

# Artworks as Historical Individuals

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May 16, 2003

## 1 Introduction

In 1907, Alfred Stieglitz took what was to become one of his signature photographs, *The Steerage*. Stieglitz stood at the rear of the ocean liner Kaiser Wilhelm II and photographed the decks, first-class passengers above and steerage passengers below, carefully exposing the film to their reflected light. Later, in the darkroom, Stieglitz developed this film and made a number of prints from the resulting negative. The photograph is a familiar one, an enduring piece of social commentary, but what exactly is *The Steerage* which Stieglitz has given us? It is clearer what *The Steerage* is not. It is distinct from each of its prints and from its negative. These may be dusty or torn without *The Steerage* being so, and any one of these could be destroyed without thereby destroying *The Steerage* itself. Nor is *The Steerage* the set of its prints. The set could not have had different members, while *The Steerage* could have had more, fewer, or different prints.<sup>1</sup> Similar reasoning rules out the mereological sum of parts of its actual prints, for *The Steerage*'s prints might not have comprised just these parts. We are left with a puzzle, what sort of thing is a photograph?

This puzzle is not unique to photography. Similar reasoning generates an analogous puzzle for any repeatable work of art. Novels, poems, plays, symphonies, songs, and the rest share an ontological predicament and create a

general puzzle concerning the ontological status of repeatable works of art. It is widely held that the puzzle has an equally general solution, one which I will argue fails for systematic reasons. Although my target here is the supposed solution to the general problem, photography will remain the central case under scrutiny. I offer it as a model for our thinking about the wider class in order to reap the benefits of thinking in terms of concrete cases. Although this risks a trade-off with the generality of my conclusions—there are important differences of detail between the cases—I hope it is clear that the considerations I appeal to in photography are not idiosyncratic but shared by the wider class. The widest class reaches beyond the arts to include some other ‘universals,’ as a glance at the considerations which drive the puzzle will suggest, but the scope of this paper will be limited to the arts. Photography has much to teach us, but the lessons I will draw from it are ones which could have been learned from any such concrete starting point.

The solution to our puzzle, according to most recent literature on the ontology of art, is to identify photographs with types. Because photographs, like novels and symphonies, are the sort of thing that can have occurrences—their respective prints, copies, and performances—it has seemed natural to assimilate these cases to the general distinction between types and tokens. Just as an inscription-type has concrete occurrences from which it is distinct, so too we might think of a photograph as a type of print. The ontology of photography is thus said to be radically different from that of painting, where we may identify the works with concrete, physical objects. As Jerrold Levinson summarizes the situation, photographs and their ilk require, ‘another category of existent—that of a type—because such things cannot plausibly be identified with any physical objects,’ and they occupy, ‘an ontological plane different from that which rocks and chairs inhabit.’ (1996b: 136)<sup>2</sup>

Despite its wide acceptance, there is something deeply mistaken about this solution to the puzzle. Although paintings and photographs differ in the way

that motivates the type-theory, preoccupation with this particular difference conceals a number of striking similarities between the cases. I will argue that paintings and photographs share the following three fundamental features:

**Modal Flexibility** They could have had qualities other than they actually do;

**Temporal Flexibility** They are susceptible to change in their qualities over time;

**Temporality** They come into and go out of existence.

I will argue that it is difficult or impossible to understand types as having these features and conclude that photographs are not types. These are not just meant to be objections to one or another theory which identifies photographs with types, but to the suitability of the framework on which all such theories rely.

There is more at issue here than an unconnected series of Leibniz's Law arguments. Together, these three features add up to a certain conception, in the first place, about the nature of works of art. To put it crudely, instead of thinking of a work of art as identical to a certain form or structure, we should think of artworks as objects in and persisting through history, ones which merely have a certain form. This picture of works as historical individuals is at odds with certain tendencies in aesthetics to tie the very identity of a work of art to its form, that look or sound which the artist selects and executes. This tendency is at its strongest, though equally misguided, in the case of photographs and other repeatable works when, abstracting from the particular occurrences, one thinks there is nothing left but the form with which to identify the work.

It is important to understand that the point here is metaphysical, and not critical, in nature. It is an issue of paramount importance to decide which properties of works are relevant to criticism and to appreciation, but it is a mistake to attempt to read answers to these questions off of one's ontology of art or,

worse, to load one's ontology with one's preferred answers. A properly conceived ontology of art is one which provides a metaphysical framework flexible enough to represent accurately a wide variety of phenomena and to permit the expression of heterogeneous critical views, views which must be evaluated in their own terms. Ontologies of art are beholden to our artistic practices—the ways we talk, think, and act in relation to art or at least some rational reconstruction of these—and the critical debates are part of the practices to be captured. It is the job of the metaphysician of art to provide the space for further argument, not to cut it off by fiat.

In the second place, the development of a conception of historical object which includes both paintings and photographs may suggest a wider metaphysical view. I think it is no accident that the three features which photographs share with paintings are shared equally by Levinson's rocks and chairs. All of these things come into and go out of existence, change, interact with other historical individuals, and could have been otherwise had their histories gone differently. I suggest that photographs may serve as a model for a more generalized notion of historical object, what I will call a *real object*, a category that cuts across some other classical distinctions in metaphysics. Photographs may be abstract universals and paintings concrete particulars, but all are, in the sense I am trying to draw out, equally real.

## 2 The Type Theory

We should get a little clearer on what the type-theory amounts to, for there is at least one sense in which it is harmless to say that photographs are types. As introduced by C. S. Peirce, the terms 'type' and 'token' refer to two senses in which a word such as 'word' or 'photograph' may be used. In its token sense, a word is used to refer to a particular occurrence, in its type sense, it is used to refer to that of which tokens are occurrences. (Peirce 1933: 242) There is

no doubt that ‘photograph’ and ‘*The Steerage*’ have this sort of ambiguity and that it is the type-sense of these terms which picks out a work as opposed to its occurrences. We might describe this situation by saying that *The Steerage* is a type, but one should not forget that Peirce’s distinction is semantic and not metaphysical. Allowing that ‘*The Steerage*’ has a type-sense leaves open or merely constrains what metaphysical situation or object, if any, lies behind that usage. Further proposals regarding the underlying metaphysics must be evaluated on their own merits.

In contemporary parlance, the term ‘type’ has come to represent one such ontological proposal, one that performs much of the work that ‘universal’ once did, *viz.*, something that is essentially property-like in nature, stands to tokens in a relation of instantiation, and is referred to by expressions which can play the grammatical role of a subject for further predications. The idea that types involve some nature common to their tokens differs little from typical characterizations of universals. Here is Russell’s.

If we ask ourselves what justice is, it is natural to proceed by considering this, that and the other just act, with a view to discovering what they have in common. They must all, in some sense, partake of a common nature, which will be found in whatever is just and in nothing else. This common nature, in virtue of which they are all just, will be justice itself, the pure essence the admixture of which with facts of ordinary life produces the multiplicity of just acts. (1912: 91)

We should distinguish two threads in Russell’s thought. One is ontological, the idea that justice is a special sort of thing, a nature or ‘pure essence,’ which resides in some special, *sui generis* realm. Some writers continue to think of types as abstract objects, while others would prefer a nominalist understanding of our talk of types. Common to either of these approaches is a logical idea—

Russell's second thread—that the identity of a type should be understood in terms of the conditions for being a token of that type.

Whether given a realist or nominalist understanding, one legitimizes talk of types by providing a criteria of identity for them. One specifies an equivalence relation which holds among all and only tokens of a particular type. The idea, applied to our puzzle in aesthetics, seems straightforward. We ask, for example, when it is that two photographic prints are prints of the same photograph, or two performances, performances of the same symphony. The core idea is that occurrences of the same work—at least correct occurrences—share certain features, as, for example, copies of the same novel will contain the same words in the same order. If one can identify a set of such features, the possession of which constitutes necessary and sufficient conditions for being an occurrence of a certain work, then it would seem natural to identify the work itself with the corresponding type.

What I am calling 'the type-theory' thus turns out to be a family of views which share a common framework. The proposals of various writers differ in the features they take to be relevant to the identity of works, and thus in which types they propose to identify works of art with. Some writers take the relevant features to be purely qualitative in nature, such as the pictorial geometry of a print, the structure of sounds in a performance, or the sequence of words in a text. These views can also differ in the level of description thought appropriate to capturing the commonalities. One might think that the essential commonalities involve higher level features like pictorial composition, narrative structure, meter, and melody instead of low level features like lexical order, pictorial geometry, and tone sequence. Thoughtful views are sensitive to differences between art forms when applying these resources.<sup>3</sup> On all of these views, what occurrences of the same work share are their structural features, for it is these which any theory of art takes as relevant to our aesthetic interest in works. Others would add historical features to the list because of the following sort of case. If

you take a photograph of the Magic Castle at Disneyland and I take one of the Castle at Disneyworld, it may well be the case that prints of your photograph are qualitatively and structurally indistinguishable from prints of my photograph. Such prints are tokens of all the same qualitatively specified types but are not all prints of the same photograph. Sophisticated type-theories will demand that occurrences of the same work share their historical provenance as well as their qualitative structure. On such a theory, the prints of our two photographs will count as tokens of distinct types because they trace their causal histories back to distinct events. I take disputes about which of these many features are relevant to individuation as disputes among type-theorists. What they all share is the framework in which such features are deployed. Let us turn to the two kinds of flexibility, shared by paintings and photographs, which concern individuation.

### 3 Modal Flexibility

The first such shared feature is modal flexibility. An object is *modally flexible* if and only if it could have had different qualities than it actually has. I could have been taller or a better golfer and thus am modally flexible. Similarly, my dented car could have remained pristine, a possibility that witnesses its flexibility. I will argue that both paintings and photographs are modally flexible, but we should first sharpen this notion in a few ways. First, modal flexibility is a *de re* modal notion. An object's modal flexibility is not a question of whether there could have been a situation which would have made the sentence '*A is F*' false instead of true, but of whether this very object could have been otherwise. Second, the notion of possibility involved is not simply a notion of logical possibility, even *de re* logical possibility. What is logically possible for some object *A* is governed by whether '*A is F*' implies a contradiction, and there are many things we can say about objects which do not imply formal contradictions but which are not genuine possibilities for them either. There is no formal contradiction

in saying, ‘*Guernica* is a gas station,’ but there is no way that the world could have gone so that Picasso’s *Guernica* would have been a Shell station on Sunset Boulevard. We require a notion of possibility that is not only *de re*, but that, so to speak, takes the nature of the *res* and their histories as contributing to what is and is not possible for those objects.<sup>4</sup>

Third, we should ask which properties are relevant to an object’s modal flexibility. Not every property can be relevant. The proposition expressed by the sentence, ‘Grass is green,’ might have been expressed by the sentence, ‘Water is wet,’ but this isn’t a genuine way that the proposition itself might have been different. If we allow examples like this one, the distinction will be in danger of collapse, for it seems we can find a property for any object such that the object might have lacked the property. Therefore, we restrict the class of relevant properties to intrinsic properties of objects. When we ask whether an object could have been otherwise, we are not interested in whether, for instance, it could have been next to a couch or owned by a software magnate, but in whether it could have been otherwise in and of itself. This ‘in and of itself’ seems just the notion which the contrast between intrinsic and extrinsic properties is meant to capture.<sup>5</sup>

Bearing these clarifications in mind, let us ask whether a painting, say *Guernica*, could have had different qualities than it does. I think the answer is pretty clearly ‘Yes.’ Had Picasso’s decisions been different, or even if the same decisions had resulted in slightly different movements, *Guernica* could have had a few more strokes of paint on it, a slightly different composition, or somewhat different coloration. There are some difficult questions here about just how much flexibility *Guernica* has. Could it have been a still-life portraying three apples and a gum-wrapper? Could it have been a fully realistic portrayal of the massacre? I imagine not, but I am not concerned here with questions of degree but with the fact that paintings have any modal flexibility at all.

So far, I don’t believe I’ve said anything controversial. *Guernica* is a physical

object, and we understand well how the histories of physical objects are fragile and contingent. What is perhaps surprising is that the histories of photographs, novels and symphonies are equally so. If Stieglitz had taken *The Steerage* with a narrower lens aperture than he in fact did, then *The Steerage* would have had a greater depth of field and the passengers in the far background would have been in focus. Likewise, had a cloud passed before the sun at the moment he snapped the shutter, the photograph would have had less contrast between light and shadow. There are again difficult questions about the degree of modal flexibility. Could he have used a different sort of film which was less grainy? Could he have tilted the camera? If so, how much? Obviously, intuitions will differ here, but the important fact is that *The Steerage* has any modal flexibility at all.

Once one is attuned to the phenomenon, one finds it in a great many cases. Michelangelo's *Pietà* could have had a different shape had his chisel fallen differently. Proust's *A La Recherche du Temps Perdu* could have been longer, shorter, or contained somewhat different sentences than it in fact does. Hank Williams' *Honkey Tonkin'* could have had somewhat different lyrics or chord changes. Bruckner's Ninth Symphony might have been finished had he lived longer, while some complete works might not have been so.

Could one deny these intuitions about the modal flexibility of works of art? One would have to insist that the very same photograph could not have been taken in any other way than the one in which it was actually taken. All the artist could have done was to take a similar, but distinct, photograph and given it the same title. Likewise, novels and symphonies could have been no different, though similar works could have stood in their places. The trouble is explaining why this should be so. Gregory Currie tells us that,

What is partly constitutive of a given work is its pattern or structure.  
No theory of art works that made the structure extrinsic or incidental

to that work could hope for acceptance. It is not just an accidental fact about *Emma* that it contains that particular word sequence. (1989: 64–5)

No doubt a work's structure is an intrinsic property of fundamental importance, but it is a mistake to slide from this observation to the modal issue at hand. Though *Emma* actually consists of one particular word sequence, it could have consisted of a slightly different one had Austen chosen different words. In one sense of the word 'accident,' it is no accident that Austen chose the sentences she did, but this is not a sense of 'accident' which contrasts with 'modally necessary,' but with 'deliberate.'

One who attempts to deny the modal flexibility of artworks on principled grounds faces a dilemma. On the one hand, one could claim that there is something special about artworks, so that they all have their intrinsic features necessarily. But then one is committed to modal inflexibility even for works like *Guernica*, which we had wanted to identify with modally flexible material objects. Suggesting that Picasso's reaching for a numerically distinct tube of paint would have resulted in a distinct painting seems absurd. On the other hand, one could claim that it is only repeatable works like *The Steerage* which are modally inflexible, but now one needs a motivation that explains why it is only repeatable works that lack flexibility. Accepting the type-theory with its distinct 'ontological planes' would motivate the distinction, but this gets the order of explanation exactly backwards. We are supposed to accept the type-theory because types have all the features we attribute to artworks. One can't then turn around and make substantial claims about how artworks are based on how types are. What is needed is a differential aesthetic motivation, and I don't see what it could be. If we accept a picture of the creative process which allows Picasso, while painting *Guernica*, to decide what it should look like and when it is finished, then we see precisely the same phenomenon in Proust's decisions

or in Stieglitz's. Nor should we forget that a substantial fragment of critical talk presumes the meaningfulness of sentences like, 'Picasso's *Les Demoiselles d'Avignon* would have been better had it lacked certain stylistic inconsistencies,' which, on its face, concerns a certain possibility for this very painting.

The problem for the type-theorist is that types are not modally flexible.<sup>6</sup> This may not be immediately clear because we have developed the notion of modal flexibility in terms of the possibility of an object's having had different qualities, but we have not considered what it means for a type to have a property or when we may ascribe a certain predicate to one. Many type theorists do adopt a natural account of predication on which it is true to say that, 'A work *W* is *F*,' just in case the type *T* with which *W* is identical requires that its tokens be *F*.<sup>7</sup> However, since this account of predication is not essential to the type-theorist's position, we should translate our observations about modal flexibility directly into the preferred framework of the type-theorist, *viz.*, one having to do with individuation. Recall that the identity of a type is understood solely in terms of the features it demands of its tokens. The plausibility of the identification of artworks with types stems from the seeming availability of a characterization of the features common to all and only occurrences of a single work of art: their structural features and historical provenance. It looks like being an occurrence of a work *W* just is having the structural-historical features required to be a token of type *T*. In this context, questions about modal flexibility are questions about what tokens of a type are possible. If the type theory is correct, then it should be able to explain how all *possible* occurrences of a work are such in terms of their being tokens of a single type. This is what it cannot do.

Let us return to *The Steerage* and the possibility that it could have been taken with a greater depth of field. The resulting prints would have been in sharp focus where actual prints are blurred and thus would have differed in their structural features, their pictorial geometry, from actual prints. The problem for the type-theorist is that these merely possible prints of *The Steerage* are not

tokens of the same type as actual prints of *The Steerage* because they lack the requisite visual structure; instead these would be tokens of some other type. While *The Steerage* could have had differently structured prints, no type for which structure is essential could have had differently structured tokens, so *The Steerage* is no such type.<sup>8</sup> In the other arts, it is easy to construct similar examples. If Austen could have written *Emma* a little differently, or Beethoven could have composed the Tempest Sonata with a few different notes, then merely possible occurrences of these works which differ in these ways would fail to count as tokens of the types with which type-theorists identify them. The lesson, I think, is clear. Although it is tempting to think of an artwork as a particular structure, or structure qualified by a particular history, these examples make the point that works of art are not identical with structures; they have them and might have had different ones.

We might briefly head off a few misunderstandings and potential replies. One thing I am not claiming is that works of art could have had completely, or even moderately, different structural features, or that *The Steerage*, for example, could have looked like just about anything. The limits of modal flexibility vary from art form to art form and are, in some cases, quite strict. My goal here is not to systematize our modal judgments and hunt their sources. My point is that the phenomenon of modal flexibility, whatever its extent, shows that the identity of artworks cannot be understood, even partially, in terms of their structures. To lay some cards on the table in advance, I think this order of explanation—same artwork because (in part) same structure—is as backwards in the case of artworks as it would be in the case of biology. We are not all human, even in part, because of our shared structure. Rather, the shared structure is something to be explained by what makes us all human, a matter of the historical nature of the species. Now artworks are artifactual kinds and have no literal DNA, but a combination of physical and social factors plays a similar role, that of a structure-preserving and transmitting mechanism which

undergirds the continued life of an historical individual.<sup>9</sup> Unsurprisingly, the structures transmitted are susceptible to both modal and temporal vicissitudes, precisely the phenomena I use to undermine the reverse order of explanation.

Another thought is that the argument somehow trades on a confusion between the modal flexibility of types and that of tokens. This is not the case, for the argument does not presume that tokens are themselves modally flexible or not. Although it is highly implausible to suppose that particular performances, copies, and prints could have been no different than they are, such an assumption is compatible with my argument. We may suppose that the possible performances, copies, and prints relevant to the argument are entirely disjoint from the actual ones. Had Austen written *Emma* differently, perhaps my copy would still have existed and contained different words. Perhaps not. Maybe none of our copies would have been printed. Either way, the issue is how those merely possible copies, whether or not they are identical to ours, are copies of *Emma* when they lack what the type-theorist says they need to be copies.

Another temptation is to insist that the types identified with *The Steerage* and *Emma* manage to have differently structured tokens in these alternate scenarios, never mind how. This, of course, is just to give up our only grip on the identities of types, that they are individuated by the features they demand of their tokens. A more complex, though standard sort of example shows that the suggestion leads to incoherence. Suppose we actually have two very similar but distinct works,  $W_1$  and  $W_2$ , with similar structural features,  $S_1$  and  $S_2$  respectively. According to the type-theory, we may identify these works with distinct types,  $T_1$  and  $T_2$ , which have, respectively,  $S_1$ -structured and  $S_2$ -structured objects as their tokens. Now consider a world in which (i)  $W_2$  is never created, and (ii)  $W_1$  is created a little differently, as it happens, with  $S_2$  instead of  $S_1$ . To describe the counterfactual situation in neutral type-theoretic terms, there is a possible type  $T_3$  all of whose tokens are  $S_2$ -structured. According to the suggestion that types may have differently structured tokens in different situ-

ations, we may say that  $T_3 = T_1$ . So far, so good. But the problem is that these occurrences all have structure  $S_2$  and so are also tokens of  $T_2$ , in which case  $T_3 = T_2$ . But this violates the transitivity of identity, as we assumed that  $T_1 \neq T_2$ . Sophisticated type-theories do not help, as we can recast the example so that the occurrences of  $W_1$  and  $W_2$  not only have similar structure, but also share their historical provenance. Examples which fit this bill are rare, but one might think this is just the relation between plagiarized works and originals or between final works and earlier, rejected drafts. A cleaner example would involve an artist who suffers from amnesia and writes the similar, second work in ignorance of her earlier effort.

A third thought is that the argument ignores the normativity associated with works of art; they can have both correct and incorrect occurrences. This is true, and any type-theory worth considering will have an account of how some things can be (incorrect) occurrences despite lacking quite the requisite structure. However, these considerations have no role in the argument. The occurrences in the alternative scenarios we are considering are not incorrect ones, but perfectly correct occurrences of the works as differently written or composed.

Finally, it is tempting to think that an appeal to higher-level structural properties will solve the problem. Perhaps not every possible copy of *Emma* must have the fine-grained lexical structure which actual copies do, but don't they all have to share at least the gross narrative structure? After all, if Austen had given up on that, it couldn't have been *Emma* she was writing. This seems quite right, but identifying novels with narrative-structure-types instead of word-order-types is no solution. Even if every possible copy of *Emma* must have this feature, it's not true that only copies of *Emma* have this structure. Consider Amy Heckerling's 1995 film *Clueless*, a retelling of Austen's story set in a contemporary San Fernando Valley high school. Screenings of *Clueless* and copies of Heckerling's script are tokens of the very same narrative-structure-type

of which copies of *Emma* are, and both screenings and scripts are causally linked to Austen's act of writing, but occurrences of *Emma* they are not. There are, no doubt, levels of description between word-order and narrative structure which the type-theorist might plausibly use to pick out inflexibly necessary features of written works, but the question is whether such intermediate-level features are unique to works which possess them. It seems that any structural feature which is abstract enough to be shared by all possible occurrences of a work is abstract enough to be shared by things which are not occurrences of that work.

Besides, all of this is to lose sight of the fact that *Emma* really does have perfectly good fine-grain structure, though only contingently, and that the actual fine-grain structure played two important roles in the type-theorist's account. One was to support the attribution of fine-grained structural properties to works. It really is true that the sixth word of *Emma* is 'rich,' but it is not at all clear how this can be said of a type which is individuated, for instance, in terms of intermediate-level structure, one for which particular lexical choices of its tokens are inessential. Another was to support the normative discrimination of correct and incorrect occurrences of works. An actual copy of *Emma* which contains 'wealthy' in place of 'rich' is incorrect, but it is hard to see how this difference could be made out against a background of a type which was not itself individuated this finely. There is an irresolvable tension here between individuating the types finely enough to say what we want to say about works in the actual world, and coarsely enough to capture the modal flexibility of works. Thinking there is a level of description for any particular work which simultaneously captures both of these is simply wishful thinking.

## 4 Temporal Flexibility

A second feature shared by paintings and photographs is temporal flexibility. An object is *temporally flexible* if and only if it is subject, in principle, to change in its properties over time. Much like the case of modal flexibility, it is clear that paintings, sculptures, and other works that do not have occurrences are temporally flexible. A painting's pigments may fade with time or become obscured by an accumulation of grit and dust. Cleaning and restoration induce further changes in a painting, sometimes dramatic ones, as in the recent case of the Sistine Chapel. Some changes are more threatening, as when a man threw acid on Rembrandt's *Nightwatch* in Amsterdam's Rijksmuseum. Its repair was yet another change. There are also examples of change in extrinsic properties, like ownership, but, as with modal flexibility, we shall restrict the notion of temporal flexibility to susceptibility to change in intrinsic properties.<sup>10</sup>

Perhaps some would be tempted to resist this line of thought on the grounds that the intrinsic properties of a work are fixed once and for all by the artist.<sup>11</sup> One might hold this even if one accepts that those properties could have been different from the outset. On this view, if the artist executes a work in some fragile medium, then so much the worse for later audiences who missed the work in its pristine state. This need not be a view on which works exist timelessly, but it is a view which denies that works are physical objects. The physical object, e.g., a painted canvas, is clearly changing, and its properties will increasingly diverge from those of the work as time passes. This would create a real puzzle about how we see works, even when the properties of the physical and non-physical things have not yet diverged.

Richard Wollheim (1980b: 181–2) has pointed out that even those who want to fix the properties of a work of art for all time cannot always identify them with the initial properties of associated physical objects. Some works are meant to age and only come to look as intended some time after their creation. Saarinen's

John Deere Corporation Building was constructed with Cor-ten steel which was intended to redden from exposure to the elements. Perhaps we are meant to identify the properties of a work of art, not with the physical object's initial properties, but with its aesthetically optimal properties. A wider diet of examples pressures this view as well. After a few years, Cor-ten steel will have finished rusting, but what of the modernist beach houses of Richard Neutra, whose railings were meant to erode continually in the salt air and are now, at places, delicate and paper-thin? Talk of their optimal design or thickness seems out of place. Nor is a painter forbidden to intend her painting to change over time in a similar, dynamic fashion by using, say, pigments she knows will continually oxidize.

It is true that most painters, and artists generally, do not intend to produce works meant to evolve in this fashion, and that the task of conservators is typically to preserve works in as near their original state as possible. But we can capture these truths in a general framework which allows for change by paying attention to the tenses of our sentences. For some purposes, we may be interested in how they looked, for others, how they look now. For example, facts about how the Sistine Chapel looked in Michelangelo's time may well serve as a justification for altering how the Chapel looks now. The opposing view of unchanging artworks is simply less descriptively powerful and strains to express all but the most central of cases.

I take it that the temporal flexibility of paintings is relatively uncontroversial, but the analogy I am pursuing between paintings and photographs becomes controversial at just this point. How could a photograph, novel, or symphony change? Here the work is not a particular physical object in which the changes take place, so surely, one might think, in these cases the artist does fix the properties of such works for all time. While there seems little sense in speaking of an abstract structure changing, as opposed to what has a structure, the conception of artwork as essentially involving a structure is precisely what is in

question. Let me suggest a few examples which may begin to show how such things could change.

Stieglitz took *The Steerage* in 1907 and the original set of prints was made around the same time. Suppose that, a few years later, Stieglitz found that more prints were required because the first series had been destroyed. He still had the original negative, but suppose further that it had been stored in less than archival conditions; the gelatin carrier had yellowed and the emulsion had worn and was even scratched in places. The later prints would bear all the marks of this decay. We could describe this as a case of change in *The Steerage*'s intrinsic properties. One might respond that these prints are imperfect and do not reflect *The Steerage*'s genuine properties; it is simply a sad fact that one can no longer see the way *The Steerage* is. Either it has been destroyed or is forever beyond perceptual contact. But isn't the sad fact that no one can see *The Steerage* as it used to look or as Stieglitz intended it to look, even though everyone can see perfectly well how *The Steerage* looks now? If so, then *The Steerage* has changed.

Perhaps the strength of this case derives from the fact that there is a certain physical object, the negative, which, while not identical to the photograph, still serves as a locus of change. What of musical or literary compositions where no object plays a similar role?<sup>12</sup> Let us first consider cases of folk music or stories passed down through an oral tradition, where there is no written ur-text on which to fixate. How are we to describe the fact that a song or story is sung or told differently as it is passed down from person to person if not as change in its structure? Perhaps some changes are radical enough to result in a new song or story, but I do not think we ought to count any such change in structure as inducing a new work. When the changes are sufficiently small, the relation between the performances is tighter than the relation of a work to one which inspired it.<sup>13</sup> Nor should we go too far in the other direction and describe the performances with small changes as incorrect performances of

works, countenancing the introduction of a new work only when the changes are too great. In the oral traditions we are discussing, such changes are perfectly appropriate, not incorrect repetitions.

Ought we change our stance when we come to the modern era, with its introduction of written texts and scoring systems? I would be the first to admit that there are strong intuitions that Austen's *Emma* and Beethoven's Tempest Sonata are not changing, but we should be emboldened by the folk examples to look for another explanation of these intuitions. It would be decidedly odd for the nature of musical and literary compositions to be disjunctive in this way. Happily, the seeds of such an explanation are already to hand in the story of the Sistine Chapel. There, I suggested that the chapel was changing, but that we had strong reasons to prevent or reverse such change because we are interested in Michelangelo's original conception and execution. Before the advent of scores and written language, artists had few resources to prevent changes, but *one* function of writing and scoring systems is precisely to prevent the corruption of works, much as a glass case may preserve a painting in its original state. What is corruption if not change? No doubt many modern works would not be possible without the existence of notational systems with which to create them, but this merely serves to explain why so many modern works are not changing. One should recall that the notion of temporal flexibility does not require actual change, but only that flexible things be subject to change in principle.

Again, I suggest that a general framework which allows for the possibility of change in all artworks is the more powerful one. Within such a framework, we may raise questions about whether a later state of a work does or does not reflect an artist's intentions or the way it was once presented to audiences, but we do so against a background of works persisting through such changes. Once armed with such a framework, examples of change seem plentiful. What are editions of literary works if not works subject to change by authors or editors? It is not as if a second edition were a distinct, but unusually derivative part

of an artist's oeuvre, or as if copies of earlier editions were mistaken copies of the last. The history of music is replete with examples of composers who revise their works, sometimes long after the initial versions were released and familiar to audiences.<sup>14</sup>

The problem for the type-theory is clear-cut, for it presumes just the framework of changelessness I have been criticizing. As in the case of modal flexibility, we must consider the question of temporal flexibility indirectly by expressing it in terms of the identity conditions for the types allegedly identical to works. In this framework, what it is for a work to change its structural features is for later occurrences to differ in their structural features from earlier occurrences. I have argued that there are plausible cases of change in the structural features of artworks and that such change is possible in principle for all artworks. But since all extant type-theories count structural features as essential to a work's identity, two tokens can be tokens of the same type only if they share their structural features. If later occurrences differ structurally from earlier occurrences, they are tokens of distinct types despite being occurrences of the same artwork. Any theory which takes structural features of works to be essential features will fall afoul of this problem as soon as it moves beyond the most central examples of modern works which are not, in fact, changing. The lesson again: works aren't identical with structures; they have them and can come to have new ones.

Perhaps some will have noticed a thematic undercurrent in my criticisms of the type-theory. The problems it has with modal and temporal individuation of artworks are rooted in the fact that works of art are temporal things. The persistence of artworks gives rise to their temporal flexibility in a direct fashion. Their modal flexibility is also rooted in their temporal nature. The initial source of modal flexibility in a work like *The Steerage* may be found in the way *The Steerage* came into existence. Because the circumstances surrounding its introduction might have been different, *The Steerage* itself might have been otherwise. Equally, the limits to its flexibility stem from limits on the

way it could have come to be, given the way it actually did. Although the two forms of flexibility are independent of one another, one who accepts both will find a derivative source of additional modal flexibility, *viz.* those possibilities which stem from changes which might have occurred or transpired differently. We should now ask whether this underlying temporal conception of artworks is acceptable.

## 5 Existence Conditions for Artworks

In the next three sections, I will argue for the underlying third similarity between photographs and paintings, that both are temporal objects of a familiar sort. First, I will offer an account of the existence conditions for paintings and photographs which makes both out as temporal. Second, I will consider whether arguments against such an account are sound. Third, I will consider whether and in what way types can be understood as similarly temporal. Let us start with paintings. It is not largely in dispute that paintings are temporal objects. One might count paintings as temporal because one has already identified them with physical objects. Although a plausible theory should pave the way for this identification, this order of explanation is not ideal for our purposes here. Because the ontological status of works is at issue, I wish first to ask questions about the existence conditions of works of art, leaving open questions about what sort of thing it is for which we have given existence conditions. Answers to these questions can then serve as constraints on accounts of their ontological status.

### 5.1 Photographs as Temporal

Whatever comes to be or passes away is temporal, and we can say a great deal (modulo worries about vagueness) about the existence conditions for paintings. Paintings come into existence when they are painted and cease to exist when

they are damaged beyond a certain degree. What degree? Clearly burning a painting into ash suffices for its destruction, but there are harder cases. If someone paints over a painting, but, later, the offending layer is removed, we should not say that the painting was resurrected, but that it existed all along. This suggests that it is a certain possibility, that of seeing what a painting is like, which underwrites a painting's continued existence. If one can see it, it is there to be seen. One might pause to wonder whether sheer physical possibility or something more like technological possibility is the relevant modality here, but lurking under these possibilities is a non-epistemic, non-modal fact: what the painting is like. At the end of the day, it is this which grounds a painting's continued existence. Before the painter starts to lay pigment on the canvas, there is no such fact. Afterwards, the continuing disposition of the pigments on the canvas, intact or torn in two, determines what the painting is like and grounds the further fact that we can see it or could come to see it again. Admittedly, for many purposes it is not an illuminating answer to be told that a painting exists when there is something it is like, but in the present context it is all we need: the existence of a painting is grounded in some further physical facts which obtain or fail to obtain within time.

The situation with photographs is little different. They come into existence when they are taken. At the moment the button is pressed, the shutter opens and closes, exposing the film, and we say that we have 'taken a photograph.' The phrase has what is called 'success grammar.' If I forget to load the film and blithely snap away at your birthday party, then I should correct my claim to have taken photographs of it; without exposed negatives, no such photographs exist. What is so important about the moment at which the film is exposed? This event determines certain crucial facts about what the photograph is like, in particular, structural facts. What is in the frame and what is the composition? How much depth of field is there? Is it in color or black and white? All the qualities of a particular photograph have their start here. Before this moment,

there are only shifting possibilities of photographs that might be taken; after it, the actual initial qualities are fixed for this one.

The conditions under which photographs are destroyed initially look to differ from those of paintings. One can destroy all the prints without destroying the photograph, as long as the negative still exists. Or, one can destroy the negative, if there are extant prints. But none of these things is the photograph. If we shift our attention to the destruction of photographs, the similarities return. Once again, the possibility of seeing what a photograph is like testifies to its continued existence. Burning both prints and negatives is a paradigm case of lack of access and, thus, destruction.<sup>15</sup> But if a smoke-damaged negative survives the fire and we can restore it to working order, the photograph has not been destroyed. The disputes about what kind of possibility of future access suffice for survival exactly parallel those in the case of paintings. Once again, these possibilities count as evidence of a photograph's existence because they indicate that there is still a way the photograph is, one determined by the continuing arrangement of silver-grains on a negative or print. I shall refer to those physical objects, prints and negatives, which ground the facts about what it is like as the photograph's *embodiments*. Not all embodiments of a photograph need be occurrences of it; the negative, for instance, is not. Similarly, a film of a dance is not an occurrence, but it would count as an embodiment because it preserves what it is like and leads to new performances.<sup>16</sup>

The parallel between paintings and photographs runs deeper than the mere fact that both are temporal, for both are temporal in a similar fashion. Both are ontologically dependent items, whose creation, continued existence, and destruction are ultimately a matter of how it goes with some other historical items. Paintings come into existence when painters apply paint to a canvas, and a painting's continued existence depends on the matter which constitutes it; no matter, no painting. But a painting does not depend upon just this particular matter. It continues to exist even when it loses some of its matter. Perhaps

a painting can gain new matter, as when a chip is filled with new paint by a restorer. Paintings are not to be identified with any particular amalgamation of matter.<sup>17</sup> Rather, paintings always depend on some matter or other and each such collection of matter must come causally from the initial matter. They are destroyed when their current matter is rent asunder or rearranged in a sufficiently disfiguring manner.

The story for photographs is much the same. Photographs come to exist when they are taken, along with their first embodiments—negatives—which record an image in dye or silver. Likewise, the continued existence of a photograph depends, not on the existence of any particular print or negative, but on a succession of different things which are causally linked to that first embodiment and preserve the facts about what the photograph is like. Making prints from the negative yields more embodiments. Perhaps a xerox or half-tone reproduction of a print yields another embodiment (See note 15). Nothing causally unconnected with the negative could be an embodiment. A photograph is destroyed when this line of succession ends and there are neither prints nor the possibility of future prints. There is, of course, an important difference between the cases. The matter on which the painting depends constitutes the painting; the relation is one of part to whole. The embodiments on which a photograph depends are not parts of it; indeed, not all embodiments are even occurrences of the photograph. My suggestion is that both the relation of constitution and the relation of embodying may be seen as species of a generic relation of ontological dependence. From this wider perspective, paintings and photographs are in time in the same, ontologically dependent fashion.

## 5.2 Some Opposing Arguments

Despite the parallels between the cases and what I take to be the common sense character of this sketch of the existence conditions for paintings and pho-

tographs, many writers would deny that works of art like photographs are temporal because they do not think works of art are created. Instead, it has been suggested that the creative actions of photographers, writers, and composers, unlike painters, are not literally acts of creation, but acts of discovery which are creative. *The Steerage* is Stieglitz's in the way that the orbits of the planets are Kepler's, or the succession of cardinalities is Cantor's. One counterintuitive implication of this view is that all future works of art already exist; they have not yet caught the attention of artists. Indeed, a natural version of this view holds that all possible works of art exist but that most will never be noticed. What reasons are there in favor of such a view? Nicholas Wolterstorff (1980: 51), for instance, holds this view because he identifies works with types, or kinds, and believes that such things exist timelessly, but this, again, is to put the ontological cart before the aesthetic horse.

Arguments from aesthetic considerations have turned on the issue of whether acts of composition are acts of creation. Peter Kivy (1983: 46) offers the example of the famous Tristan chord in Wagner's *Tristan und Isolde*. He plausibly claims that this chord is a discovery of Wagner's, rather than his invention. This chord is a certain structure of pitches, an instance of which may have occurred previously, and thus it was not created by Wagner. Kivy argues that there is no principled difference between the chord and *Tristan und Isolde*, so we should also say that *Tristan und Isolde* was also not created by Wagner, but discovered. To the familiar differences in when the two may be instantiated, we can add two other principled differences. First, *Tristan und Isolde* is modally flexible and might not have had the exact structure it actually does. Wagner might have composed it differently. The Tristan chord, on the other hand, could not have consisted of different pitches, though another chord could have been called 'the Tristan chord.' Second, *Tristan und Isolde* is temporally flexible and, in principle, might change its structure over time, while there is no sense in speaking of a chord as changing its structure over time.

A second argument that acts of composition are not acts of creation is due to Gregory Currie. Currie (1989: 61–4) points out that since nothing can be created twice (unless, perhaps, it is destroyed in the interim), if a work can be composed on two occasions, then not all composition is creation. He then offers a purported example of such a double-composition: On a distant, but actual, Twin Earth, a man just like Beethoven composes a sonata just like the Hammerklavier Sonata in all respects in a musical context just like Beethoven’s in all respects. Currie argues that the two sonatas would share all aesthetically relevant properties and thus ought to be counted as one and the same sonata. We appear to have one sonata and two acts of composition. However, even granting the assumption about shared aesthetic properties, it should be clear from our observations about flexibility that the two are distinct. Even if the two happen in fact to coincide note-for-note, it might have been the case that two Beethovens composed their sonatas differently. In such a situation, the sonatas are obviously distinct by Leibniz’s Law, and what is possibly distinct is actually distinct as well. Situations in which the two sonatas start off the same but are changed in different ways would demonstrate the same conclusion.

### 5.3 Existence Conditions for Types

If artworks are temporal, could a type-theorist also understand types as temporal? Perhaps the most plausible view of the existence conditions of types is that they exist timelessly; nothing brings them into existence and nothing can end their existence. For support, one may appeal either to Platonic considerations, that it is in the very nature of perfect, jointly instantiable forms to exist timelessly and independently of what passes in this world, or to Frege’s, that even expressing the truth that there can be no round squares requires separating questions of the existence of a type (‘concept’) from questions about whether it has any tokens.<sup>18</sup> On this conception, shared by the likes of Kivy, Currie, and

Wolterstorff, the existence conditions of types are radically different from those of photographs, which come to exist only in time.

There are two other views which have more promise because they locate types in time. The first, which draws its inspiration from Aristotle's work, maintains that a type exists if and only if it has tokens.<sup>19</sup> For example, the type *triangle* would exist if and only if at least one thing were triangular. Such an account allows types to come into existence but there will still be two differences between the existence of types and that of photographs. First, if there is a type whose tokens are all and only the prints of a particular photograph, this type will not exist until the first print is made and will not exist during periods when all extant prints have been destroyed but future prints remain possible. A photograph, in contrast, exists between the moment it is taken and the time at which the first print is made, and it exists after its prints, but not its negative, have been destroyed. Second, there is nothing in the very nature of types, on this view, which rules out the possibility of a token, and thus the type, existing long before the photograph is taken.

A third view ties the existence of types to the possibility of tokens. Levinson takes this line because it allows for types which, like artworks, come into existence. Some types, 'implicit types,' such as the geometric shape types and types of visual and (perhaps) auditory structures, exist sempiternally because tokens are always possible. But other types do not always exist because it is only at some point in history that tokens become possible. Some, he says, come into existence only when 'a general framework of possibilities is given.' (1980: 80–1) For example, all possible chess moves come into existence along with the rules of chess. Others, he argues, come into existence when an agent picks out, or 'indicates,' a sempiternally existing structure, often by producing an exemplar of that structure. Crucially, Levinson holds that indicating an implicit structural type results in the creation of a new entity, an 'indicated structure,' or officially, a 'structure-as-indicated-by-*x*-at-*t*.' The advantage of such a view is

that these types would not antedate the works with which Levinson identifies them. Stieglitz's act of photographing the ship's decks is presumably the act which indicates a certain implicit structure and thereby initiates a new indicated structure.

While Levinson laudably wishes to view artworks as temporal, the account itself is not pellucid. An act of indication involves taking an attitude toward one of the sempiternally existing implicit types, picking it out from among the many. How is this supposed to produce a new entity, as opposed to merely establishing a relation of interest between a thinker and the object of her thought? Even the designation, 'structure-as-indicated-by- $x$ -at- $t$ ,' appears to be a description of the implicit type under a particular intentional guise, not a description of some new thing. One might doubt that Levinson has successfully explained how new types can come to be through acts of indication.

Even if this account of how types are created can be made more plausible, Levinson faces a second difficulty. How are we to account for the destruction of these indicated structures? Prima facie, indicated types are just like implicit types except in regards to their creatability. If so, one would expect them to go on existing forever. Levinson says that, though he does not prefer this view, 'the residual pull of [this idea] is hard for me to deny. Once a [type] is indicated, in a coherent musical context, it might just inhabit the abstract realms of the universe, it seems, forever.' (1990b: 263) If his suspicion here is correct, then photographs are not types. I think, however, that Levinson is motivated here by the wrong sort of worry: how can one get at an abstract object in order to destroy it? Instead, we might reexamine his basic conception, that types exist when their tokens are possible. There is an ambiguity in this condition between, (i) a type exists now if and only if it is possible that there now be tokens, and (ii) a type exists now if and only if it is now possible for there to be tokens. The first reading is no help. Even if we destroy all of *The Steerage*'s embodiments, we might not have, and thus there is a possible world in which there are still

embodiments that witness the actual continued existence of the type. On the second reading, however, if we have destroyed all the embodiments, then it is no longer possible to make new prints and the type would no longer exist. The second reading requires what is known as the ‘branching times’ conception of possibility, which is controversial, but I think we must allow that Levinson might adopt this picture and provide for the destruction of types.

Given the temporality of photographs, most conceptions of types are non-starters for the title of ‘photograph,’ but Levinson’s conception of types as historically-bound structures shows some promise as a competitor to my conception of photographs as historical individuals. Are there reasons to prefer the account I have given to Levinson’s? I believe the answer is ‘Yes.’ Of course considerations of flexibility mitigate strongly against the Levinsonian picture, but there are independent reasons not to prefer it. First, on my account the similarity between the existence conditions of paintings and photographs gives rise to a similarity in ontological status. The Levinsonian account does not provide such unity. Second, on my account, the actual existence of photographs is prior to the possibility of prints; it explains the possibility. On the other account, the possibility of prints is prior to the actual existence of photographs. This strikes me as the reverse of the natural conceptual order and as positing a variety of existence unlike the one that you and I share. Our existence is prior to our possibilities and so, I should think, is *The Steerage*’s.

## 6 Neo-Type Theories

I have argued that paintings and photographs share three features which they do not share with types. These arguments suggest that a traditional view about the nature of artworks is wrong. It is an old idea that a work of art essentially involves a certain form or structure. The idea is that the content of a work, be it visual, auditory, lexical, literal, or spatial, is essential to that work. For

a given work of art, it cannot change and could not have been different. I suggest an alternative view of works of art as historical individuals, persisting through time in an ontologically dependent fashion. I would also conclude that the constraints laid down by this new framework are incompatible with the type-theorist's account of the ontological status of works like photographs. It may seem, however, that a type-theorist could give up this old view and still hold on to his ever-flexible framework by giving a new account: the types to be identified with artworks have identity conditions that make reference only to extrinsic, causal-historical features of the tokens.

No one has, in fact, given such a neo-type theory, but the seeds for such have already been planted. It has been widely recognized, because of cases like our Magic Castle example, that the types to be identified with artworks cannot have purely qualitative identity conditions and that, as Currie put it, structural features are only 'partly constitutive' of a work. While it may be a necessary condition for two prints to be prints of the same photograph that they share their visual structure, it is not a sufficient condition. For that, the two prints must also share an extrinsic feature, their coming from a certain picture taking.<sup>20</sup> It would be difficult to give up the associated necessary condition and to deny that structure, at least low-level structure, is even partially constitutive of a work, but perhaps this is the only alternative left to the type-theorist. As anyone who has ordered reprints knows, it is not even true that all prints of the same photograph look alike, and this is not always because some prints are incorrect in some way. What would remain is the claim that photographs are types, but types whose identity conditions are given almost exclusively in terms of the shared history of prints, their coming from a particular picture-taking in an appropriate fashion. Such 'causal-historical types' would model works of art, not on types like *triangle*, but those like *Harvard-graduate*.

Such an account might well avoid some of the counterexamples I have given. Even if Stieglitz had used a narrower aperture when he took *The Steerage* and

the resulting prints had possessed a greater depth of field, they would still have been tokens of the same type as actual prints are because all would share the relevant history. Likewise, if the negative for *The Steerage* decays and later prints look different from earlier ones, they are all still tokens of the same type because they share the relevant extrinsic feature. But to give such an account is still, I think, to have missed the point. Photographs would still be understood as certain forms—only now, bizarrely, as certain causal roles shared by all their instances—and not as persisting objects. I argued that photographs are subjects of change and of certain modal potentialities, but causal-historical types are not subjects of change or modal potentiality; they are types that are unchangingly and necessarily generous about what they count as their tokens. Even if they deliver the right answers about cases involving temporal or modal flexibility, it would be wrong to think that the types are themselves temporally or modally flexible; at best, they merely simulate these phenomena.<sup>21</sup>

Much of the traditional appeal of the type-theory lies in its promise as a theory of the essences of artworks. Where the identity conditions for artworks are thought primarily qualitative, it makes some sense to think that it is a type of thing for which one has given identity conditions, an abstract structure shared by that work's occurrences. If we give up the task of attempting to provide a qualitative essence for a work of art, what point is there in continuing to assume that it is a type of thing for which we are giving identity conditions and not an individual in its own right? Consider one final analogy between paintings and photographs. One might think there is an interesting answer to the question, 'When are embodiments (temporal stages, collections of molecules, etc.)  $x$  and  $y$  embodiments of the same painting?' which has to do with (i) the causal relations between successive embodiments, and (ii) the circumstances under which the first embodiment came to be, i.e., a painting-event. Here, there is no hint that paintings are in any way types of embodiments rather than individuals composed of and ontologically dependent upon successive embodiments. If the

answer to the question, ‘When are embodiments  $x$  and  $y$  embodiments of the same photograph?’ is similar in structure, why should we suppose that types are in the offing here any more than they were in the case of paintings? Perhaps there are occasions on which it is useful to speak of types like *Guernica*-stage and *The-Steerage*-print, but these ought to be viewed as derivative items and not as *Guernica* or *The Steerage* themselves. The offer of the type *Harvard-graduate* as a model is, I think, already to concede defeat. Beyond statistical generalizations, the phrase ‘Harvard graduate’ plays no role as a locus for predication on a par with the rich talk and thought which surrounds works of art, nor is there space to regard ‘the Harvard graduate’ as an historical individual bearing both modal and temporal flexibility.

## 7 Photographs as Real Objects

What, then, is the answer to the question, ‘What kind of thing is a photograph?’ I maintain that there is no short, pithy answer to give precisely because our background assumptions about the available answers are inadequate to the task of characterizing the ontological status of photographs and other repeatable works of art. None of the antecedently understood categories—physical objects, ideas, sets, sums, classes, properties, and types—fits the bill. An answer which does not distort the nature of artworks as reflected in our practices requires innovation at the level of metaphysics, the identification of a new ontological category. This may seem like overkill and bad methodology to boot. One should not solve most philosophical problems by introducing new kinds of objects, or not unless they can be understood to serve some widespread and systematic philosophical need. This last is, in fact, just what I think is going on. The features of photographs which ill-suit them for identification with any of the usual suspects are not due to their specifically aesthetic nature but involve features which reappear in a variety of non-aesthetic examples as well. In what follows,

I both (i) sketch an account of the sort of object I have in mind for identification with photographs, one which distinguishes them from paintings and other non-repeatable works of art, and (ii) introduce a general ontological distinction which makes out photographs and paintings as kind-mates. Understanding the ontology of repeatable works of art is fascinating and important precisely because it turns out to be an occasion on which aesthetics should not be beholden to the metaphysics on offer, but rather should drive new work in metaphysics.

There are several phenomena which need to be captured and explained. Most prominent is the fact that photographs have occurrences. The main task of this paper has been to argue against the attempt to explain this phenomenon in terms of a common nature shared by prints of a single photograph. The relation between prints and photographs is not that of instantiation, a logical relation represented by the familiar '*Fa*' notation. The suggestion that repeatable works of art were, in essence, property-like entities should strike us, in retrospect, as bizarre. Our practices of thought and talk do not treat *The Steerage* as a *way* that prints are, but as a thing in its own right. '*The Steerage*' is never a predicate, nor is it an abstract singular term standing in a systematic relation to one, as 'red' or 'redness' stand to 'is red.' The only genuine predicates in the neighborhood are the relational 'is a print of *The Steerage*' and its ellipses. Nor do we treat predications of repeatable works of art as second-level properties, on a par with property classifications, like 'is a color property,' or the apparatus of quantification. These are linguistic and conceptual appearances we would do well to respect, for they advise against assimilating photographs and other repeatable works of art to an ontology grounded in notions like instantiation and satisfaction, *viz.* properties, types, classes, and predicates. I have proceeded by pointing to the difficulty in producing a property to play the needed role, as structural properties (even in combination with causal-historical properties) fall afoul of the phenomena of modal and temporal flexibility. The deeper lesson is that properties and artworks do not belong to the same ontological category.

How else are we to explain the phenomenon of multiplicity? If we trust appearances, we find that talk of repeatable works of art comes with specialized relational predicates, ‘print of,’ ‘performance of,’ ‘copy of,’ and so on, all of which perform the work of ‘occurrence of’ relativized to particular art forms. This suggests that the right logical frame with which to understand, ‘This is a print of *The Steerage*,’ is ‘*Rab*’ instead of ‘*Fa*.’ We should expect the relation between a photograph and one of its prints to be a non-logical relation between two individuals, one of which is a physical object and one of which is our quarry. Another clue is that the occurrences of a repeatable work are among the wider class of what I called the ‘embodiments’ of a work, those things on which it ontologically depends for its continued existence. I suggested that photographs are non-physical historical individuals, continuants which stand in a relation of ontological dependence to a causally-connected series of physical (sometimes mental) particulars. The ‘occurrence of’ relation is then a more specific form of the embodiment relation, one conditioned by the needs of the practice of a particular art form and one which picks out those embodiments which display the qualities of the work of art and are relevant to appreciation and criticism. While details of the relations will vary in response to the differences between the repeatable art forms, I hope it is clear what task the relation must perform. In photography, the relation ‘print of’ sets the prints apart from the negatives; in dance, ‘performance of’ sets the dancing events apart from the films, labanotation, and the memory traces. It is the job of the ‘occurrence of’ relation to pick what we care about out from the historical flow which sustains the objects.

On this picture, are photographs universals? Certainly in Fregean terminology, they fall on the side of objects and not concepts. If by ‘universal’ you mean only something which has *instances*, then no, photographs are particulars, not universals. If by ‘universal’ you mean something which has occurrences, whether they be occurrences by a relation of instantiation or some other distinguished many-one relation, then universals they are. The terminology of universal and

particular is unstable and unsuitable for my purposes. Photographs are historical individuals, but individuals whose nature tempts us to apply both terms. So too, talk of ‘types’ in Peirce’s harmless semantic fashion conceals at least two very different metaphysical situations, one involving properties and their instances, another involving a distinguished kind of object and its relation to some more basic ones.

Photographs and paintings thus differ as one would expect them to. Paintings are physical objects, to which no objects stand as occurrences. Paintings have physical parts on which they depend ontologically, but their parts play no distinguished aesthetic role like that of prints, copies, and performances. In contrast, photographs are, in some sense, abstract objects, not because they are (i) abstractions from particular prints, (ii) outside of space and time, or (iii) causally isolated, but because they are ‘higher level’ objects, dependent on but not constituted by physical or spatial things. Some of the things they depend on do play a distinctive role as a locus for aesthetic appreciation, one that generates talk of ‘occurrences’ and its species.

This situation is not unique to repeatable works of art, for there are many things which have been called ‘universals’ which fit the profile I am developing for photographs. Perhaps, adopting the wider use of ‘universal’ above, we should say that not all universals are of a kind. Some fit the type-theorist’s model quite well, those we comfortably call ‘properties’: red, bachelor, triangle, Harvard-graduate. Others better fit the conception I have been developing for photographs: novels, musical compositions, species of animal, clubs, sorts of artifact, and words of natural languages.<sup>22</sup> Such a division is not a new idea. Aristotle himself distinguished between those universals ‘said of ’ particulars from those ‘in’ particulars. Though his distinction is drawn in a different way, I think it is also trying to get at an important difference between, e.g., man and white.<sup>23</sup> Man is another abstract historical individual, an entity distinct from but dependent on the historical succession of individual human beings. White

is a mere mode, a way that individual men are. I think that one could argue that species and the rest of these examples are not types in just the way I have argued that photographs are not, for they too are temporal items subject to modal and temporal flexibility, whereas white is neither of these things.

If we prescind for a moment from the differences between photographs and paintings, I think we will see the outlines of an important metaphysical distinction. What contrast do we get if we focus on the high-level metaphysical features which have driven the reasoning in this paper, just temporality, modal flexibility, and temporal flexibility? To put it another way, what do photographs, paintings, rocks, chairs, and both the species man and individual men have in common? I suggest that we are limning the outlines of an older, poorly understood, but fundamental metaphysical distinction, that between objects which are real and those which are not. Now ‘real’ is a term which has been put to many uses. In various contexts what is real serves to contrast with what is merely apparent, merely fictional, merely possible, merely ideal (in the sense of mental and subjective), or even what is fake. I intend none of these distinctions. Instead, I think there is a common, possibly pre-philosophical, set of intuitions of reality which attends the bulk of what one might call our ordinary ontology. Photographs, species, words, rocks, tables, and persons are, in some primary sense, equally real and I would trace their intuitive reality to their being genuinely historical objects. Not only do these things exist in time, but they all come into existence at some point in history and cease to exist at a later one. They are more than merely temporal, for each has what you might call ‘a life story.’ They are all subject to change over time, and all, had their life stories gone differently, could have been somewhat different than they in fact are. Further, while not all such objects must be particular, physical, concrete, or basic for explanatory purposes, the existence of all such items is rooted in the physical world. They ontologically depend for their existence and qualities on what passes in this, ultimately physical, world. We are such things, and we count as

real that which stands within history with us in the same way. By these lights, a great many philosophical entities are not real. Platonic Forms, *Sinne*, propositions, properties, sets, numbers, and types all seem to be clear examples. This notion of the real bears a close resemblance to Frege's notion of *wirklichkeit*, for Frege once said, 'We will hardly recognize what is timeless and unchangeable as *wirklich*,' where one might well render '*wirklich*' as 'real.' (1967: 37) Also, like Frege, I don't take myself to be questioning the existence of some things on the grounds of their unreality, but only to map a crucial distinction within our ontology.

Now Frege also demanded that *wirklich* objects acted and were, in turn, acted upon, and I do not think the nascent conception here would be a conception of real objects unless we could also indicate how it was that the notion of causation applied to the class as a whole. I have not discussed causation, but it clearly waits in the wings. Explanations of temporal and modal flexibility are causal explanations, as are explanations of the creation and destruction of artworks. One would also like an account of how it is we see photographs or hear symphonies and not just their prints and performances. I have no general account to offer here, but I can point in the direction of one. The causal nature of some real objects, those material particulars like rocks and paintings, may seem transparent, but this might not be the case if we distinguish them from the matter which constitutes them. I claimed before that constitution was a species of ontological dependence. Material objects are tied into the world of causation because the matter on which they depend is; a material object influences and is influenced in virtue of its matter's doing and being so. When we turn to photographs and other historical abstracta, the answer is much the same. They are tied into the world of causation via their embodiments, on which they ontologically depend for their existence. If works of art are in time but not in space, then they are at least in good company. Persons and their attendant mental states also share these marks of the real, including, I would

think, the causal aspect. Their ontologically dependent nature ties them in to the world of causation, though exactly how is a matter of some debate. Even in this sketchy form, this framework offers a more promising starting point than the type-theories I propose to replace. If photographs are outside of time, or even within time in an unchanging fashion, it is hard to see how they fit into the causal story and thus how one would begin to account for phenomena like perception, creation, destruction, change, and modal possibilities. Photographs are, like paintings, real objects.

## Notes

<sup>1</sup>I distinguish sets and classes. For sets, collections formed in an arbitrary, combinatoric, and exhaustive manner from available elements at each of a series of stages, there is no more to the identity of a set than its membership and, thus, no sense of speaking of a set's having had a different membership. For classes, collections of elements which satisfy some predicate, fall under some concept, or have some definable property, we may speak of the same class as having different members in circumstances where different elements satisfy that predicate, etc. We may, of course, specify a set with a property by offering a definite description, e.g. 'the set of Supreme Court justices,' but like other definite descriptions involving contingent properties, it is a non-rigid designator and might not have denoted the set which it actually denotes, *viz.* {Ginsburg, Rehnquist, . . . , Souter}. Here, I will not treat classes separately from their ontological siblings, types. See, Maddy (1990: 102–6), Parsons (1983: 209–20), and Wolterstorff (1980: 46–58).

<sup>2</sup>It is worth noting that the non-physicality of photographs does not follow, as is often suggested, from the mere fact that they are distinct from their prints and negatives. A forest is distinct from its trees and is yet physical. The real work is being done by other premises, that the relationship between photographs and print is one of universal to particular, and that universals are not physical.

<sup>3</sup>Davies (2001) is an excellent example of both sensitivity to level of description and the differential application of these resources to different sorts of musical works. Some higher level features, such as sentence meaning and subject matter, will not count as purely qualitative features, but already give historical features a role in individuation.

<sup>4</sup>This notion of possibility for an object is inspired, in large part, by the work of Kripke (1980: 110–43, esp. n. 53), and Prior (1960: 66–77).

<sup>5</sup>The problem of specifying the properties relevant to modal flexibility is analogous to the difficult problem of specifying the properties relevant to genuine change. In both cases, restricting the relevant class to intrinsic properties may seem too strict. The fact that I could have been married or had children may seem relevant to whether or not I am modally flexible even though the properties are relational. Perhaps the possession of such properties presupposes the possession of some non-relational property, but this will leave hard cases, such as the possibility of my having been elsewhere, where the property seems purely relational. The restriction to intrinsic properties is, at least, a good approximation.

<sup>6</sup>It is true that a type could have had more, fewer, or different tokens than it actually does, but this is not an example of modal flexibility because it involves an extrinsic property of the type. Likewise, that *The Steerage* has this print as a print is not an intrinsic property of *The Steerage*, unlike its being rectangular or black and white.

<sup>7</sup>The *locus classicus* of this idea is Wollheim (1980a: 77). Strictly, this account gives us only a sufficient condition for a type's satisfying some predicate. If the account is also taken as delivering a necessary condition, so that only predicates which must be true of the tokens can appropriately be predicated of the type, then we can complete the argument for the inflexibility of types: For any predicate '*F*' expressing an intrinsic property and any type *T*, either it is necessary that an object be *F* in order to be a token of *T* or it is not. If it is, then '*T* is *F*' is necessarily true. If it is not, then '*T* is *F*' is necessarily false. Thus, everything we can appropriately predicate of a type is necessarily so.

<sup>8</sup>Currie and Levinson make some attempt to address the problem of modal flexibility. Currie (1989: 80–4) accepts the truth of sentences like, 'The sixth word of Emma could have been "wealthy" instead of "rich,"' but attempts to

secure the truth of such sentences by giving a semantics for titles of artworks which differs from that of other proper names. I find the proffered semantic account implausible but will not address the complex issue here.

An approach suggested by Levinson (1980, 1985: 163–4) relies on the notion of a vague structure. The idea is that both actual occurrences of a work and possible occurrences, which differ slightly in their structure, could still be said to share the same, albeit vague, structure. Surely there is such a thing as vagueness in structure. Two performances which are qualitatively indistinguishable except for a single A-note, one of which is played at 440 Hz and the other at 441 Hz, share the same vague structure. But the range of this phenomenon is narrower than that of modal flexibility where we are considering, e.g., the substitution of a completely different note or sequence of notes. Performances which differ so greatly do not share the same vague structure. Indeed, Levinson’s own account of the distinction between correct and incorrect performances presumes a difference in structure even where only one note is out of place. In conversation, Levinson rejects this reading of his comments, so the approach should not be attributed to him; it remains independently interesting.

<sup>9</sup>To be clear, the example of biological species is *not* meant to shift our attention from superficial structure to deep, hidden structure. The species human being is no more the type *being-with-DNA-D* than *rational-biped* or such, for our particular DNA might too have been somewhat different. It is the processes of genotype transmission and its translation into phenotype which undergird the continued existence of the species and set it apart from others.

<sup>10</sup>Because of this, I would agree with the trenchant defense of the changelessness of artworks in Levinson (1987a: 179–214). Levinson is there concerned with changes of a different sort: ‘Do artworks undergo changes in content merely in virtue of the march of time, new movements in art, new perspectives undreamt

of when they came into existence? Or more simply put, does the content of an artwork change over time even while the artwork, in some ordinary sense, remains the same?’ It is this latter assumption I am challenging, that the artworks, in some ordinary sense, do not change.

<sup>11</sup>See, e.g., Savile (1993) for a worked out version of this view, though one which unwisely lumps together intrinsic and extrinsic (including referential) properties. Savile argues that we recognize both tensed and tenseless predications of artworks, where the latter are the predications relevant to criticism and are pegged to the tensed predications at a particular, optimal time. He also argues for a broadly historicist view of which properties should be held fixed in this way. Even where we do talk in this way, it serves only to obfuscate our true purposes: one merely dresses up one’s critical theory as a metaphysics of the ‘true’ properties of the work. Everything which can be said in this manner can be said more straightforwardly and in a manner which does not pretend to metaphysical significance. Works of art do not have (non-trivial) timeless properties, as numbers do; there are only tensed properties, some of which are more relevant to critical purposes than others.

<sup>12</sup>These cases raise an issue that I cannot address in this space. With a folk tune, different versions may be evolving simultaneously, but it may seem that talk of change requires a unified subject that is one particular way at a particular time, then another. If a photograph passes through time like a river, then a folk tune is like a delta. How can we speak of the changing path of a delta? Though difficult, I do not think this problem is insuperable.

<sup>13</sup>There is another analogy here between a folk song and a material object. A great deal of change at any one point in the succession suggests that we have a new song on our hands, but we may tolerate a great deal of change if it takes place bit by bit over a long period of time.

<sup>14</sup>We might even endorse a framework so general as to include changes made by agents other than the artist, such as those which have been unavoidably introduced by editors trying to piece together the fragmentary, overlapping, and conflicting manuscripts of James Joyce's *Ulysses*. One recent edition, that of Danis Rose, went so far as to update Joyce's unorthodox punctuation to match contemporary tastes and expectations. One might take a hard line here and maintain that copies of Rose's edition are not copies of *Ulysses*, but one might take a more ecumenical stance and admit his edition as an edition of *Ulysses*, just one that has dubious merit for scholarly and literary purposes. Outside philosophy, these issues fall within the discipline of textual criticism. For those who resist the framework I suggest, it is worth quoting at length an eloquent passage from G. Thomas Tanselle's seminal work in that field, *A Rationale of Textual Criticism*.

All works of art have texts, whether usually called by that name or not, for they all consist of arrangements of elements; and all can be the objects of emendation, for those elements (or their arrangements) can always be altered, producing different textures. When the creator of a work makes changes in it, they are usually spoken of as revisions. Emendations are what other people, sometimes with scholarly aims and sometimes without, do to a work in an effort to make it more nearly conform with some standard they have in mind. Any alteration, no matter who makes it (and regardless of its extent), produces what in some instances may be thought of as a new version of a work and in other instances may be considered a separate work. How, or whether, to distinguish versions from independent works is a puzzling, but subordinate, question; before one is prepared to address it, one must confront the meaning of the act of alteration. One must try to understand what it means to take a pre-existing

entity and introduce changes (whether repairs or innovations) into it. (Tanselle 1989: 18–9)

While many have the intuition that works of art do not change, perhaps it should come as no surprise that those scholars whose job it is to sort through the vexing questions posed by all these different editions might approach the task with a picture of a work of art as changing in time.

<sup>15</sup>There is a subtle issue here about the status of copies. Does the existence of a xerox of a print suffice for the continued existence of a photograph? One might consider it to provide the right sort of access and to preserve facts about ‘what it’s like.’ A good xerox might be better than a poor print for these purposes. On the other hand, if all we have is a xerox and we do not number copies among a photograph’s embodiments, then perhaps we have only preserved what it was like. I will not attempt to answer the question here, as it does not affect the general structure of the account: a photograph exists when an embodiment does.

<sup>16</sup>In the case of literature, music, and dance, it seems that there can be purely mental embodiments. In Ray Bradbury’s ‘Fahrenheit 451,’ works of literature are preserved in the absence of written texts by committing them to memory. I do not think memory of a photograph would suffice for its continued existence. I suspect this difference has to do with the distinction between digital and analog arts and the nature of human memory. If so, the advent of digital photography raises interesting issues. Perhaps one could commit the data to memory. If so, existence conditions of digital photographs would more closely resemble those of literature than classical photographs.

<sup>17</sup>Levinson (1987b) correctly appeals to a similar distinction between a painting and its matter to defuse apparent counter-examples to the thesis that paintings are physical objects because canvases can outlast paintings in cases where

the pigments darken to obscurity. We differ, it seems, in what to say about paintings which have been painted over, although not those which are irretrievably obscured in this manner.

<sup>18</sup>C.f. Frege (1979: 178–80). The connections between the modern notion of a type and Frege’s notions of concepts and their extensions run quite deep, though I cannot explore the issue here. Cf., Wolterstorff (1980: 41, n. 4).

<sup>19</sup>See, e.g., *Categories* 14<sup>a</sup>8–10.

<sup>20</sup>Similarly, what makes a musical performance a performance of a particular work has rather more to do with the intentions of the players and their causal-intentional connection to the act of composition than it does with the musical structure of the token performance. Untalented children and indifferent wedding bands manage to perform the works they have in mind however incorrect or unfaithful their renditions.

<sup>21</sup>The situation bears some similarity to a debate in the philosophy of language. Saul Kripke (1980: 22–97) famously offered a number of arguments against the description theory of proper names and sketched an alternative account of their reference in terms of causal chains. One reaction was the suggestion that we might turn Kripke’s observations about historical chains back into another description which would avoid some of Kripke’s own arguments against the description theory. But the description theory was traditionally taken as a theory of meaning, and the descriptions as what competent users of a given name knew a priori. In contrast, the descriptions suggested by the causal theory of names are not known a priori by speakers, if at all, and the suggestion must be taken, not as a theory of meaning, but as a theory of what fixes the reference of a name, which is largely what Kripke himself is doing. Giving a neo-description theory of proper names is beside the point because the philosophical task has changed. So too, there is no point in projecting an exten-

sionally correct non-qualitative characterization of the prints of a photograph into a type to be identified with it.

<sup>22</sup>This last should raise an eyebrow, for Peirce's stipulative example of a type is the English word 'the.' While the type/token distinction is no doubt tremendously useful in its modern incarnation, Peirce may have been pointing us at some other relation than simply instantiation. Why did he coin new terminology when 'universal' and 'particular' were available? For an account of words more in line with the suggestions developed here, see Kaplan (1990). The idea that species are historical individuals is rather more familiar in contemporary philosophy of biology.

<sup>23</sup>*Categories*, 1<sup>a</sup>15–4<sup>b</sup>20. Despite obvious differences between Aristotle's distinction and the one I am trying to draw (e.g. his use of differentia, the presence in the account of unchanging essences, the unclear status of artifacts), I believe there are similarities to be found, e.g., in patterns of predication which secondary substances share with those particulars of which they are said and the relation of substantial kinds to individuation.

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