Unperformable Works and the Ontology of Music
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Some artworks—works of music, theatre, dance, and the like—are works for performance. Some works for performance are, I contend, unperformable. Some such works are unperformable by beings like us; others are unperformable given our laws of nature; still others are unperformable given considerations of basic logic. I offer examples of works for performance—focusing, in particular, on works of music—that would fit into each of these categories, and go on to defend the claim (perhaps counterintuitive to some) that such 'works' really are (i) genuine works, (ii) musical works and (iii) works for performance. I then argue that the very possibility of such works is ontologically significant. In particular, the possibility of these works raises serious problems for type-theoretic accounts of the ontology of music as well as certain mereological or constitution-based accounts.

1. Introduction

It is standard procedure to categorize some artworks—works of music, theatre, dance, and the like—as works for performance. It is also standard to assume that, in virtue of being works for performance, such works are, at least in principle, *performable*. This assumption might be formulated as a necessary condition: *w* is a work for performance only if *w* is performable. I argue here that this assumption is false: there can be works for performance that are, to various degrees, unperformable. This conclusion, I argue further, matters, as it has notable ontological consequences.

For tractability, I focus on composed (as opposed to improvised) musical works. Strictly, then, my target is the assumption that *w* is a composed musical work for performance only if it is performable and my conclusions have consequences only for the ontology of music. While I suspect that my remarks will be general enough to apply to other kinds of works, I do not defend such claims here.

In Section 2, I offer some remarks on some key notions. In Section 3, I discuss several ways in which works might be unperformable, providing examples. In Section 4, I argue that the examples provided should be considered not just works, but musical works, and, ultimately, musical works for performance. Finally, in Section 5, I discuss the ontological implications of these conclusions, arguing that, while the possibility of unperformable works does not tell in favour of any single ontology, it does tell against some popular accounts.

2. Works and Performances

The notions of *work* and *performance* are central here, so some remarks on how I understand them are in order. It is not my goal to offer anything like analyses of these notions. My focus is not on any particular philosophically informed understandings of these notions

that might emerge after reflection, but instead on the intuitive understanding we possess upon embarking upon such reflective activities in first place.[1]

'Works' are understood to be the intended end results of artistically creative activities. They bear both artistic and aesthetic properties, and are the primary objects of focus in our artistic critical and appreciative practices. Some works belong to the performing arts: categories such as music, theatre, dance, etc; but not painting, sculpture, etc. For now, we can understand *works for performance* as works properly categorized among the performing arts; as we will see, this is not entirely adequate, but will do for now.

Typically, a work *w* can be realized through attempts at *performances of w*: particular sound events intended to conform, and to some reasonable degree successful in conforming, to *w*'s specifications. If an attempt at a performance of *w* meets whatever criteria are required for that performance attempt to really be a performance *of w*, call that performance attempt a 'genuine performance'. This notion is not evaluative, but classificatory: genuine performances of works might be aesthetically or artistically good or bad, but non-genuine 'performances' of works will not be performances *of* those works at all—they are failed performance attempts.

'Performance' admits of a process-product ambiguity.[2] I intend the *product* reading. The *process* reading, however, suggests a legitimate understanding on which, even if someone gives a failed performance attempt, she has still succeeded in giving a performance (of some sort). Suppose you go to a concert hall to see a particular performer, but that performer is having an off night. The performer might rightly be said to have given a performance while nonetheless failing to give a genuine performance *of* some particular work. With this second notion of 'performance' noted, I restrict my focus to the first. If there are unperformable works, there can be no genuine performances of those works, though performers might still give performances (of some sort) while trying—and failing—to perform them.

3. Varieties of Unperformability

There are several senses in which works might be unperformable—some more philosophically interesting than others. Here, I characterize four such senses, starting with the least interesting and building to the most.

To start, some works are unperformable only insofar as they are properly categorized outside of the performing arts. Asking whether, say, *Guernica* is performable is to make a category mistake: *Guernica* is a painting, and paintings do not admit of performance. Call such works *trivially unperformable*:

> **Trivial Unperformability:** *w* is *trivially unperformable* iff *w* is not properly categorized among the performing arts.

1   For more on these notions, see Jerrold Levinson, 'Evaluating Musical Performance', *Journal of Aesthetics Education* 21 (1987), 75–88; David Davies, *Art as Performance* (Oxford: Blackwell, 2004); 'Works and Performances in the Performing Arts', *Philosophy Compass* 4 (2009), 744–755; *Philosophy of the Performing Arts* (Oxford: Blackwell, 2011); and Stephen Davies, *Musical Works and Performances: A Philosophical Exploration* (Oxford: OUP, 2001).

2   Levinson, 'Evaluating Musical Performance', 76–77.

Trivially unperformable works will not be of much interest here. Henceforth, unless stated otherwise, when I refer to unperformable works, I exclude trivially unperformable works.

Of more interest are works belonging to the performing arts which are still, in some sense, unperformable. Some such works will be unperformable only insofar as they are impossible for any actual organism to perform, given biological limitations. Call such works *medically unperformable*:

> **Medical Unperformability:** *w* is *medically unperformable* iff, given biological limitations, no actual organism can generate a genuine performance of *w*.

Examples of such works include, perhaps, Ligeti's Étude No. 14A: *Coloana fara sfârșit* (*Column without End*) and other works too fast for any organism to play, works for solo musicians significantly longer than any solo musician could live, etc. One could attempt to perform such works, but, given biological limitations, no such attempt could ever be fully accurate. Since a genuine performance of a work plausibly requires, not just the intention to perform, but also some reasonable degree of conformity to the work's specifications, works that are so fast (or long, etc.) that no organism, given biological limitations, could approximate anything approaching that degree of conformity would be medically unperformable.[3]

Of even more interest are works that are unperformable in an even stronger sense: genuine performances of them would violate the laws of nature. Call such works 'nomically unperformable':

> **Nomic Unperformability:** *w* is nomically unperformable iff, given the actual laws of nature, there can be no genuine performances of *w*.

Though we (and other known, actual organisms) cannot genuinely perform medically unperformable works, other nomically possible entities could; not so with nomically unperformable works. Consider Bull of Heaven's 2014 work *310: ΩΣPx0(2^18 × 5^18) p*k*k*k*, with a running time of 3.343 quindecillion years.[4] Given the actual laws of nature, our universe might very well be over significantly before this piece could even, as they say, 'get going'. If so, *310* would be nomically unperformable.

It might be argued that *310* is instead trivially unperformable, as it is perhaps more appropriately categorized as a work for playback, rather than for performance.[5] Arguments analogous to those discussed here, however, can be raised about unplayable works. Suppose I hit 'play' on a conventional musical recording, but cancel the playback

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3   Works might also be *technologically* unperformable, given the actual limits of technology. For present purposes, however, this sense of unperformability raises no issues beyond those raised by medically unperformability.

4   In the US, 'quindecillion' refers to 10^{48}, whereas in France and Germany, 'quindecillion' refers to 10^{90} and 10^{48} is referred to as an 'octillian'. Bull of Heaven is based in the US, so I interpret their claim to be that *310* runs 3.343×10^{48} years.

5   On works for performance vs. works for playback (i.e. recordings), see Davies, *Musical Works and Performances*; Theodore Gracyk, *Rhythm and Noise: An Aesthetics of Rock* (Durham, NC: Duke University Press, 1996); Andrew Kania, 'Making Tracks: The Ontology of Rock Music', *Journal of Aesthetics and Art Criticism* 64, 401–414; and 'Musical Recordings', *Philosophy Compass* 4 (2009), 22–38.

after a mere moment. Such an event should not count as a genuine playback: it is far too short to be reasonably taken as such. Applying these intuitions to *310*, it is hard to see how any nomically possible sound event could count as a genuine playback: they would all be far too short. So, while there are important differences between works for performance and works for playback, they are similar with respect to the issues at hand. We might group them together as works for manifestation (i.e. performance *or* playback), and take the present discussion to show that some works for manifestation are, in fact, unmanifestable. To avoid introducing more jargon, however, I will continue to talk just in terms of performance, noting that my claims are intended to apply to both performance and playback.[6]

As another example, which is decidedly not a work for playback, consider *Traveler*:

> ***Traveler:*** One musician (i) plays an A# on a kazoo while (ii) travelling backwards through time.

If backwards time travel is nomically impossible, then *Traveler* is nomically unperformable: no actual event could, on a reasonable standard, sufficiently conform to *Traveler*'s specifications, as any performance attempt would get at least half of the work wrong—and, plausibly, a reasonable standard of conformity should require getting at least half of the work right. While full conformity is not necessary for genuine performance, some reasonable degree of conformity is, and a performance attempt with degree of conformity of less than half seems more appropriately judged as a failed performance attempt.

Finally, of most interest are works that are unperformable in perhaps the strongest sense: genuine performances of them would violate the constraints of logic. Call such works 'logically unperformable':

> **Logical Unperformability:** *w* is logically unperformable iff, given logical constraints, there can be no genuine performances of *w*.

Though nomically unperformable works cannot be genuinely performed in our world, they could be genuinely performed in other worlds with appropriately different laws of nature; not so with logically unperformable works. Such works could not be genuinely performed in any possible world. As a first example, consider *A&~A*:

> ***A&~A:*** one musician (i) plays an *A* on a kazoo, while (ii) simultaneously refraining from playing any note on that kazoo.

As a second example, consider *Tribute to I.F. Kilmister*:

> ***Tribute to I.F. Kilmister:*** three musicians each, individually and simultaneously, play a single note (on electric guitar, electric bass, and drum kit, respectively) louder than the other two play their notes.

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6   While *310* is a nomically unplayable work, it is difficult to imagine what a *medically* (or, as we will discuss next, *logically*) unplayable work might be. If we take works for playback to amount to works *for recording and subsequent playback*, however, we can generate examples analogous to the works for performance discussed here. Such works would be (medically, nomically, logically) unplayable in virtue of being (medically, nomically, logically) unrecordable.

Such works are logically impossible to genuinely perform. *A&~A* requires one musician to simultaneously take contradictory actions, and *Tribute* requires a breakdown of asymmetry, a logical property of the louder than relation. Given the sparseness of these scores, no performance attempt could, on any reasonable standard, be considered genuine: any attempt at performing *A&~A* will fail to conform to at least half of the score and any attempt at performing *Tribute* will fail to conform to at least two-thirds of the score. Even if we intended to perform these works, no logically possible attempts at performing either could reach the level of conformity reasonably required for those attempts to be genuine performances.[7]

Julian Dodd has argued that a performance attempt might be a genuine performance, despite intentional deviations from a score, if such deviations lead to greater interpretative success.[8] On Dodd's proposal, a sound event might qualify as (what I am calling) a genuine performance of *w*, despite an intentional lack of conformity to *w*'s specifications, as long as that performance attempt sheds valuable new light on the understanding of *w*'s content. If so, might it be that *Traveler*, A&~A and *Tribute* are performable after all? If one can justify sacrificing conformity to a work's specifications for interpretive reasons, could we genuinely perform *Tribute*, despite failing to meet at least two-thirds of its score, if our attempt at doing so brought about a better understanding of the meaning of the work?

I do not think so. Dodd thinks that we can sometimes sacrifice ideal conformity for interpretive reasons. One can grant that point while still thinking that even the highest level of conformity possible in cases of works like those under discussion is simply too low to be reasonably taken to give rise to genuine performances of those works, no matter the interpretative insight any such attempts might offer. Furthermore, to aim to perform works such as *A&~A* and *Tribute*, which are intentionally composed to be unperformable, is not to bring about a better understanding of those works' meanings, but instead to get the spirit of the works wrong. One of the defining features of these works is that they are written to be *(*and, perhaps, to be about the fact that they are) unperformable. With this in mind, I follow Jerrold Levinson when he writes that he is

> inclined to think of a questionable performance of a work as still a performance (albeit incorrect) if its shortcomings are largely a matter of *execution*, while inclined on the other hand to discount it as a performance at all when its shortcomings are largely a matter of substantial *modification or flouting* of defining features.[9]

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7 Joshua Spencer has suggested that these works might be logically performable if backwards time travel is logically possible. If this is a worry, we can include in the scores a ban on time travelling during performance.

8 Julian Dodd, 'Performing Works of Music Authentically', *European Journal of Philosophy* 23 (2012), 485–508. Dodd intends his claims to apply only to works of Western classical music (ibid., 503 n. 1). Since it is not clear that many of the works under discussion here would qualify as works of Western classical music, it is unclear whether Dodd would endorse this proposal for these works. Nothing in his proposal would prevent him from doing so, though, so even if Dodd would not endorse this extension of his proposal, a 'Doddian' could.

9 Levinson, 'Evaluating Musical Performance', 76, his emphasis.

If one attempted to perform *A&~A* or *Tribute* by offering interpretations according to which such works were performable, this would be to substantially modify or flout a— perhaps *the*— defining feature of those works.

It is better to say that when one intentionally deviates from the scores of such works for the purposes of interpretive insight one might succeed, not in genuinely performing those works, but instead in performing something like what Cristyn Magnus, P.D. Magnus, and Christy Mag Uidhir call a *referential cover*: a cover 'which instantiates a suitably derivative song … but such that the new song is *about* the original song or the canonical version'.[10] One could certainly perform *Tribute**, a derivative work which conforms to some of *Tribute*'s score and intentionally bungles the rest so as to draw out insights into why *Tribute* itself is unperformable, but such a performance would be a performance of *Tribute**. *Tribute* itself remains logically unperformable.

4. Unperformable Works for Performance

I have assumed that the notion of *unperformable works for performance* is coherent. This is contentious, and one might very well deny that any of the examples offered in the previous section really are works for performance. For that matter, one might deny that they are musical works, or even works at all. In the next section, I address these concerns.

Works

'Works', again, are here taken to be the intended end results of artistically creative activities, bearers of artistic and aesthetic properties and the primary objects of focus in our artistic critical and appreciative practices. Consider any of the examples discussed: they *are* the intended end results of artistic creative activities. They bear artistic and aesthetic properties: *310* is *tedious*, *Traveler* is *influenced by science fantasy*, *A&~A* and *Tribute* are *perplexing*.[11] Situated in Bull of Heaven's *oeuvre*, and given their tendency to produce longer and (absurdly) longer compositions, *310* is perhaps *derivative* or *droll*. *Tribute*, as a reference to Motörhead's famous slogan, 'everything louder than everything else', is *funny*. And finally, they can appropriately find themselves as the target of interest and study by art critics and historians, audiences, philosophers of art, etc. So far, it would be hard to find fault with the claim that these are examples of, at least, works.

One might object, however, that *Traveler*, *A&~A*, and *Tribute* are not works, but are instead mere thought experiments.[12] My response is as follows. First, as we will see in

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10   Cristyn Magnus, P.D. Magnus, and Christy Mag Uidhir, 'Judging Covers', *Journal of Aesthetics and Art Criticism* 71 (2013), 361–370, at 367, their emphasis.

11   On taking certain *cognitive* properties as *aesthetic*, see James Shelley, 'The Problem of Non-Perceptual Art', *BJA* 43 (2003), 363–378; and Elisabeth Schellekens, 'The Aesthetic Value of Ideas', in Peter Goldie and Elisabeth Schellekens (eds), *Philosophy and Conceptual Art* (Oxford: OUP, 2007), 71–91.

12   Thanks to an anonymous referee for raising this objection.

the next section, the very possibility of such works has ontological consequences, so even if these examples are not examples of actual works, the fact that they are examples of possible works is sufficient. Nonetheless, I still argue that these examples are examples of actual works. Consider the remarks by Andrew Kania, regarding his own *Composition 2009 #3*:

> Frustrated by the lack of an ideal example to illustrate clearly the possibility of silent music in a lecture-recital, I turned my hand to composition. In most fields of philosophy, one must be content with hypothetical examples, but philosophers of the arts have the distinct advantage of being able to produce *actual* examples to illustrate their theories (or refute others'). As noted in discussions of the institutional theory of art, a single person can play many distinct institutional roles, and though I may not be a very skilled composer, I think it is uncontroversial that I know enough about music to compose musical works, whatever their quality. Hence I set out to compose a truly silent piece.[13]

Kania is right. Just as he, despite being primarily a philosopher, composed *Composition 2009 #3*, I, despite being the same, composed *Traveler*, *A&~A* and *Tribute*. It might be that none of these works is really any good, or of much independent interest, but that is not what is at issue.

The sceptic might push back, claiming that these are not actual works because they were not really the results of *artistic* creative activities, but of philosophical creative activities. I do not see, however, why we should take these two types of activities to be mutually exclusive: one might engage in a creative activity that is both philosophical and artistic. Consider, for example, the works of, inter alia, Barry, Cage, Duchamp, Emin, Kosuth, Le Witt, Piper—and even Kania. Many such works have equal footing in philosophical creativity and artistic creativity, or at least use the former as a tool for the latter.

Musical Works

One might contend that these works are better thought of as conceptual artworks, rather than musical works. But these categories are not mutually exclusive: consider, for example, John Cage's *4'33"* or *0'00"*, or various Fluxus works, such as Dick Higgins's *Danger Music Number Nine (for Nam June Paik)* ('volunteer to have your spine removed') or Nam June Paik's *Danger Music for Dick Higgins* ('creep into the VAGINA of a living WHALE').[14] One can grant that these works are conceptual artworks without abandoning the claim that they are musical works.

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13 Andrew Kania, 'Silent Music', *Journal of Aesthetics and Art Criticism* 68 (2010), 343–353, at 350–351, italics in original. A similar defence can be offered for the legitimacy of the works of fiction in Anthony Everett, 'Against Fictional Realism', *Journal of Philosophy* 102 (2005), 624–649.

14 For more on the understanding of conceptual art in play here, see Wesley D. Cray, 'Conceptual Art, Ideas, and Ontology', *Journal of Aesthetics and Art Criticism* 72 (2014), 235–245. For a dissenting view on *4'33"*, see Kania, 'Silent Music'; and Stephen Davies, 'John Cage's *4'33"*: Is it Music?', *Australasian Journal of Philosophy* 75 (1997), 448–462. Thanks to an anonymous referee for suggesting the Fluxus examples.

This does not yet establish, though, that such works *are* musical works. But like canonical musical works, these works have scores, including specifications of instrumentation and performance means. Likewise, they can find themselves as an appropriate target of study, appreciation and critical attention by musicologists, music critics, philosophers of music, music fans, and so on. They are more comfortably and appropriately grouped—for the purposes of artistically and aesthetically illuminating comparisons and contrasts— with other musical works, and we would appropriately apply the same standards or language while engaging with or appreciating them as we would when doing so with canonical musical works.

The composer's intentions are also relevant. Bull of Heaven present *310* not just as a work, but as a musical work; similarly, when I composed *Traveler*, *A&~A* and *Tribute*, I intended them to be musical works. And I agree with Theodore Gracyk when he claims that a 'strong reason to treat John Cage's *4'33"* as a musical work is that he advertised it as such'.[15] Similarly, in Kendall Walton's discussion of categorizing works, we see that the artist's intention with respect to how to properly categorize a given work is worthy of significant consideration.[16] Of course, such an intention, though significant, is most likely not sufficient. In response to definitions of *music* offered by Levinson and Kania, Stephen Davies has argued compellingly that (roughly) musical works must also be composed against the backdrop of musical traditions.[17] The works presented here meet this condition, as well.

If such works are musical works, then they are unperformable musical works. Given that not all musical works are for performance—as mentioned earlier, some are instead for playback—the existence (or possibility) of unperformable musical works itself is perhaps not all that surprising. There are, after all, countless works of electronic music for playback, with tempos faster than any actual organism could produce, and, as we saw, *310* is plausibly considered nomically unplayable. Recall, though, that I take my discussion of performability to extend to playability, as well. So, more interestingly, if such works are musical works, then there are some musical works that are not manifestable—that is, performable *or* playable.

We should ask: if *w* is (medically, nomically, logically) unperformable (in the broad sense of being manifestable), can *w* be properly considered a musical work? To insist on answering this question in the negative, by just stating that no musical work can be (medically, nomically, logically) unperformable, however, is question-begging. Of course, some

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15   Gracyk, *Rhythm and Noise*, 20.

16   Kendall Walton, 'Categories of Art', *Philosophical Review* 79 (1970), 334–367.

17   Jerrold Levinson, 'The Concept of Music', in his *Music, Art, and Metaphysics* (Ithaca, NY: Cornell University Press, 1990), 267–278; Kania, 'Silent Music'; and Stephen Davies, 'On Defining Music', *The Monist* 95 (2012), 535–555. Levinson briefly entertains a definition consonant with what Davies suggests and my own approach, according to which 'music's essence, like that of art generally, [has] become almost purely historical', concluding that 'we are not *quite* at that stage yet' ('Concept of Music', 274 n. 8, his emphasis). Though I do not have the space to defend the claim here, I think that we *are* at that stage, and that, regardless, it would be better to adopt as liberal a definition as possible and plausible, so as to better allow for what music may come in the future.

might claim to have strong intuitions that this question should be answered in the nega-tive and that this in itself constitutes a good, non-question begging reason to do so. In response, I would question those intuitions: I agree with Michael Morris that it 'can be seen a priori to be a possibility' that 'a composer can, intentionally and perfectly properly, write a piece of music which is literally unperformable'.[18] For Morris and me, at least, the possibility of unperformable works is not counterintuitive, but is instead intuitive enough to be declared a possibility a priori. Morris and I are likely far from uncharacteristic in this respect: while those who, like us, claim that the possibility of unperformable musical works is intuitive can by no means claim consensus on the issue, neither can those who advance the opposing claim, grounded in more sceptical intuitions.

So far, this is just a clash of intuitions, not an argument. One advantage of my position, however, is that it offers a plausible explanation of my opponent's intuitions. For those who find the possibility of unperformable works to be strongly counterintuitive, I draw attention to some remarks on the avant-garde by Thierry de Duve:

> Every masterpiece of modern art—from Courbet's *Stonebreakers*, Flaubert's *Madame Bovary*, and Baudelaire's *Fleurs du Mal* to Manet's *Olympia*, Picasso's *Demoiselles d'Avignon*, Stravinsky's *Rites of Spring*, Joyce's *Ulysses*, and Duchamp's readymades— was first met with an outcry of indignation: 'this is not art!' In all these cases, 'this is not art' expresses a refusal to judge aesthetically; it means, 'this doesn't even deserve a judgment of taste'.[19]

Gregg Horowitz attributes to de Duve the view that 'a work is avant-garde when it is a vehicle for disturbance of the putatively firm institutional boundaries of the art context in question'.[20] We have a tendency to place limits on art and artistic categories, and the avant-garde characteristically pushes against these limits. It is unsurprising, then, that such works would be met with scepticism regarding their status as legitimate works, or, in this case, legitimate members of certain artistic categories. But, as Morris Weitz cau-tioned, taking whatever boundaries are accepted at a time as constituting necessary con-ditions for artwork status runs the risk of doing violence to the expansive and adventurous character of art.[21] This point applies, I take it, not just to the category *art*, but to various artistic categories, such as *music*.

I am not making the bold—and probably implausible—suggestion that works such as *310*, *Traveler*, *A&~A* and *Tribute* are masterpieces of the musical avant-garde. Instead, my claim is this: if we grant that these are legitimate musical works, then they would seem to be musical works that push on widely-accepted institutional boundaries drawn around the category of *musical work*. Reports that such works are, intuitively, not genuine musical works, then, should come as no surprise. On the contrary, they are entirely predictable.

18   Michael Morris, 'Doing Justice to Musical Works', in Kathleen Stock (ed.), *Philosophers of Music: Experience, Meaning, and Work* (Oxford: OUP, 2007), 52–78.

19   Thierry de Duve, *Kant after Duchamp* (Cambridge, MA: MIT Press, 1996), 3.

20   Gregg Horowitz, 'Aesthetics of the Avant-Garde', in Jerrold Levinson (ed.), *The Oxford Handbook of Aesthetics* (Oxford: OUP, 2003), 748–760, at 751.

21   Morris Weitz, 'The Role of Theory in Aesthetics', *Journal of Aesthetics and Art Criticism* 15 (1956), 27–35.

Another diagnosis of the intuition that such works fail to be legitimate musical works, inspired by Arthur Danto, should be noted. Horowitz points out that, for Danto, many 'not art' claims are not to be taken literally, as genuine refusals to classify the objects in question as artworks. Instead, such claims are evaluative: as Horowitz puts it, 'X is not art' can be translated as 'X is bad art'.[22] Extrapolating from this, we might similarly translate certain claims of 'X is not music' as 'X is bad music'. Claims that *310*, *A&~A* and *Tribute*, fail to be musical works, then, might often simply amount to the claim that such works are too bad to warrant consideration as musical works. This is to treat unperformability as a serious—perhaps fatal—artistic or aesthetic flaw.

Such sentiments, I claim, are misguided. David Davies considers the claim that 'a performing art is a practice whose primary purpose is to prepare and present artistic performances'.[23] Suppose that this is correct. Even so, a failure to satisfy the primary, characteristic purpose of a particular artistic category should not necessarily count as an artistic or aesthetic shortcoming of a work belonging to that category. A work *w*'s unperformability *could* constitute an artistic or aesthetic flaw, such as when *w* was indeed composed with the intention that it be performable but fails because of some error on the composer's behalf. For *w*, such unperformability would count as a flaw insofar as the composer failed to do what she was trying to do. In other cases, however, unperformability is intentional. In at least some such cases, this intentional unperformability can contribute to artistic or aesthetic success: *310* becomes a far more interesting work once we recognize it as nomically unplayable, and the perplexity and humour of *Tribute* is predicated on its logical unperformability. If the goal behind the composition of *Tribute* was to instil perplexity or hilarity (which it was) it would be a less successful work were it to turn out to be logically performable. So, whereas unintentional unperformability might diminish the merit of a given work so much that some might refuse to acknowledge it as a musical work at all, we would do best to interpret such claims as, not classificatory, but evaluative, while keeping in mind that intentional unperformability can give rise to artistic or aesthetic virtue.

Works for Performance

I have argued that there are unperformable *musical* works. In view of this, we face a fork in the road: either some musical works are not for performance (or playback),, or some musical works for performance are (intentionally) not performable. In this section, I briefly explore both of these options.

If some composed musical works are not for performance (or playback), then the otherwise seemingly plausible assumption that all composed musical works must be, in some sense, for performance (or playback) must be rejected. In rejecting that assumption, we admit that some such works are not for anything, in the relevant sense—they are as much for performance (or playback) as, say, *Guernica* or the Sistine Chapel. This leaves

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22   Horowitz, 'Aesthetics of the Avant-Garde', 752.

23   Davies, *Philosophy of the Performing Arts*, 4.

us with examples of a quite strange, and to my knowledge largely unexplored, area of musical space.

Adopting this position, however, has the unfortunate effect of making *310*, *Traveler*, *A&~A* and *Tribute* trivially unperformable. This is problematic insofar as it complicates the story told earlier about their aesthetic properties. The possession of many such properties, such as *Tribute*'s *perplexity* and *hilarity*, plausibly depends on those works being thought of as, not just unperformable works, but (intentionally) unperformable works for performance. It is the tension between *Tribute*'s logical unperformability and the fact that performability is a characteristic property of the category within which the work is best placed that gives rise to these properties. If *Tribute* were trivially unperformable, this tension would be blandly resolved—in fact, it would never have been there in the first place. Similar remarks apply to *310*: were *310* considered a trivially unplayable work, rather than a nomically unplayable work, it would be far less interesting and compelling as a work. If the best explanation of a work's properties depends in part on that work being categorized as a work for performance, then that is reason to categorize that work as a work for performance.[24]

Admittedly, there is some tension in describing a work that, due to basic logical constraints, cannot be performed as a work for performance. Here is a way, however, to warm up to the idea. Consider again the Fluxus compositions mentioned earlier: Dick Higgins' *Danger Music Number Nine (for Nam June Paik)* (score: 'volunteer to have your spine removed') and Nam June Paik's *Danger Music for Dick Higgins* (score: 'creep into the VAGINA of a living WHALE'). It is natural to suppose that neither of these works were composed with the intention that they ever actually be performed. But, I would suggest, much of the aesthetic and artistic interest of these pieces comes from the exercise of imagining what they would be like were they to be performed. Were we to consider such pieces to be works *not* for performance—that is, trivially unperformable works—they would lose a good deal of their artistic and aesthetic bite. My claim, then, is that the best way to understand such works is to take them to be for performance, even if they were never intended to be—or even intended never to be—performed.

310, *Traveler*, *A&~A* and *Tribute* can be thought of in exactly this way. Like the Fluxus compositions, much of the aesthetic and artistic interest of these pieces comes from the exercise—nomically or logically futile as it may be—of trying to imagine what they would be like were they to be performed. Taking such works to be trivially unperformable simply does not account for this, which, I think, tells in favour of taking these works to really be unperformable works for performance.

If this is correct, then *being (medically, nomically, logically) performable* cannot be a necessary condition for being a work for performance. So, again, when David Davies considers the claim that 'a performing art is a practice whose primary purpose is to prepare and present artistic performances', we would do best to not understand this as requiring that all works in a particular performing art are supposed to be performable. Instead of understanding this claim to be about essential properties of such works, it is best understood as

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24   Thanks to Chris Tillman and Gregory Glatz for helpful discussion on this point, as well as to an anonymous referee.

the claim that this primary purpose characteristically applies to the category as a whole, rather than to all particular works in that category. The statement that works for performance are performable, then, is more like the statement that dogs have four legs than it is like the statement that triangles have three sides: an unperformable work for performance is, in this sense, more like a three-legged dog than it is like a four-sided triangle.

5. Ontological Implications

I have argued that unperformable works are possible. If my examples and arguments are satisfactory, then some unperformable works are actual. I recognize, however, that whether or not the examples offered really are satisfactory is a contentious matter. In this section, however, I argue that even the possibility of such works has important ontological implications. (This is true, I take it, even if unperformable works are ultimately best thought of as works not for performance.) In particular, the possibility of such works raises worries about any account of the ontology of composed musical works that draws too tight a connection between works and performances. Insofar as, *ceteris paribus*, an ontology that can account for unperformable works in a non-ad hoc manner—and, ideally, in a manner unified with its treatment of performable works—has an advantage over those that cannot, these worries constitute reasons for accepting the former kind of accounts over the latter.

Consider first a dominant kind of account of the ontology of music: type-theoretic accounts.[25] Following Levinson's characterization, we might take a work w to be a type, and particular intentional sound events which conform completely to that type to be instances—that is, tokens—of w. Performances of w are typically taken to be particular sound events which are intended to conform to w, and to some reasonable degree successful in doing so; they will often not succeed in being instances of w.[26]

Unperformable works pose problems for the type theorist. If an instance of a work is an intentional sound event that conforms completely to the work's specifications, then no actual organism could generate an instance of any medically unperformable work. Similarly, no entity possible in our world could create an instance of any nomically unperformable work. And finally, no entity in any world could create an instance of any logically unperformable work. Since, according to the type-theorist, works are types and instances are tokens, we are left with untokenable types.

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25 On such accounts, see, inter alia, Jerrold Levinson, 'What a Musical Work Is', *Journal of Philosophy* 77 (1980), 5–28; and 'What a Musical Work Is, Again', in his *Music, Art, and Metaphysics* (Ithaca, NY: Cornell University Press, 1990), 215–263; Richard Wollheim, *Art and Its Objects*, rev. edn (Cambridge: Cambridge University Press, 1980); Nicholas Wolterstorff, *Works and Worlds of Art* (Oxford: OUP, 1980); Peter Kivy, 'Platonism in Music: A Kind of Defense', *American Philosophical Quarterly* 24 (1983), 245–252; Davies, *Musical Works and Performances*; and Julian Dodd, *Works of Music: An Essay in Ontology* (Oxford: OUP, 2007).

26 Levinson, 'What a Musical Work Is'; 'Evaluating Musical Performances'. Though Levinson takes his account to apply only to Western classical music, the present arguments still apply: while I am not sure that *Traveler, A&~A* or *Tribute* should be thought of as deriving from the Western classical tradition, unperformable works of that tradition are *possible*.

Medically and nomically untokenable types are perhaps unproblematic: such types are still logically tokenable. Logically untokenable types, however, *are* problematic. Our grasp on the notion of *type* is based on the role it plays in our metaphysics, and that role is inseparably tied to the notion of *token*: types simply are the sorts of entities that admit of tokens. It is hard to see how a supposed logically untokenable 'type' really qualifies as a genuine type.

This move might sound suspicious: I have argued for the possibility of logically unperformable works for performance, but then also against the possibility of logically untokenable types. The symmetry, though, is only surface-level: whereas such works are merely characteristically performable, it is plausible, given the above remarks, that types are essentially tokenable. If so, then, as argued previously, the notion of *logically unperformable work for performance*, is, while atypical, still coherent, whereas the notion of *logically untokenable type* is not.

The type-theorist, then, is left with a dilemma: either (i) accept the possibility of logically untokenable types, or (ii) reject the possibility of logically unperformable works. If, on the one hand, it is plausible that there are no logically untokenable types, then a commitment to them is a vice.[27] If, on the other, logically unperformable works are possible, then a commitment to the contrary is also a vice. This constitutes an argument against this kind of type-theoretic account.

One might be a type-theorist of another stripe: following Dodd, we might take works to be norm-types, and allow for the possibility of ill-formed tokens. It seems, though, that any attempts at performances (or the generation of any kind of instances) of *310*, *Traveler*, *A&~A*, *Tribute*, and the like, would result in 'tokens' that are *so* ill-formed that they would fail to meet a minimum standard for being even an ill-formed token, and would be better classified just as failed performance attempts—and, hence, not tokens. So, even the type-theorist of this more permissive stripe is left with logically untokenable types, and still faces the above dilemma.[28]

Moving on, we can turn our attention to *musical materialism*. According to some versions of musical materialism, works are mereological fusions of their performances. According to others, works coincide with those performances.[29] We can group these views together under the moniker of *MM−*. Still other versions take works to be fusions of (or coincident with), not just performances, but all relevant work-related entities: scores, recordings, ideas in the composer's head, and so on. We can group these views together under the moniker of *MM+*.[30]

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27   That Levinson is committed to there being no untokenable types is suggested by some of the remarks throughout his 'Review of *Universals: An Opinionated Introduction*', *Philosophical Review* 101 (1992), 654–660.

28   Dodd is likewise committed to there being no untokenable types; see *Works of Music*, 60–63.

29   The mereological view is defended in Ben Caplan and Carl Matheson, 'Can a Musical Work Be Created?', *BJA* 44 (2004), 113–134; 'Defending Musical Perdurantism', *BJA* 46 (2006), 59–69; and 'Defending "Defending Musical Perdurantism"', *BJA* 48 (2008), 80–85. The coincidence view is discussed in Chris Tillman, 'Musical Materialism', *BJA* 51 (2011), 13–29; and Chris Tillman and Joshua Spencer, 'Musical Materialism and the Inheritance Problem', *Analysis* 72 (2012), 252–259.

30   Caplan and Matheson, and Tillman and Spencer restrict their focus to *MM−*. Though they do not discuss it at length, Caplan and Matheson gesture at *MM+* ('Can a Musical Work be Created?', 133). Though they have *defended MM−*, none have *endorsed MM−* over *MM+*.

MM− runs into problems with unperformable works: if *w* is a fusion of (or coincident with) its performances, then, if there are no performances, there is no *w*. (Note that the view runs into the same problem with unperformed works.) In response, the friend of *MM−* might adopt *Modal MM− (MMM−)*, according to which works are fusions of (or coincident with) their actual *or* merely possible performances. The friend of *MMM−* can accommodate medically and nomically unperformable works by taking such works to be fusions of (or coincident with) their possible performances in other worlds with appropriately different nomically possible entities or with appropriately different laws of nature, respectively.

But *MMM−* still faces problems. For one, it carries an ontological commitment to merely possible performances, which many will find objectionable. For another, it does little to show us how a work composed of (or coincident with) merely possible performances, is itself *actual* rather than merely possible. Finally, *MMM−* still lacks the resources to account for logically unperformable works, as such works will fail to have even merely possible performances.

MM+ runs into no problems with unperformable works. As long as there is, associated with *w*, a score, a recording, an idea in the composer's head, or any other non-performance, appropriately work-related entities, the friend of *MM+* can take *w* to be composed of (or coincident with) those entities. Given the inability of *MM−* to account for logically unperformable works, among the other flaws mentioned, and the ability of *MM+* to do just that, this constitutes an argument in favour of *MM+* over *MM−*.[31]

MM+ is not alone: there are other accounts that avoid problems with unperformable works. We might follow David Davies in identifying works with particular artistically creative activities: *310*, *Traveler*, *A&∼A*, *Tribute*, and the like, just *are* the relevant compositional activities and their subsequent unperformability poses no special problem.[32] Similar remarks apply to those who hold views like those proposed by Gregory Currie, who (roughly) takes works to be types of such activities.[33] Alternatively, we might follow Guy Rohrbaugh in taking works to be historical individuals ontologically dependent on material objects.[34] Just as with musical materialism, this view would stand or fall depending on what we take such material objects to be. If we include scores, recordings, ideas in the composer's head, etc., Rohrbaugh's account can readily accommodate unperformable works; if not, and we limit ourselves to just performances, the account would face the same problems as *MM−*. A further (though likely not very popular) option would be to take some inspiration from Renée Cox, Benedetto Croce, or (some interpretations of)

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31 Tillman and Spencer discuss another variation of *MM−*, on which works are *prior* to the performances they are composed of (or coincident with) ('Musical Materialism and the Inheritance Problem', 255–258). This variation, too, runs into problems with logical unperformability: *w* might be prior to its performances, but if there *can be no* performances then there can be nothing that *w* is composed of (or coincident with). If *w* is prior to its performances, and can exist despite there being nothing it is composed of (or coincident with), it is hard to see how this would still be a version of musical materialism.

32 Davies, *Art as Performance*.

33 Gregory Currie, *An Ontology of Art* (London: Palgrave Macmillan, 1989).

34 Guy Rorbaugh, 'Artworks as Historical Individuals', *European Journal of Philosophy* 11 (2003), 117–205.

R.G. Collingwood and take musical works to be some kind of ideas for musical performance and unperformable works to be ideas for performance unable to be executed.[35]

This list of potential ontologies is by no means exhaustive. My goal here is not to provide details on all contenders in the debate, but instead to make a more general point: insofar as the accounts just mentioned can accommodate the possibility of unperformable works, whereas others, such as *MM−* or the type-theoretic accounts discussed earlier cannot, this constitutes an argument in favour of the former kinds of accounts over the latter—perhaps not decisive in itself, but a powerful part of a cumulative case nonetheless. By demonstrating the possibility of unperformable works, we are able to divide up the contenders into those that can handle such cases and those that cannot. In general, we should prefer the former over the latter.[36]

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35 Renée Cox, 'A Defense of Musical Idealism', *BJA* 26 (1986), 133–152; Benedetto Croce, *Aesthetics: As Science of Expression and General Linguistic*, trans. Douglas Ainslie (London: Vision Press, Peter Owen, 1995); and R.G. Collingwood, *Principles of Art* (Oxford: OUP, 1938). For recent criticism of this approach, see Dodd, *Works of Music*, 26–30. For alternative interpretations of Collingwood, see Aaron Ridley, 'Not Ideal: Collingwood's Expression Theory', *Journal of Aesthetics and Art Criticism* 55 (1997), 263–272; and David Davies, 'Collingwood's "Performance" Theory of Art', *BJA* 48 (2008), 162-174. For more on how we might better think about ideas, see Wesley D. Cray and Timothy Schroeder, 'An Ontology of Ideas', *Journal of the American Philosophical Association* 1 (2015), 757–775; Anthony Everett and Timothy Schroeder, 'Ideas for Stories', in Stuart Brock and Anthony Everett (eds), *Fictional Objects* (Oxford: OUP, 2015), 275–293; and Cray, 'Conceptual Art, Ideas, and Ontology'.

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