject matter albeit in the light of their relevant similarities to other acts, which can be expressed in propositions. Taking agency itself as the exemplary object of moral judgement motivates my effort to treat works of art as moral agents and their effects as the

effects of an agency. I hope that this provides an escape route for the aesthetic dualism between autonomism and moralism.

Both these positions also share an enemy, radical moralism, i.e. the shortsighted view that a work of art that conveys morally objectionable actions is itself morally objectionable. This view assumes that an event's moral qualities transfer to its representation. Why does the radical moralist not object to articles in the papers reporting murders and rapes? Maybe, he feels that with journalistic reports the moral qualities of the events do not transfer to their representation, because it is journalism's moral task and primary performance to report truthfully about the world at large. He might further argue that art *can* be evaluated moralistically exactly because in it the issue of truth is suspended. [5] "Who, in his sane mind, would want to represent immoral deeds without any epistemological necessity? This must be immoral of itself." What is being overlooked by radical moralism is that works of art are to allow their audiences to have an absorbing experience. [6] Works of art do not have to tell the truth about anything, but this does not mean that they can be judged in any way we please. Works (have to) do other things: rather than relating to the worlds they present to their audiences, they relate to their audiences.

All positions in the named debate seem vehement, like I am, on denying the viability of radical moralism. However, it is evident from the names chosen by the 'moralists' among the participants which vary from *modest* to *more modest* moralism that they assume that what does radical moralism in is its radicality. [7] Yet, what seems wrong with radical moralism is its thesis of the flawless transfer of moral qualities of events to their representation. This thesis mistakenly positions the moment of judging external to the work that is being experienced. It argues that we can do with a moral evaluation of the world a work presents, without taking into account that work itself. [8] Refusing to take a work in, however, for whatever art-external considerations, is like bombing a museum: it bashes all the objects in it, irrespective of their *aesthetic* nature, let alone merit.

3. The nature of moral judgments of art

Berys Gaut's ethicism holds that moral defects of works of art are *pro tanto* also aesthetic defects. [9] Gaut does not think that some moral flaw can overrule all aesthetic merits, as the moralist submits, but that art critical judging encompasses aesthetic considerations as well as moral ones, and that both together sustain the final critical verdict. The moral considerations concern the attitudes that a work incorporates, causes in its beholder or presupposes in its maker. Any moral flaw in these attitudes can legitimately be held to diminish the overall merit of the work. [10]

This criterion is elaborated in Gaut's "merited response argument," which says that the relevant attitudes must be merited. This is an interesting demand because, surely, not just any attitude will be relevant for the assessment of a work of art, but only those that are somehow appropriate to the work. This, however, is not what Gaut means. He is not interested in whether or not someone's pleasure in a presentation of "sadistic cruelty" is merited *by the relevant novel*, i.e. whether the novel is so good as to merit our pleasure, so that the pleasure can be said to 'fit' the novel. Gaut (on p. 194) calls such merits merely 'aesthetic'. Gaut, rather, judges morally the pleasure itself, arguing that a

pleasure in "sadistic cruelty" can never be merited. That seems wrongheaded on several counts.

First, the attitudes that some work of art really presupposes in its audience may be more nuanced, subtler than Gaut makes out, and they may not be morally objectionable even though the attitudes the work contingently elicits in some one beholder may be objectionable. Merely assessing the moral nature of attitudes in the audience sidesteps the issue of these attitudes' appropriateness to the work, which forms the core of the issue of art-internal moral evaluation.

Secondly, when someone values positively the film *Henry, Portrait of a Serial Killer* (John McNaughton, 1990), does this mean that he applauds antisocial and addictive killing? If one were to judge the film because one applauds killing, then one would be judging on irrelevant grounds perhaps to frighten off one's friends. In such a case the verdict is not merited (in the sense of: not induced) by the work. The history of aesthetic theory is replete with warnings against such interested, or sentimental judging.^[11] If after (or by) seeing the film someone were induced to actually kill and rape, surely this would say more about his personality than about the (moral) value of the film?^[12]

There is, thirdly, a measure of psychological naivety in the ethics of Gaut's merited response argument. When someone enjoys a violent scene in a film that is morally to be condemned, a rape for instance, this means that he apparently has certain desires for actions that are morally to be condemned, but, on my, broadly Kantian view this does not yet mean that he fails morally assuming that we take moral failure to concern one's actions let alone, and this seems crucial, that the work which makes him conscious of the psychological frictions in his experience of reality is to be condemned because of it. Fantasies are better controlled once we are conscious of them than by rejecting whatever brings them to the fore. Art allows us to entertain fantasies in reflection, even when we would rather not recognize them as ours. While thus entertaining our fantasies, we are not supposed to activate their complex psychological causality and to act upon them. If one neglects the contingency of psychological reality, one denies art's biggest potential: art can induce its audience to experience something without having to act accordingly.

4. The work of art as a moral agent

With this, I return to the thought that moral judgments primarily concern actions. If we are to morally judge works of art, perhaps we must understand them as instances of moral agency. For that to succeed, we must be able, first, to view them as a realization of intentions of a moral mind, or minds. Secondly, we must conceive of that realization as psychologically real, i.e. as unaccountable without reference to a psychology.^[13] (We are not principally interested in the strictly causal effects of works of art, nor merely in the intentions.) Lastly, we must conceive of works as doing something to their audiences (which on account of its semantic causality can then be judged morally).

Of course, treating works of art as realizing intentions already is (or should be) the standard approach to works. Even if we get the feeling that certain aspects in a particular work were introduced randomly, or via some mathematical algorithm, we would still resort to the idea that a human mind decided to leave these aspects where we found them, or to have the algorithm produce this work. We will also standardly view a work's intentional structure as the product of a human mind, with a psychology connecting the

manipulation of the material in one particular work to other works the relevant person produced, or to works of other artists, either contemporary or from the past. [14] The last desideratum, of conceiving works of art as doing something to their audiences is met by acknowledging that works guide their beholders into thinking and feeling specific things either along with the work or in response to it.

Obviously, the work of art is not a moral agent in the full-fledged sense in which a person is one. Persons have minds, which enable them to respond spontaneously, and personal psychologies, relating them internally to their parents and to other persons from their pasts, whereas art works do not. Sure, performers are persons with minds of their own, yet they are not part of the work they present as the persons they are, but, rather, as personas, defined in terms of the work (see endnote 17). Works' psychologies if we are allowed to use this term in an extended sense are a function of their makers' psychologies, but irreducible to these and of a distinct nature.

When I call a work a moral agent, it is not in these respects. A work of art is an agent in the one other crucial respect that it acts upon persons. But if this agency isn't based in a mind, is a work, then, a moral agent in some metaphorical sense? I don't think so, as long as we realize that only the one aspect of acting onto persons is referred to. In this restricted sense a work of art is literally a moral agent. (I think the restriction is justified by the acknowledgement that the core aspect of the paradigm moral situation is the spatio-temporal continuum between the agent and the person at the 'receiving' end of his actions.) In contrast, whatever psychic life or expressiveness an audience attributes to a work on account of how it is addressed by the work, is based in this agency, but can hardly be meant in the same literal way, for lack of the work's sentience and of any concurrent second-person reciprocity.

If we are allowed to view the work of art as a moral agent, what, then, shall we take its agency to consist in? The answer to this question comes in two parts: one general, the other particular. [15] Generally, a work of art mobilizes its beholder's mind a priori by activating his body. The agency of particular works is already determined by the phenomenological restrictions on the beholder's perceptual apparatus and bodily movements that come with the art form the work instantiates. Paintings activate their beholder's bodies in ways different from music performances or film projections. We confront a painting in the room where it is exhibited at a particular distance; a jazz performance in The Village Vanguard we can enjoy while walking around in the room, for the music surrounds us. What we see (of the musician) does not literally belong to the music although it may inform us of what does. Film, lastly, is enjoyed in a dark room, where one is seated in a fixed place.

The second, 'particular' aspect of a work's agency lies both in its contents and the ways in which this is made lively and plausible a work's style. It makes a difference, for example, whether in a film a fight between two men is shown in a parsimonious way that enables one to recognize the impact, both physically and morally, of being hit in the face, or more explicitly by way of a number of kicks and slapping making it look easy to deliver such blows, and not hurtful to receive them, etc. The difference lies not merely in the events shown, but, rather, in how they are shown. To understand how the style of a work links up with the phenomenology of the relevant art form, we must first address the autonomy of artistic practice.

5. Autonomy and the artistic attitude

Art's autonomy is a fact of modern Western history. This autonomy refers to the practice as a whole. We think it an intrinsic value that there be such a practice (Art) where people can entertain thoughts and feelings with regard to issues deemed important, without immediately being affected by these thoughts and feelings in more usual agent-related ways. All works of art, *qua* art, partake in this autonomy. What turns the moral evaluation of art into such a confusing issue is that works that confront us in an engaging manner with moral issues do so against the very background of this, art's moral autonomy. It may appear an undue abstraction to state the autonomy of the artistic practice as a whole, and to attribute it to individual works of art only in so far as they are art, instead of, contingently, in regard of their particular contents or meaning. The way to grasp this is through the notion of the artistic attitude. I give an imaginary example.

I am on my way from Utrecht to Amsterdam to visit the Stedelijk Museum for an exhibit of installations, when a terrible accident takes place, which fully blocks the road. I get stuck and leave my car to see the stricken driver, pinned between his seat and the deformed steering wheel: moaning, and bleeding heavily. I realize immediately that I will never get to Amsterdam in time to visit the exhibition, and decide to take the situation I am confronted with as the installation I am not going to see. I enter an artistic situation where some sort of accident has taken place and the audience is asked to empathize aesthetically. I let myself in to the work, and get really absorbed (Carroll's term) in it. Intensely, I watch the face of the main persona, the victim, wincing with pain, his expressive gesturing. I notice the newspaper lying across the wheel, and the cover story about huge fires in Indonesian forests the paper all crumpled, dirty and bloody. The victim's blood gushes from his left shoulder. Its throbbing pulse, the syrupy substance and its deep colours fascinate me. I appreciate how the victim's blood mingles with the photograph of the wounded face of one of the Indonesian fire's victims. Both tragedies, of the accident and of the fire, mix into one. The man in front of me brings the loneliness of the fire's victim to life: a singular morally profound representation. A deep sympathy overtakes me. More and more, I identify with the suffering of humanity. This installation works, it has great aesthetic merit, much like a great work does.

The reader probably agrees that my attitude in this story is unfit, morally wrong. But why is it? It can hardly be the problem that I do not treat the victim as a real man, because actors and performers are real people too and we are supposed to see them too as parts of works. All I do is things we are supposed to do when aesthetically appreciating works of art; I attentively watch the 'installation' from all angles, interpret it, have it absorb me; I build experiential dimensions in my imagination, find the aesthetic qualities of the 'installation', make connections with relevant other circumstances. And I am actively engaged: spiritually by introducing all sorts of relevant associations and physically by walking around the wreckage, gazing through the shattered windows, reading the texts in the newspaper, concentrating on all the details whichever of my senses deliver to me: on the sounds, the smells, the images, temperatures, etc. Only one thing I fail to do: I do not act in accordance to the moral depths of my thoughts and feelings. For clearly, if one is aware of another person's pain and struggle, one should try to free him from his awkward position, to stop his bleeding, provide first aid,

or, at the least, call an ambulance.

One might want to argue that the failure in my treatment of the victim was more complicated psychologically and involved a reduction of the man's personhood. Yet I merely treated the person as a persona and reduced, quite properly I think, his personhood to his role in the whole of the 'installation'. [16] With works of art, it is the norm to refrain from moral actions in this sense, and this, I suppose, is what it means to take up an artistic attitude.

An objection might go like this: certainly we might try to help the victim and yet notice the beauty of the thick blood, i.e. without thereby leaving our moral stance. I agree, but fail to see this as an objection to the thesis that taking up an artistic attitude (such as we do when we approach something as a work of art) involves, among other things, an abstraction from the moral stance. I agree with the gist of the objection, that aesthetic appreciation is integral to our everyday moral perception of the world. Aesthetic appreciation is integral to the artistic attitude too, but that attitude goes well beyond mere attention to aesthetic properties, and, what is more: with regard to art it is required. [17] It is this latter practical requirement that should concern us here. Morally speaking, it cannot be insignificant that art requires people to detach the urge to respond which inheres their thoughts and feelings. The exemplary moral situation man confronts a traffic accident is a perceptual situation. The agent-perceiver and his object are in one and the same space and time. Whatever enters his senses reaches his mind synchronically. Within the exemplary moral situation, all data provided by all of one's working senses belong to the one spatio-temporal continuum one is in: if nothing can be smelled, then this is in itself instructive as to the things that are seen and heard. Also, persons encountered in such situations will have rich and complex psychologies with large temporal dimensions (memories of their past, projects for their futures), which are expressed in their faces and attitudes, as a slice of their lives, etc. Represented persons (or fictional characters), in contrast, will have only so much mental life as is bestowed on them by the representation, and there is no second personal interaction between any represented person and the beholder of his representation.

Basically, to allow the representation to make manifest its particular meaning, a beholder has to acknowledge how his beholding body no longer makes up the centre of his perceiving, abstracting, automatically, from this exemplary moral situation he is in. [18] Thus, abstaining from morally relevant responses is part of the phenomenological specifics of representation. It might, therefore, seem silly to admonish art for requiring audiences to take up an artistic attitude; *ought implies can*. Yet, art aims at providing absorbing experiences with, often, a psychological and moral profundity. Yet it offers these morally profound experiences while requiring an artistic attitude, which requirement intrudes in persons' psychological motivation for doing the good, in one's conscience. This is, at the least, a moral paradox. [19]

6. Ethical autonomism

Ethical autonomism assumes that there is an 'artistic' variety of the aesthetic attitude-theory, which refers the attitudinal switch to the autonomy of art practice which turns it into a requirement meant to allow individual works to provide us with psychologically and morally profound experiences. The requirement builds on the phenomenological characteristics of our perception of representations, which already prevents

the anticipation of any direct response to the represented worlds.^[20] Yet, the requirement does not, also, prevent the beholder from experiencing any of the thoughts and feelings which would normally come up with one who was confronted with the situation in real life.^[21] Ethical autonomism does not, as is often held against aesthetic attitude theories, forbid audiences to have any personal desires or emotions with regard to what a work of art means as long as these are appropriate to the work. There is no (theoretical) need to transform oneself into a will-less, apolitical person without a personality (Schopenhauer's "pure subject of knowledge") if one is to appreciate a work of art, as long as the impetus to instantly act according to them is out of the way.^[22] Nor is the artistic attitude reducible to mere attention, as George Dickie has argued.^[23] Our interests are problematic only when they get too close to feeling satisfied by an anticipated consumption of the represented object.^[24] To enjoy a painting that depicts a trout because one is hungry, to admire *Henry, Portrait of a Serial Killer* because one rejoices in antisocial behaviour, or pornography because one is out to find sexual gratification (which, of course, is the appropriate way to treat pornography): these are all paradigmatically moral experiences at odds with the nature of representation and *a fortiori*, I submit, of art.^[25]

We find here an important indication of a possible criterion for moral judgments of art. After all, taking up an aesthetic attitude means treating the perceived as lying outside the exemplary moral aspect of one's perception. The beholder is, temporarily, to put his present surroundings on hold, i.e. he is to suspend anticipating moral demands on his agency. This is the crucial argument: assuming it to be morally significant to relate to the world and to other persons in a moral manner, i.e. to have moral thoughts and feelings and to act according to them, when one gives in to the phenomenology of some art form, one tampers with the psychological make-up of conscience. This is morally relevant. Demanding the audience to take up an artistic attitude, as any work of art *a priori* does (even the ones that pretend not to), is a moral act. It is also, of course, what allows the work of art to speak to one.^[26] As there is no need for the beholder to think about the represented object's reality or to concoct a real context for it, he is able to also take in the processes by which the work guides the beholder through the 'life' of the work. Freed of any such existential concerns, the beholder can inspect with care the structuring of the material, the way in which the artist has laboured it and the art historical, political, psychological, etc. contexts that that manipulation appeals to.^[27] These processes of structuring, guidance and reference form a work's performative aspect.

Works must merit our judgments, our aesthetic experiences and attitudes, i.e. they must merit, generally, our thoughts and feelings irrespective of whether or not the propositions these contain be morally meritorious or flawed. For this, works must be coherent and plausible in whatever it is they consist in *qua* art, i.e. in their relation to art history and, internally, to the story (if any) they set out to tell.^[28] Yet, in the last analysis, works must morally merit, i.e. 'respect', the artistic attitude of their audiences. For this, they must be respectful toward the represented, toward the material used to represent it with (including the material's relational properties), and toward the attitudinal switch the beholder is required to make. Yet all this is the subject matter of art criticism. Art criticism, therefore, is a species of moral evaluation (of art).^[29] In this article I have presented a philosophical justification for treating art criticism as a species of moral evaluation and an explanation of what that amounts to. What to do with the examples I started out

with?

Intentionally dropping a bull from a helicopter transgresses some moral demand of showing respect to animals, whether alive or dead. It is obvious that many dead cattle were thrown in big containers (sometimes shown on television) during the foot and mouth crisis, but surely people did that because they saw no other option. Flatz' action might have been condemned on external, strictly moral grounds, 'we' should have not allowed it to 'become art.'

Performances that play with real pain and the limits of persons' tolerance for it, like the ones by Marina Abramowicz (cited in endnote 16), can in principle be rightly considered worthy of audience's artistic attitudes: the pain is not inflicted as a mere means to some larger project, but forms the end of these works. The thin line might be taken to be crossed, though, when an artist actually damages her body, like Orlan does. Then external moral considerations should induce us to interfere and deny the relevant events' entrance to art practice. It is one thing to comment on contemporary practice in cosmetic surgery but another to ruin one's own person to make the point, notwithstanding the immense power of that gesture!

In most cultures morality also seems univocal on condemning a lack of respect for human corpses (whatever principle is used to sustain this condemnation). Günther von Hagens fails not because he makes plastic puppets of real corpses (that could be of great use for anatomy lessons; one of the few practices that allow for a measure of disrespect for corpses) but his treating these as if they are works of art (some are even made in a clearly non-realistic, cubistic style). By turning his plastinates into sculptures, von Hagens has them enter art practice. He presents them to audiences who are required to take up an aesthetic attitude, and are subsequently asked to instil some mental life onto them – clearly not the mental lives of the deceased persons. Morality must (I think) protest vehemently.

Had the imagined car crash been staged by a group of artists, containing a person really dying, those who understand the distinction between art and life should refuse to treat the event as art. Ethical autonomism thinks that it is perfectly justified to argue from a moral perspective against limiting cases like these: morality guards art's gates.

Ethical autonomism acknowledges, further, that once a work has entered into art practice – by virtue of its conforming to one of the accepted art forms – its *lack* of artistic merit entails a lack of respect of its audience. Madonna's music comes to mind, as does *Silence of the Lambs*. This realization identifies the source for art criticism's normativity. We must not, however, make the mistake of assuming that criticising works of art should be done from moral points of view. On the contrary, I am held to justify my critical assessments of Madonna's songs and *Silence of the Lambs* by art relevant considerations. What is wrong with the film, e.g., is not that it is about a psychopath, but that it tells a flawed, sentimental, romanticising story about one. And those who disagree with me, too, should produce art relevant considerations. Such art relevant considerations can refer to a work's moral contents, to its formal properties, or to merely aesthetic properties, to internal and to external, relational, properties, as long as they are referred back to the works themselves. Art criticism, obviously, is food for another paper. In the present paper, I have merely tried to establish the proper order between morality and art criticism.

My position has an interesting consequence for the aesthetics of creativity, of which I am unsure whether perhaps it is an objection. It seems to follow that, since an artistically bad work of art is morally reprehensible, it is also morally bad to create a bad work of art. First, this would introduce artistic creativity into the very class of everyday actions and would thus allow for criminal offences here too; and second, it seems incompatible with the standard view that artistic success cannot be enforced. I see the point of this remark but remind the reader that I nowhere alluded to the artist as the one morally assessable. Instead, I devised a way to think about the moral assessment of *works*, and merely argued that such an assessment would have to assume that the work be conceived of as a moral agent, the logical consequence of which would be that it is the work that would receive the moral verdict (and its consequences). The objection that ethical autonomism thinks that all bad works are also morally bad derives its bite as an objection from our fears for moralistic censorship and juridical punishment. I fail, however, to see the pertinence of such fears. Morality guards art's gates, but once a work has entered these gates, art's moral judge is art criticism, and the biggest punishment available to it, consists in pushing a work into oblivion.^[30]

Endnotes

[1] Stockhausen's remarks were discussed in the Dutch journal, *NRC-Handelsblad* of 19-9-2001. For Orlan, see Gavin, Dawn, "Orlan," in *Transcript. A Journal of Visual Culture*, 2 (1996/97): 5-17. For Von Hagens, see the catalogue: *Körperwelten. Einblicke in den menschlichen Körper*, (Heidelberg: Institut für Plastination, 1998).

[2] The French authors include Nicolas Jones-Gorlin, Louis Skorecki, Catherine Robbe-Grillet, Christian Authier, and Catherine Millet. Jeff Koons' series can be viewed at: www.art-forum.org/z_Koons/gallery.htm

[3] There are two interesting anthologies of recent work on the intersections between moral and aesthetic evaluative considerations: *Aesthetics and Ethics*, ed. Jerrold Levinson (New York: Cambridge University Press, 1998) and *Art and its Messages*, ed. Stephen Davies (Pennsylvania State University Press, 1998).

[4] Oliver Conolly and Haydar Bashshar, "Narrative Art and Moral Knowledge," in *The British Journal of Aesthetics*, 41 (2001), pp. 109-124, distinguish several types of propositions. In what follows it shows why I do not address their subtle distinctions.

[5] Matthew Kieran in "In Defence of the Ethical Evaluation of Narrative Art," in *The British Journal of Aesthetics*, 41 (2001), pp. 26-38, replaces the question of truth with one of intelligibility.

[6] As Noël Carroll puts it. According to Carroll, Ellis' *American Psycho*'s vulgarity prevents the readership from reading the book as it was meant, as comical, arguing that this is a case where moral judgment determines the artistic judgment: moral disgust prevents the absorbing experience of *American Psycho*, which, therefore, fails aesthetically. Yet this failure would indeed be nothing but an aesthetic failure of the work (which happens to go back to an ethical scruple). See Noël Carroll "Moderate Moralism," in *The British Journal of Aesthetics*, 36 (1996), pp. 223-238, and "Moderate Moralism versus Moderate Autonomism," in *The British Journal of Aesthetics*, 38 (1998), pp. 419-424.

[7] Carroll calls his position 'Moderate Moralism,' Kieran his: 'More Moderate Moralism.' Carroll reproaches Gaut's 'ethicism' for its 'extremism.'

[8] One needs only to think of paedophile works or works in line with Holocaust-denial to see the potential legitimacy of overruling considerations. Yet, they lack art-internal pertinence.

[9] Berys Gaut, "The Ethical Criticism of Art," in Levinson (ed.), pp. 82-203.

[10] "[...] if a work manifests ethically reprehensible attitudes, it is to that extent aesthetically defective, and if a work manifests ethically commendable attitudes, it is to that extent aesthetically commendable." (*Ibid.*, p. 182). I do not discuss the calculus that, Gaut curiously suggests, should characterize aesthetic appreciation.

[11] See Anthony Savile: "a sentimental mode of thought is typically one that idealizes its object under the guidance of a desire for gratification and reassurance." *The Test of Time* (Oxford: Clarendon Press, 1982), p. 226. Cf. also Immanuel Kant, *The Critique of Judgement*, trans. Werner S. Pluhar (Indianapolis, Cambridge: Hackett, 1987), 10-16.

[12] Psychopathic crimes can hardly be taken to be caused by a singular work (or representation, generally). Maybe they are caused by a series of representations together with some set of social stimuli. The evaluative issue involved in such gross cultural peculiarities would ask for a vastly different approach than the one at stake here. See for this 'cultural' approach the work done by Monique Roelofs.

[13] As Richard Wollheim did in "Pictorial Style: Two Views," in *The Mind and its Depths* (Cambridge, MA: Harvard University Press, 1993), pp. 171-184, and in *Painting as an Art* (Princeton, NJ: Princeton University Press/London: Thames and Hudson, 1988).

[14] Cf. Jerrold Levinson's historical definition of art, in "Defining Art Historically," in *Music, Art & Metaphysics* (Ithaca, NY: Cornell University Press, 1990), pp. 3-25, and Wollheim, see preceding endnote.

[15] A major reason for the 'failure' of formalist theories is their negligence of this difference. The formalist argues that works cannot be autonomous if their merit is to lie in their subject or the emotions they express. If, however, artistic autonomy pertains to the practice as a whole, as I argue, and 'autonomy' refers to the attitude we are assumed to take up with regard to whatever presents itself within that context, this is irrespective of whether or not works are allowed to refer beyond themselves.

[16] A distinction, explicable with an instance of Marina Abramowicz' performance "Rhythm 5" (Yugoslavia, 1975), with Abramowicz lying in a star of burning petrol, and the audience worrying about the vulnerability of The Human Body. It is reported how, once, one man pulled Abramowicz out of the fire. He disturbed the work, but, it turned out, rescued the woman. (Apparently, Abramowicz had gone out of consciousness for lack of oxygen, which the man, a physician, had deduced from the fact that she did not retract a foot whilst in contact with the fire.) By rescuing the person, however, this man destroyed the persona of the work.

[17] I am grateful to Mathew Kieran for making that point to me. Also, Marcia Eaton elaborately argues, in recent writings,

that we view aesthetic appreciation as integral to everyday perception. She argues against the 'strong separatism' which inheres the formalist thesis that non-aesthetic considerations are irrelevant for aesthetic appreciation. I agree with Eaton that moral considerations (in fact, any type of considerations) *can* be relevant for the appreciative experience of art. But, against Eaton, I argue that the required artistic attitude does produce a crucial distinction between art and 'life'. There is more to art works than their being "[artifacts] treated in such a way that people consciously delight in aesthetic properties of the artifact." Eaton's *Merit, Aesthetic and Ethical* (Oxford: Oxford University Press, 2001), p. 21. See also her "A Sustainable Definition of 'Art,'" in *Theories of Art Today*, ed. Noël Carroll (Madison: University of Wisconsin Press, 2000), pp. 141-159.

[18] Cf. Gregory Currie, *Image and Mind. Film, Philosophy, and Cognitive Science* (New York: Cambridge University Press, 1995), pp. 73-78.

[19] Paradoxically, the fact that many present-day works set out to implicate their audience's responses indicates the appropriateness of my analysis. The separation of art from the everyday can only be *cancelled out* by a work that is *not* to be treated as art.

[20] Let alone to consume it which is what I think Kant's notion of an 'interest in the existence of the object' (*Critique of Judgement*, 3) amounts to. Kant acknowledges the fact that holding such an interest involves a mistaken view of the thing one is confronted with, a representation, as the thing it represents.

[21] This is for the good, as those desires, thoughts, and feelings are what a good work supposedly brings to life in its beholder. See Peter Lamarque and Stein Haugom Olsen, "Setting the Scene," in *Truth, Fiction and Literature* (Oxford: Clarendon Press, 1994), on the mimetic aspect of literature, and Gombrich's "Meditations on a Hobby Horse," *Meditations on a Hobby Horse and Other Essays on the Theory of Art* (London: Phaidon Press, 1963) on the distinction between denotation and substitution, and, lastly, Susan Feagin, "Paintings and Their Places," in Davies, pp 17-25.

[22] Marxist and feminist criticisms unduly view a Schopenhauerian position as the paradigm aesthetic attitude theory, e.g. Peggy Zeglin Brand, "Disinterestedness and Political Art," reprinted in *Aesthetics: The Big Questions*, ed. Carolyn Korsmeyer (Oxford: Blackwell, 1998), pp. 155-170.

[23] See George Dickie's many attacks on aesthetic attitude theories, and their defences, by David Fenner, *The Aesthetic Attitude* (Humanities Press, 1996) and Gary Kemp, "The Aesthetic Attitude," in *The British Journal of Aesthetics*, 39, pp. 392-399.

[24] Such anticipations on actual satisfaction require one to assume (and find crucial) that the represented object exist (see endnote 20). But it is abstraction from the moral stance that seems to me to be the genus term for the artistic attitude. This brings out my argument that although aesthetic properties of the world are integral to our everyday perceptions, this does not mean that the artistic attitude unnecessarily isolates something that forms part of normal life, like Dewey argued, or that art is unqualifiedly continuous with life, like Carroll thinks. (Also see endnote 17, on Eaton's position).

[25] See Kant, 13, for the irrelevance of 'what pleases directly in the senses.' The connection of these arguments with the notion of consumption is mine, but it is based, among others, on remarks by Kant on the distinction between our chemical and mechanical senses: the chemical senses (taste and smell) supposedly are enjoyed directly in the senses, as they presuppose a mixing of foreign materials with materials provided by one's own body. Transcendentally, with the chemical senses, consumption precedes perception.

[26] And see Rob van Gerwen, "Address or Intimation," in *Jaarboek voor Esthetica 2002*, ed. Frans van Peperstraten (Rotterdam: Nederlands Genootschap voor Esthetica, 2002) pp. 126-37 (on line at www.nge.nl/Jaarboek2002/10gerwen.pdf) for qualifications on how art addresses us.

[27] According to Michael Tye, *Ten Problems of Consciousness* (Cambridge, MA: MIT Press, 1995), perspective is one of the characteristics of consciousness. Forms of art can be seen to mesh thoroughly with consciousness.

[28] See Levinson, "Defining Art Historically."

[29] Such a theory must relate to an account of individual style, like Wollheim proposed in "Pictorial Style: Two Views." See also: Paul Crowther, "Creativity and Originality in Art," in *The British Journal of Aesthetics*, 31, (1991), 301-309. An artist's individual style must be distinguished from his signature his conscious signing the canvas as much as those manipulations of the material whose characteristics depend solely, and contingently, on the artist's physique.

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