

Did Bach Compose Musical Works? An Evaluation of Goehr's Watershed Thesis

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Abstract

This thesis evaluates Lydia Goehr's claim that the musical work-concept did not regulate musical practice before the watershed date of 1800. In the first chapter, I evaluate Goehr's arguments for this claim from historical musicology. I examine these arguments either by appealing to recent secondary research sources in musicology, or by testing the philosophical foundations of those arguments.

The second and third chapters focus on philosophical aspects of Goehr's watershed claim. In the second chapter, I focus on understanding Goehr's claim that a regulative shift occurred during the watershed date—that is, a change in the norms of musical practice. I argue that this shift is properly understood as a shift in unconscious, rather than conscious, concepts about musical practice. In the third chapter, I consider the ontological implications of Goehr's view; Goehr adopts a view according to which musical works do not exist. I show that the argument for this view is unsound.

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Chapter 1: Arguments from Historical Performance Practice

1.1 Introduction

In *The Imaginary Museum of Musical Works*, Lydia Goehr has famously argued that the year 1800 (or a period around that time) was a watershed moment in music history; that is, the Western classical tradition of music underwent a fundamental shift in 1800. She says: “Prior to 1800 (or thereabouts), musicians did not function under the regulation of the work-concept.”¹ So 1800 was a watershed date in that the work-concept did not regulate performances before 1800, but the work-concept did regulate performances after 1800. We’ll call this claim “The Watershed Claim”.

Let’s begin by unpacking The Watershed Claim; what does Goehr mean by the term ‘work-concept’ and the phrase ‘concepts regulating a practice’? The term ‘work-concept’ is meant to refer to our concept of Western “classical” musical works, which integrally involves a particular style of performance. Goehr believes that the work-concept is itself composed of certain concepts: “[a] composition, [b] performance, [c] autonomy, [d] repeatability, [e] permanence, [f] perfect compliance” (IMMW, 119). When we apply these concepts to musical products—when we treat musical products as things that can be composed, performed, autonomous, repeatable, permanent, and that can be perfectly compliant with a score in performance—then we are applying the work-concept to those musical products. Indeed, these six concepts seem to get at integral properties of classical music performance.

¹ Goehr 1992: 119. In future reference, when the book is quoted in the text, it will be referred to in parentheses as “IMMW”.

Loosely, the phrase ‘concepts regulating a practice’ refers to a normative role that concepts can play, such that we take concepts to be correct or normatively binding.² (Goehr often refers to concepts that regulate action as ‘regulative concepts’, and I will follow her in this regard.) Goehr thinks that the work-concept is regulative just when it guides the actions of composers, performers, and audiences in particular ways—ways such that we take it that we should treat music as composed, autonomous, repeatable, and so forth. Another way to put this is to say that, when the work-concept regulates performance, [a]-[f] are *rules* for musical performance; I assume that a regulative concept is the same as a rule, and will accept that ‘regulative concept’ is interchangeable with ‘rule’. In this chapter, I will accept Goehr’s claim that the work-concept does indeed regulate performances in this way. However, I will examine the notion of regulative concepts more closely in the next chapter.

Goehr’s assertion in *The Watershed Claim*, then, is that concepts [a]-[f] have guided musical production only for the past two hundred years, and not before then. It should be easy to see how *The Watershed Claim* is a substantial and surprising claim, since we commonly accept that rules [a]-[f] are rules that classical music performance has involved since before 1800—since, say, the 1600s, when Vivaldi and Corelli composed things that we take to be typical examples of musical works. In addition, we commonly assume that Bach composed music in 1730, in the same way that Beethoven composed music in 1820. If *The Watershed Claim* is correct, however, our common assumption is wrong; Bach composed music in a fundamentally different way than Beethoven—a way which was not regulated by the work-concept.

² See IMMW, IV.

Since concepts [a]-[f] are primarily related to performance practice, the argument for her claim is one from performance practice.³ We'll formalize this argument as follows.

The Watershed Argument:

1. Concepts [a]-[f] did not regulate musical performance practice before 1800.
2. If concepts [a]-[f] did not regulate musical performance practice before 1800, then the work-concept did not regulate musical production before 1800.
3. So, the work-concept did not regulate musical production before 1800.
4. Concepts [a]-[f] did regulate musical performance practice after 1800.
5. If concepts [a]-[f] did regulate musical performance practice after 1800, then the work-concept did regulate musical production after 1800.
6. So, the work-concept did regulate musical production after 1800.
7. So, The Watershed Claim is correct.

The Watershed Argument is valid. Premises (3) and (6) both follow validly; premise (7) is derived, also validly, from the conjunction of (3) and (6). Our goal in this chapter is to examine the soundness of The Watershed Argument. We will do this primarily by scrutinizing premise (1); we will examine whether or not the concepts of the work-concept did in fact regulate musical performance practice before 1800, as Goehr claims. The reason for this focus is that most of the literature in historical musicology which has followed on Goehr's claim has focused on just this point. Correspondingly, in most of the literature musicologists and philosophers have been happy to accept the claim of premise (4), that the work-concept has indeed been regulative for at least the past two hundred years. We will accept this for the most part, although premise (4) at times will fall under scrutiny as well, especially in discussion of perfect compliance.

It's important to note that premise (1) is itself a fairly loaded premise; it claims that each of the six concepts which compose the work-concept did not regulate musical

³ Goehr also presents a different argument for The Watershed Claim: one based on the history of aesthetic theory. See IMMW, V, VI. However, our focus is only on the performance practice argument.

performance practice before 1800.⁴ To evaluate this premise, I will examine the literature in historical musicology to evaluate whether each of these concepts—composition, repeatability, performance, perfect compliance, permanence, and autonomy—really were not regulative before 1800. We will do this by looking at each concept, one at a time, and seeing whether Goehr is correct that it did not operate as a rule before 1800.

Before we continue, however, it will be helpful to say a little more about what's required for a concept to be *not* regulative. For premise (1) involves the claim that concepts [a]-[f] were not regulative before 1800. While we've said a bit about what it takes for a concept to be regulative, we haven't said anything about what makes for a concept to not be regulative. What must Goehr show in order to show that the concepts were not regulative before 1800?

Consider Goehr's claim in (1) that concepts [a]-[f] were not regulative, or did not function as rules, before 1800. Goehr argues for this claim just by providing evidence that there were common practices which conflicted with each of these rules. For example: she shows that there was no rule of repeatability before 1800, just by showing that common practice conflicted with a rule of repeatability before 1800. So she takes it to be the case that, if there is a common performance practice which conflicts with repeatability, then there is no rule of repeatability before 1800. The basic formal structure of each of her arguments can be construed as follows (using the concept of repeatability as an example):

The No Regulation Argument:

1. Prevalent performance practice conflicted with a rule of repeatability before 1800.
2. If prevalent performance practice conflicted with a rule of repeatability before 1800, then repeatability was not a rule (i.e., repeatability didn't regulate performance practice) before 1800.

⁴ Correspondingly, premise (4) is also a loaded premise, since it claims that each of the six concepts *did* regulate musical performance practice in particular ways since 1800.

3. So, repeatability was not a rule (i.e., repeatability didn't regulate performance practice) before 1800.

In most cases, I'll attack the argument by attacking the first premise; I will argue, for each concept, that the concept was in fact prevalent. In most cases, I will accept (1).

However, we will return to take a closer look at (2) in the next chapter.

It's also important to note that, throughout this chapter, most of the discussion will involve specific pieces of music; however, we will not refer to music before 1800 as 'musical works'. To do so would prematurely judge the issue against Goehr. For presumably, we can refer to this music as 'musical works' only if there was indeed a regulative work-concept; but whether there was a regulative work-concept is just what is at stake. So, we will refer to music before 1800 as 'musical products', 'musical pieces', or simply as 'music'.

1.2 Composition

Consider a typical example of a musical work: the *Symphonie Fantastique*, written in 1830. We assume that this piece is crucially tied to its creator, Hector Berlioz; if you are familiar with the work, you probably already made this association as soon as you read its name. Generally, we think that musical works are integrally tied to their composers.

Following this line of thought, Goehr claims that the musical work-concept requires that a regulative work-concept requires an ideal of composition. She says, for example, that

musical works require “a composer producing full and original scores”,⁵ and that “[a] musical work is held to be a composer’s unique, objectified expression”. (BTW, 56)

However, Goehr thinks that historical data shows that music was not regulated by an ideal of composition before 1800, in three different senses of ‘composed’. In some places she claims that music was not regulated by the ideal of composition in that it wasn’t accepted that musical works should be *original*; elsewhere, she emphasizes the fact that music was not regulated by an ideal of composition in that it was not thought to be *owned* by composers; and finally, she emphasizes that music was not regulated by an ideal of composition because it was not thought to be a composer’s *self-expression*. In what follows, I’ll focus on these last two senses of ‘composed’, and explain why Goehr thinks they were not regulative before 1800.^{6, 7}

Composition as ownership before 1800

Goehr emphasizes the fact that we take it to be the case that Berlioz (for example) is the *owner* of his music. Copyright moneys from music, for example, ought to go to the composers who create them, not (say) to the orchestras who commission them. But Goehr claims that before 1800, “musicians did not own their music”. (IMMW, 181) She says that “ownership of music [was given] to church, court, or, increasingly, the publishing house, but not to composers.” (IMMW, 180) The motivation for the claim is this:

composers were mostly employees of political and ecclesiastical institutions. So, they

⁵ Goehr 1989, 55. In future reference, when the article is quoted in the text, it will be referred to in parentheses as “IMMW”.

⁶ The musicologist Michael Talbot has made a similar claim: “between 1780 and 1820, approximately, a genre-centred and performer-centred practice became a composer-centred one.” Talbot 2000: 172.

⁷ For the point on originality, note Reinhard Strohm’s evidence of the medieval composer Johannes Ockeghem leading a movement of originality as early as 1460. See Strohm 1993: 447.

composed music in the employ of these institutions, and the music was seen as the property of the institution rather than the individual composer. Since composers were employees, they didn't own the music they composed; and thus there was no rule of composition. Goehr says further that

[Musicians] were not always recognized as the authors of their music anyway, and if they were, such recognition was not accorded much importance. Public recognition was given instead to the extra-musical bodies or persons for whom the music was composed. (IMMW, 179)

In defense of this claim Goehr argues that published music prominently displayed the name of the composer's employer rather than the composer himself.

However, it was usually the case that Baroque composers, not political or religious institutions, controlled the publication of their own music. Or rather, composers often *took* control of the publication of their music. A common story about the motives for 17th and 18th century composers to publish their music is that false or inaccurate copies of the music were being published. Composers were concerned that correct rather than incorrect copies of their music were being published. This happened, for example, to Corelli,⁸ Couperin,⁹ and Handel.¹⁰

These sorts of examples show that composers were able to take control of the publication of their music. If Goehr is right, and institutions rather than composers owned the music, then an authentic printing would be one authorized and carried out by an institution, not by a composer. But in fact authentic printings were taken to be those carried out by composers. The existence of this sort of practice shows that composers

⁸ Allsop 1999: 189.

⁹ Tunley 1983: 44; Higginbottom 1986: 155.

¹⁰ Handel 1935: 11; Hogwood 1984: 11; cf. p. 74, and Anthony 1974: 242, who mentions the case of the composer Chambonnières publishing because of prevalence of faulty copies.

were considered to have ownership of their music, even though that ownership wasn't accompanied by a legal right to financial recompense.

Goehr's argument is supposed to show that pre-1800's music was not regulated by an ideal of composition, because musicians were not recognized as the authors of their own music. But, as we have seen, musicians *were* recognized as the authors of their own music.¹¹

Composition as self-expression before 1800

Consider another reason we think a piece like the *Symphonie* bears an integral relation to its composer: we think that what the piece is depends on Berlioz's wishes for the piece, and not due to someone else's wishes for the piece. Goehr thinks that, if there is a regulative work-concept, musical products such as the *Symphonie Fantastique* will be self-expressions of their creators. We take it to be the case that "composers [have] control over the creation and production of their music". (IMMW, 29) Or, to put the point a little more dramatically, composers are "independent masters and creators of their art" (IMMW, 206). Goehr believes that the musical work concept can only exist in a regulative capacity when there is an ideal of composition as self-expression.

¹¹ In addition, Goehr's argument that composers weren't associated with their works doesn't seem solid. In my research, I saw many examples of front-plates throughout the Baroque era on which the composer's name is prominent—indeed, *misattributions* were problematic. Further, Reinhard Strohm has identified early associations of works with their composers—for example, the early Flemish music theorist and composer Johannes Tinctoris (c. 1435-1511), who identifies musical products by name as well as by composer. He argues that even these early composers achieved fame even among non-musicians. See Strohm 1993: 471; Strohm 2000: 147-148. Strohm shows that this association wasn't anomalous (pp. 516-517, e.g.). And finally, Stephen Rose tells us that working for the court was a good way for a composer to be famous. Rather than impinging on the status of composers, the system of patronage seems to have encouraged it. See Rose 2005.

However, Goehr thinks that “musicians did not gain creative freedom until the end of the eighteenth century” (IMMW, 176); before that, they “had little control and power of decision regarding matters of instrumentation, form, length, and text” (IMMW, 178). She sums up the functionality of pre-1800s music as follows:

The very idea of having to enquire about the conditions for which one is to compose one’s music, what sort and how many instruments one is writing for, and how long one’s composition should last, is not met with full comprehension today. But once it was quite normal and, furthermore, made sense. . . . The task of musicians was to produce music on request as time and occasion demanded—for the here and now. (IMMW, 178)

In other words, composers were constrained both by demands of the occasion and employer (such as length and text), and by circumstantial factors (such as what kind of instrumentation was available). In support of this claim Goehr gives evidence from the Baroque composer Monteverdi, who in 1618 requested from his employer how many and what kind of instruments he should write for (IMMW, 178); from Handel, who at a performance in Dublin was “forced to adapt the music at the time of actual performance” (IMMW, 178-9); and from Carl Phillip Emanuel Bach, who suggested in the 1770s that music composed for his own use was the only kind of music that could be “composed in complete freedom”.¹² The first two reasons identify cases in which composers need to adapt to—and thus are constrained by—external factors when composing. The first one identifies constraint by the demands of the composer’s patron; the second identifies constraint by the circumstantial availability of instrumentalists.¹³ Given these constraints, an ideal of composition couldn’t regulate musical performance.

¹² Newman 1966, quoted in Goehr 1992: 179.

¹³ The third reason voices a more fundamental concern: *If Baroque music was mostly written for functional circumstances, how could composers have written self-expressive music?* This concern is the same concern

Goehr's thought underlying the first two examples is that, given these sorts of constraints, composers could not write self-expressive music. For if a composer wrote a self-expressive piece, it would be strongly constrained—either by the demands of patrons, or by circumstantial factors (especially available instrumentalists). But before 1800, music *was* subject to these constraints. Given these constraints, Goehr argues, composers could not “exercise the independence characteristic of an autonomous and work-based practice” (IMMW, 78). Since self-expression is necessary for a rule of composition, and since there was no self-expression before 1800, there was no rule of composition before 1800. In what follows, I'll focus on the second kind of constraint—constraint due to instrumentalists—although much of what's said here can also be applied to the first kind of constraint, constraints due to patrons. We can then formalize the argument as follows:

The Available Instrumentalist Argument:

1. Composers were constrained by the circumstantial availability of instrumentalists before 1800.
2. If composers were constrained by the circumstantial availability of instrumentalists before 1800, then music was not self-expressive before 1800.
3. So, music was not self-expressive before 1800.
4. If music was not self-expressive before 1800, then music was not regulated by an ideal of composition before 1800.
5. So, music was not regulated by an ideal of composition before 1800.

In what follows, I'll argue that The Available Instrumentalist Argument is unsound, because the requisite historical evidence for (1) is lacking; this constraint is not as common as Goehr alleges. I then recast the argument in a way that's more consistent with actual history, but reject it on philosophical grounds. In particular, I argue that, contrary to (2), the mere presence of these external constraints does not preclude self-expression.

underlying Goehr's claim that music was not *autonomous* until 1800. So I will set this concern aside until we deal with the property of autonomy in particular.

Baroque pieces, I'll argue, can be self-expressive, even if composers faced external constraints in composing the pieces. Let's begin by examining the tenability of Goehr's historical claim in (1); I'll present three reasons that the unavailability of instrumentalists was not a common constraint before 1800.

The research into the development of the orchestra by John Spitzer and Neil Zaslaw in their book *The Birth of the Orchestra* sheds musicological light on this question in two ways. First, Spitzer and Zaslaw conclude, consistently with Goehr, that the Baroque orchestra was not nearly as standardized across geographical location as it is now: players did not dress so alike from orchestra to orchestra, the number and kind of instruments was not universally uniform to the extent it is today, and so forth.¹⁴ For all that, however, Spitzer and Zaslaw believe that there were some fairly specific ways in which orchestras were standardized.¹⁵ Peter Holman, in a review of the book, has concisely summed these up:

I summarize: (1) they are based on violin-family instruments (2) playing more than one to a part, with (3) a standardized instrumentation, (4) one or more bowed bass 16' instruments, and (5) a keyboard continuo. They (6) 'perform as unified ensembles under centralized control and discipline', and (7) have 'distinct organization identities and administrative structures'.¹⁶

Conditions (1)-(5) give a basic kind of instrumental universality to the early orchestra—given these conditions, composers would know generally what kind of instruments they would have at their disposal. So, it seems even travelling composers would have had at least a basic sense of what kind of instrumentation would be available to them. This seems to eliminate much of the motivation for (1), which was based on the claim that

¹⁴ Spitzer and Zaslaw 2004: 35.

¹⁵ Spitzer and Zaslaw 2004: 19-21. Cf. Zaslaw 1988, especially p. 487.

¹⁶ Holman 2005: 503.

composers made last-minute changes. If Spitzer and Zaslav are right, however, these kinds of last-minute changes would have been rare, since there was a standard orchestra format.

There is a second reason that the situations of Monteverdi and Handel, which motivate (1), are anomalous: both arise due to cases of composers dealing with unfamiliar orchestras. Since the composers are working with foreign orchestras, and since there's not complete uniformity between orchestras, they don't know exactly what kind of instruments they will have at their disposal. But it does not seem that composers would have had dealt with unfamiliar orchestras very often.

The third reason that the situations of Monteverdi and Handel are anomalous is that most composers were very familiar with their available performing forces. Here again, Spitzer and Zaslav's analysis is helpful. They pay special attention to the leading orchestras of the early Baroque period: the French Lullian orchestras (1660-1750, so-called because they were influenced or founded by the composer Jean-Baptiste Lully), and Arcangelo Corelli's orchestra (1680-1709).¹⁷ Importantly, both of these composers worked closely with their orchestras. And furthermore, the orchestras remained uniform across time. Both Corelli's orchestra and *24 Violons du Roi*, an orchestra led by Lully, changed according to the occasion, but in a very uniform manner, with skilled performers.¹⁸ Spitzer and Zaslav explain Corelli's orchestra:

The consistency of proportions of instruments in the orchestra, in a variety of venues over a period of almost 30 years, suggests that Corelli had a clear idea of the acoustical balance he wanted in his orchestra and that he was able to recruit

¹⁷ Spitzer and Zaslav 2004: 70-136.

¹⁸ Spitzer and Zaslav 2004: 126; Anthony 1974: 10; de La Gorce 2010; see also Allsop 1999: 51.

instrumentalists as needed to obtain this balance, no matter how large or small the ensemble.¹⁹

In addition, both Corelli and Lully had capable instrumentalists that they hired on an as-needed basis (that is, when they needed bigger orchestras). So even when additional instrumentalists were hired, they were instrumentalists with which the composers were familiar—and even in those cases, there is orchestral constancy.

Given that composers such as Lully and Corelli had instrumental constancy in their orchestras, there is no reason to think circumstantial adaptation would have been a concern for them. And importantly, the constancy of Lully's and Corelli's performing forces seems to have been true of most composers; Lully and Corelli make good examples here because their situation, at least with respect to instrumental constancy, was typical for composers. Employed to work regularly with the same set of musicians, composers seem to have known exactly which instruments and instrumentalists they had at their disposal, and what the ability was of those instrumentalists. Likewise, Bach had different performing groups at both the church and the university, differing according to style and ability. He knew the distinctive characteristics of each group, and styled his music for each group accordingly.²⁰ The characteristics of these groups did not drastically change over time, so there was a sufficient degree of instrumental constancy; and thus Bach did not have to worry about adapting for different instrumentalists. Premise (1) of The Available Instrumentalist Argument, then, does not stand up to scrutiny.

However, Goehr's argument may be reformulated in light of these objections: the worry might not be that composers had to adapt to unknown performing forces, but that

¹⁹ Spitzer and Zaslav 2004: 125. Note that the same situation is true of Lully's; see de La Gorce 2010.

²⁰ Rifkin 1995: 122-125.

the integrity of compositions was compromised both (i) by the limited *ability* of the available instrumentalists (eg., the composer wants to write a challenging passage for a violin, but the best available violin can't play such a passage)—call this “limitation of ability”—and (ii) by the limited *kinds* of instrumentalists (eg., the composer wants to have a trumpet play a certain passage, but no trumpeter is employed by the court for which the composer works)—call this “limitation of scope”. So even if it is true that there was not much of a problem about unexpected or adapted orchestration, there was still limitation of both ability and scope. And this resulted in constraints for composers. We can reformulate Goehr's argument in light of these worries. This argument is just like The Available Instrumentalist Argument, except for the first two premises:

The Argument from Limited Ability and Scope:

1. Composers had to accommodate limitations of ability and scope before 1800.
2. If composers had to accommodate limitations of ability of ability and scope before 1800, then music was not self-expressive before 1800.
3. So, music was not self-expressive before 1800.
4. If music was not self-expressive before 1800, then music was not regulated by an ideal of composition before 1800.
5. So, music was not regulated by an ideal of composition before 1800.

It's worth noting that premise (1) is not universally true of Baroque music. Consider the foremost orchestras of Lully and Corelli. While Lully and Corelli are typical examples of orchestral constancy, they are not typical examples of limited ability and scope. As we saw, both orchestras were renowned for their proficiency; so there was no problem about ability. Both Lully and Corelli were free to hire additional instrumentalists on an as-needed basis; so there was no problem about scope, either. The bite here is that, even if limited ability and scope present problems for self-expression, they were not a *universal*

Baroque problem. Corelli and Lully had enough capable instrumentalists, such that (1) does not seem to apply to them.

However, this does not mean we should reject (1). Limited ability and scope seem to be a *common* problem—Corelli’s and Lully’s situations were typical with respect to orchestral constancy, but (as they had the leading orchestras in Europe) they weren’t typical with respect to ability and scope. Let’s assume that J.S. Bach is a more representative case of common performing situations.²¹ Bach was so dissatisfied with the low quality of his musicians at St. Peter’s that he formally requested more and better musicians for the church orchestra.²² He evidently did not have a high opinion of the musicians he did have. He wrote: “Modesty forbids me to speak at all truthfully of their qualities and musical knowledge.”²³ Further, the various abilities of his performing groups did in fact affect his compositional products: Bach composed more difficult motets for the more able choir, and less difficult ones for the less able choir;²⁴ he was flexible in composing for groups of varying ability, a skill “borne out of necessity”.²⁵ Given our assumption that Bach’s experiences were to some extent typical, it seems that limited ability and scope were typical. So we should accept (1) as true of most Baroque composers.

The conditional, (2), is the crucial premise of the argument: Should we think that the limited ability of instrumentalists, or unavailability of instruments, inhibits a

²¹ Bach makes a good case study for this sort of question, for two reasons: (1) Bach, though acknowledged in his time as a great composer, wasn’t as popular as (say) Monteverdi, Corelli, or Handel, so his situations would have been more typical of the average church or court composer. (2) We know a lot about the particulars of Bach’s situation due to extensive contemporary research on his life.

²² Geck 2006: 136-7; cf. pp. 170-3; David and Mendel 1966: 121-123.

²³ David and Mendel 1966: 121.

²⁴ David and Mendel 1966: 140-1; see also Rifkin 1995: 122-125.

²⁵ Hochreither 2002: 102; cf. 79.

composer's self-expression? In what follows, I want to give two reasons reject the conditional, at least as it applies to situations such as Bach's.

First, the conditional has it that self-expression by a composer can only be maintained where there is *instrumental and tonal immutability* about a piece—that is, when the instrumentation isn't changed at all. But it seems, as long as the instrumentalists have some degree of competence, there are other important aspects to self-expression besides length and instrumentation. At times, these other aspects can outweigh, to some extent, length and instrumentation. The most immediate aspect which comes to mind—plausibly the most important ingredient for self-expression—is *style*. It seems crucial for self-expression that composers express their individual voice. Contrary to (2), a musical style can be expressed even when instrumentation is inhibited.²⁶

For example, consider again the motets Bach wrote in which he had to accommodate the lesser skill of a particular choir. Bach expressed his own style when composing these motets; many of them exemplify a typical “Bachian” tone. And, since style is the main ingredient of expressiveness, any music that expresses the composer's individual “voice” counts as self-expressive music; the style of a piece can be preserved even when not all desired instrumentation is preserved. Thus Bach's motets were self-expressive, even when performers had limited ability.

But even leaving aside this point about style, we should still think that self-expression obtains in the Baroque music under discussion. For the presence of artistic or practical constraints generally is not mutually exclusive with self-expression. There are two reasons for this. First, constraints are a common occurrence in artworks that we take

²⁶ The line I want to take here is that style can be, but is not necessarily, independent of instrumentation.

to be self-expressive. Many musicians compose in a way that is characterized by constraints: they are constrained by traditional forms, such as standard orchestra instrumentation, genre constraints, and traditional characterizations of the genre they are composing in. Consider Tan Dun's "Paper Concerto", which involves performing paper-based instruments in the context of both a traditional orchestration, and in the traditional concerto form. Such a context forces the composer to work within these constraints. Musicians are also constrained by the technologies and musical experiences available to them, yet we do not take these facts to impede the self-expressiveness that their works may exemplify. Second, we frequently take the presence of artistic constraints to *enhance* the self-expressive qualities of artworks; part of the artist's virtuosity comes in part of her solving musical problems which arise just due to various constraints. While composers may be constrained by traditional genre characterizations, we take the remarkableness of these works to consist, at least in part, in how they have dealt with these characterizations. Consider Bach's less demanding motets; we can and do admire these motets for their ability to exhibit artistic and stylistic innovation in spite of the fact that they are written for a level of skill that is not overly demanding.²⁷

For these two reasons, artistic constraints do not exclude self-expression. But, since artistic constraints do not exclude self-expression, (2) is mistaken. So we should reject The Argument from Limited Ability and Scope.

There are two additional reasons to reject (2), as it arises in this argument. They show that, even if Goehr were right both that (a) Baroque composers couldn't have self-expressive music performed publicly and that (b) the constraints they faced excluded the

²⁷ Thanks to Chris Tillman for suggesting the line of argument in this paragraph.

possibility of composing self-expressive music, (2) still would not follow. This is because there were other ways for Baroque composers to create self-expressive music. First, as we've seen, composers had control over the music they published. So even if Goehr is right that composers didn't have complete freedom in what they could get performed by their orchestras, it seems that they could still publish music that was as difficult as they liked, or that called for whatever instruments they liked. So, they could publish self-expressive music. Second: composers were free to play what they liked in their homes, among friends. In fact, it seems that some of Bach's great music (to use Bach as an example again) was the music he composed privately, such as the Well-Tempered Clavier and the Cello Suites. But again, these performances do not involve the constraints in performance that Goehr has identified.

As mentioned at the beginning, what's been said about instrumentalists can be said about the relationship of composers to patrons. As Goehr says, the system of musical production in pre-1800 Europe meant that patrons often gave instructions for length, emotional profile, and instrumentation; thus they determined those aspects of the piece. However, it's evident from compositions that these instructions did not impede the style of the pieces which the composers produced. Given the arguments above, then, since composers could maintain a sufficient amount of style, and since constraints don't exclude self-expression, pre-1800 musical products could be self-expressive. Thus it isn't the case that musical production wasn't governed by an ideal of composition.

1.3 Repeatability

Goehr says that, if the work-concept is regulative, then music is taken to be “repeatable in performances”, and “performed multiple times” (BTW 55). Presumably, the idea behind repeatability is this: we take it that a single composition can be repeated in multiple performances. A musical work is thus not identified with any single performance or occasion; it is something over and above any of its instances. The motivation for this view often stems from the thought that we think of musical works as having properties which obtain independently of any single performance.²⁸ A regulative work-concept, then, necessarily involves a rule of repeatability.

However, Goehr claims that music was seen as repeatable only after 1800; it was only then that “one and the same composition came to be repeated in numerous performances” (IMMW 225). She says that “[pre-1800s musical] concepts [did not] depend upon a composition’s surviving its . . . being repeated.” (BTW 56) So, there was a rule of repeatability after, but not before, 1800. Although Goehr says very little else that explicitly deals with the amount of repetition before 1800, it isn’t too hard to see what she means. Presumably the idea here would be that composers only wrote music for specific settings. She says:

The task of musicians was to produce music on request as time and occasion demanded—for the here and now. (IMMW, 179)

Musicians did not see works as much as they saw individual performances themselves to be the direct outcome of their compositional activity. (IMMW, 186)

²⁸ The notion of repeatability has been a foundational starting-point for analytic accounts of musical works. Platonists such as Peter Kivy, Nicholas Wolterstorff, and Julian Dodd have built their accounts of musical works from the intuition that musical works have a sonic form which can be multiply instantiated. And this multiple instantiation is basically repeatability. See Kivy 1993, Wolterstorff 1980, Dodd 2007. Repeatability is also a starting point for indicated type theorists, most notably Jerrold Levinson. Stephen Davies’ account may also be an indicated type theory, but it’s certainly based on repeatability. See Levinson 1980, Davies 2001.

Since composers were hired to write music only for specific settings, musical products would not be repeated. But then, since musical products were not repeated, musical practice was not regulated by an ideal of repeatability. We can formalize this argument as follows:

The Repeatability Argument:

1. Music was not repeated before 1800.
2. If music was not repeated before 1800, then there was no rule of repeatability before 1800.
3. So, there was no rule of repeatability before 1800.

In this section, I will argue that we should reject (1). I will appeal to two main sources of evidence. First, I will present evidence that individual pieces of music were performed multiple times before 1800, and show how it tells against (1). Second, I appeal to the prevalence of published music. I argue that, since music was published in order to be performed, (1) is false.

Let's begin with evidence that music was repeated in performance. Martin Geck, in his biography of Bach, seems to be aware about claims such as Goehr's, when he argues for the conclusion that "Bach is familiar with his contemporaries' music, examines and performs it".²⁹ If Geck is right—if Bach performs his contemporaries' music—then surely music is being repeated in performance. In support of his claim, Geck offers strong evidence:

Parts of Bach's musical legacy that turned up in the archives of the Breitkopf publishing house can be linked to performances of the collegiums musicum [the university group that Bach directed]: overtures by Johann Friedrich Fasch, string symphonies by Melchior Hoffmann, chamber cantatas by Nicola Antonio Porpora, but also Handel's chamber cantata 'Arminda abbandonata.' These lucky finds can be supplemented by copies of scores in Bach's own hand: around 1730, copies were made of overtures by Johann Bernhard Bach, with an added movement by Agostino Steffani, and in 1734-35 copies of Pietro Antonio

²⁹ Geck 2006: 199.

Locatelli's Concerto Grosso in F Minor. Around 1731 Bach had Christoph Nichelmann make a copy of Antonio Vivaldi's A-Minor Concerto for Four Violins, which Bach himself arranged for four harpsichords.³⁰

Peter Allsop, in his biography of Corelli, also shows how Corelli's music was repeated. He lists many amateur societies who played Corelli's music in the early 17th century (thus repeating it), and relates a story about a "Mr. Needle", who was the contemporary of the music historian Charles Burney. Burney wrote that Needle "admires the music of Corelli, and it is said that no person of his time was equal to him in the performance of it".³¹ The quote implies that people were not only used to hearing performances of composers such as Corelli, but further, that they were used to judging such performers. If audiences at the time were judging how performers played Corelli, we can be certain that Corelli's music was being repeated multiple times, even as far away as England. Even Corelli's own orchestra, which was usually busy playing new pieces written by the high-profile composer, "sometimes repeated a piece that had been heard before. Crescimbeni, referring to a performance at the Arcadian Academy, remarks that 'Corelli began the musical portion of the entertainment by directing one of those magnificent sinfonie that he has composed at the Ottoboni palace.' Crescimbeni's remark implies that he was familiar with several Corelli sinfonie and perhaps had heard the same ones in a variety of contexts."³² Given these kinds of examples, we should believe that music was not performed just for single, specific occasions, since musicians commonly accepted that a piece of music could be performed at different locations. We should thus not accept (1).

³⁰ Geck 2006: 199.

³¹ Allsop 1999: 196-7, 192-3.

³² Spitzer and Zaslav 2004: 133.

Research on Lully and the French Baroque tradition is significant in also undermining (1), the claim that music was only written for particular occasions. Carl Schmidt sums up how this research applies to the question at hand:

Schneider's thematic catalogue has documented the wealth of printed and manuscript Lully sources, and his study of the reception of Lully's music in France has shown how widely Lully's works were known and appreciated in his adopted country. Schneider has also established that Lully's music was performed and published in various French cities outside the Ile-de-France orbit of Saint-Germain-en-Laye, Paris, Versailles; it has been demonstrated that Lully's music was performed and published beyond French borders in places such as the two Dutch Republics.³³

We should thus reject (1), Goehr's claim that pieces of music were not repeated before 1800.

Premise (1) should also be rejected because of the prevalence of composers' music being published on a wide-scale level. For, if music is published on a wide-scale level, then it is written to be performed by different orchestras. But if it is written to be performed by different orchestras, then it is written to be performed multiple times. Furthermore, music was published on a wide-scale level (as we have already in the case of Lully). So, it was written to be performed multiple times. We might think this is obvious, but, for example, David Schulenberg has argued that music was written out (and thus published) only for pedagogical purposes.³⁴ However, there are two reasons to reject this claim, at least as a widespread generalization. First: We have seen that, in the above examples, publication of a piece of music is associated with performance of that music. Since there was extensive publication of music, there were extensive instances of

³³ Schmidt 2000: 101; cf. Anthony 1974: 107.

³⁴ See Schulenberg 1995.

repeated music.³⁵ Second: Spitzer and Zaslav note the high demand for published symphonies from smaller, lower-profile orchestras. These symphonies had to be “adaptable for ensembles of different sizes”, “easy enough that amateurs could play them at sight”, and had to “sound good without much interpretation or ornamentation”.³⁶ Against Schulenberg’s claim, the published music was produced just for the purpose of multiple performances.

Such evidence shows that published music was repeated, and that there was a high demand for published music. So, music was not only thought of as tied to specific instances; thus, it was repeated. There are some examples of especially famous published music which went into multiple printings: James Anthony writes that Michel Delalande’s *Symphonies pour le souper du Roy* were “among the most imaginative and apparently popular of the [instrumental symphonic] genre”, with publications in 1703, and again in 1727 and 1745.³⁷ Due to the connection established between performance and publication, we should believe that these symphonies were repeated for at least forty or fifty years.

Lest we think that the repetition of music in the European tradition is only as old as printed music, it seems that the tradition of playing old works goes back even further; Reinhard Strohm has shown that the famous medieval music theorist and composer, Phillipe de Vitry (1291-1361), wrote motets which spread around in performance, being repeated.³⁸

³⁵ See Rose 2005.

³⁶ Spitzer and Zaslav 2004: 170.

³⁷ Anthony 1974: 293-4.

³⁸ Strohm 1993: 71.

1.4 Permanence

Goehr claims that it's a crucial fact about the work-concept that we think of musical works as being "*enduring products*" (BTW 56, her emphasis)—that is, as existing *permanently*. Goehr says that "a musical work is held to be . . . a . . . permanently existing artifact" (BTW, 55), and that "once created, we treat works as existing after their creators have died" (IMMW, 2). The most valuable definition of permanence that Goehr gives is when she says that, when there is a rule of permanence, each musical product is "produced to outlast its performance or survive more than a few performances" (IMMW, 186).³⁹

In what follows, I will examine two arguments which Goehr takes to show that there was no rule of permanence in musical performance before 1800: The first is based on the claim that numerous changes were made to musical products before 1800. The second is based on the claim that musical products were characterized by novelty before 1800.

The Argument from Numerous Changes

Think back to our consideration of music as being originally composed in the first section. We saw that, on Goehr's view, music was not original before 1800—in other words, musicians would often re-use their own (or others') themes. Goehr takes this to tell not only against a rule of composition, but also against a rule of permanence. Goehr

³⁹ Goehr's claim here, that music is permanent if it is produced with a certain attitude, makes permanent music dependent on composers' intentions. Such a reliance on intentions can complicate things, but we can eliminate the role that intentions play here and just treat permanent music as music which *actually does* outlast its performance, etc.

makes the argument that there was no rule of permanence before 1800, in passages like the following:

Music [before 1800] was not always produced to outlast its performance or survive more than a few performances. And when it did survive many performances, numerous changes could and usually would be made to the music in the process. Rarely did musicians think of their music . . . in the form of completed and fixed works. When musicians thought about repeatability, they thought more of the multiple uses of themes and parts for various different occasions, than of one and the very same whole composition being repeated in performances dedicated to the performing of that very composition.” (IMMW, 186)⁴⁰

Goehr emphasizes that “numerous changes could and usually would be made to the music”. But then, since numerous changes would be made, the composition wouldn’t endure throughout time in a more or less stable form. And since enduring stably throughout time is required for permanence, the composition couldn’t have been permanent.

What exactly does Goehr mean by “numerous changes”? She claims that music underwent numerous sorts of changes, but she gives no examples or explanation. Although Goehr is unclear initially, it seems we can disambiguate the phrase “numerous changes” in two ways: we can read “numerous changes” either more broadly as “re-use and recycling of themes and phrases”, or more narrowly as “changes to instrumentation or notation”. In what follows, I present Goehr with a dilemma. I argue that the first account does not constitute a change, since recycling of a theme can only apply to distinct pieces. While the second account counts as real change, it is inconsistent with Goehr’s claim that repeatability did not obtain before 1800.

⁴⁰ Cf. Imaginary Museum: 222: “Composers began to conceive of their works as discrete, perfectly formed, and completed products. Music soon acquired a kind of *untouchability* which, translated into concrete terms, meant that persons could no longer tamper with composers’ works.” The implication in this passage is that this kind of untouchability didn’t exist before 1800.

Suppose that, when she says that music underwent numerous changes, Goehr means that thematic material was re-used. Indeed, she claim that musicians “thought more of the multiple uses of themes and parts for various different occasions” (IMMW, 186). Presumably, Goehr is also making reference to a claim we saw earlier: that compositions before 1800 were not original. Her support for this claim is that Handel, Bach, and Vivaldi, all re-used their own—and other composers’—themes in their compositions. While they reused core themes in different pieces, however, they changed many other characteristics (instrumentation, notation, and so forth). Since they reused the themes but changed other characteristics, there was no rule of permanence.

However, how exactly would such an argument go? This first horn of the dilemma itself elicits another dilemma. When Goehr says that re-use of a theme implies no permanence, she means either that the mere re-use of themes itself implies that there could be no permanence, or she means that, when themes were re-used, the pieces which contained the themes were thought of as a single piece that had changed. But neither option, I’ll show, should lead us to believe that there was no permanence.

Suppose Goehr’s thought is that there could not have been a rule of permanence, just because themes were re-used. This can’t be correct, however; the re-use of themes is consistent with a rule of permanence. A theme is often re-used in two distinct pieces, but the pieces themselves are still thought of as individually permanent. Indeed, there are several prominent examples in which this actually occurs. Consider, for example, the American folk tune “Simple Gifts”, used by Aaron Copland as a theme in his *Appalachian Spring* (AS) for orchestra, and re-used as a theme in his chamber piece *Five*

American Folk Songs (FAFS).⁴¹ If Goehr was right, the fact that Copland re-used “Simple Gifts” means that neither FAFS nor AS were thought of as permanent. But we take both pieces to be permanent, even though there is the re-use of a theme.

On the other hand, perhaps Goehr’s thought is that there could not have been a rule of permanence, because when themes are re-used, the piece which contains the theme is changed. The piece which contains the theme somehow “morphs” and changes; and because the piece changes, it is not subject to a rule of permanence. We’ll formalize this argument as follows:

The Changed Piece Argument:

1. Themes were re-used.
2. If themes were re-used, then the piece which contains the theme was changed.
3. If the piece which contains the theme was changed, then the piece wasn’t considered to be permanent.
4. If the piece wasn’t considered to be permanent, then there was no rule of permanence.
5. So, there was no rule of permanence.

But, as the above example from Copland shows, (2) is false. The re-use of a theme does not automatically imply the change of a piece which contains the theme. If this were the case, then we would consider FAFS to be a change to AS, simply because they contain the same theme. But we don’t consider FAFS to be a change to AS; we consider them to be distinct pieces. Since we consider them to be distinct pieces, it is not the case that AS underwent any change when FAFS was composed. Rather, a new, distinct, permanent, work was created. Even though the same theme is used, we take the individual pieces to have undergone no change.

⁴¹ The re-use of themes is not an uncommon occurrence in classical music since 1800. Bartok, Rossini, Ravel, Shostakovich, and Ligeti are all prominent composers who re-used themes.

Perhaps we can modify The Changed Piece Argument to avoid this problem. Perhaps the claim is not that the re-use of a theme automatically entails the change of a piece. Rather, perhaps the claim is that *Baroque* composers identified themes with pieces. And, because they did so, they did not think of these pieces as permanent—they thought of the pieces as changing. Even though we might identify Copland’s pieces as being distinct in the example, Baroque audiences and composers didn’t; they would have considered such a single piece to change when themes were re-used. So, when a Baroque theme was re-used, the piece was thought to change; and thus Baroque pieces were not guided by a rule of permanence.

But it seems straightforwardly false that Baroque composers identified pieces with themes, either. In fact, Goehr’s earlier examples of compositional recycling are telling on this point. She mentions that Baroque composers gave works different titles, even when they reused themes. For example, she says that

In 1733, when Handel performed his *Water Music*, parts were performed that had been used on other occasions. In 1739, an anonymous writer reported on a public musical performance comprising bits of Handel’s operas *Esther* and *Athalia*. (IMMW, 181)

Notice that Handel used different titles. This shows that, when composers wrote a piece with a derived theme, they thought of their piece as distinct from the piece in which the original theme occurred—just like Copland. So we have no reason to think that Baroque composers identified pieces with themes, and thus thought that pieces were changed when themes were re-used.

It does not seem that a successful argument can be made just on the basis of recycled themes. Goehr’s claim that the mere re-use of a theme is sufficient for a rule of

non-permanence won't work, if she's to admit that Copland's works are permanent. And it won't work for her to claim that re-use of themes translates to changes in a piece—either generally, or about Baroque composers in particular.

Let's move on by considering the other horn, a more plausible disambiguation of the “numerous changes” argument. On this horn, there was no rule of permanence because changes were constantly being made to works. Consider changes such as these made to the performances of works: (a) instrumentation is changed; (b) parts are added or removed; (c) some of the piece is omitted for the sake of time. These changes might be the kinds of changes Goehr has in mind when she claims that Baroque music was “touchable” (and thus not permanent) in a way that the regulative work-concept does not allow for, since it involves a rule of permanence. (b) and (c) are interesting points, since there are many examples of patched-up music (in these ways) since 1800. However, I wish to focus just on (a) in what follows—on the degree of permanence with respect to instrumentation. Discussion of this point has been salient in analytic philosophy of music, especially given Jerrold Levinson's famous claim that musical works have their instrumentation essentially.⁴² We can formalize this argument as follows:

The Changing Instrumentation Argument:

1. Instrumentation was changed.
2. If instrumentation was changed, then pieces underwent change.
3. If pieces underwent change, then there was no rule of permanence.
4. So, there was no rule of permanence.

There are certainly some exceptions to (1); there were some instances in which instrumentation was not changed, or considered to be mutable. As we have seen in the examples of Corelli and Lully, there was at least occasionally a degree of instrumental

⁴² Levinson 1980; Kivy 1988; Dodd 2007.

specification. James Anthony suggests two kinds of groupings for instrumental specification in French Baroque music, depending on the sub-genre:

1. Compositions in the first group are thinly scored (*a 1* or *a 3*) and are designed for small ensemble performance with perhaps more than one instrument on a part. There is usually some latitude of choice in the instrumentation and some use of *concertato* effects between solo instruments and *tous*.
2. Compositions in the second group were conceived for orchestral performance and have predominantly *a 4* texture (at least for the *tous*). They have less latitude in the choice of instruments.⁴³

So it does not seem that (1) is true of all early music; rather, it seems that Goehr has merely generalized on the first kind of group that Anthony presents. Indeed, Anthony goes on to give evidence of very carefully scored works: suites composed by Jean-Joseph Mouret in 1729, and suites composed by Jacques Aubert in 1730. According to Anthony, Mouret's suites are "cleverly built around a particular instrumental colour and mood".⁴⁴

However, there was clearly a trend towards more instrumental specification from early music to Romantic music. While there must have been different degrees of instrumental notation, and exceptions (such as mentioned above), there was still a relaxed attitude to instrumentation throughout the Baroque era. The *New Grove Dictionary* describes the period as follows:

Before the 17th century composers almost never indicated in their written music that they intended a composition to be performed by a particular combination of voices or instruments. They did not, apparently, conceive their works with a single immutable sonority, but took into account the fact that individual pieces would be performed by various ensembles depending on the occasion for which the music was intended, the acoustics of the space in which it was performed, and the musical forces available. . . . Instrumentation was considered the prerogative of performers before the 17th century and, with the exception of the special parts prepared for players of chordal instruments, chiefly keyboards and plucked

⁴³ Anthony 1974: 297.

⁴⁴ Anthony 1974: 299.

strings, music was normally written down or published in a way that made it easy for musicians to perform it in a variety of ways.⁴⁵

So, while (1) was not always the case, the general conclusion we should take away is that there was much more latitude with respect to instrumentation before 1800 than after.⁴⁶

If this kind of latitude is to count toward The Watershed Claim, Goehr must maintain that some high degree of instrumental specificity is required for the musical work concept to regulate performance. But that claim seems at least plausible, given that instrumental specificity marks an important part of the overwhelming majority of romantic and modern music. I believe that, in this objection, Goehr has identified an important difference between early music and romantic music. For early music, instrumentation was not even notated. However, by the Romantic period, there was such a stress on instrumentation that it was considered an essential part of music.

However, there are more general problems with (2), the claim that changes were made to pieces. For (2) is incompatible with Goehr's claim in premise (1) of The Repeatability Argument, which says that musical products were not repeated before 1800. Here's why: suppose music was not repeated; pieces were only performed for single, specific occasions. If pieces were only performed for single specific occasions, then they wouldn't be re-used. And if pieces wouldn't be re-used, then they could have undergone change in multiple performances—even if the instrumentation was changed.

So premise (2) is false. The whole idea behind The Changing Instrumentation Argument

⁴⁵ "Orchestration" entry: 691 in *The New Grove Dictionary of Music and Musicians*. Vol. 13. Sadie, S., Ed. London: MacMillan Publishers Ltd., 1980.

⁴⁶ Presumably this is at least partly a function of economics and politics; the sociopolitical situation in renaissance and Baroque Europe was far different from ours. Today, there are many more capable instrumentalists (and better instruments) in any major Western city. If some instrument is required for a performance, there will be little difficulty in locating both an instrumentalist and an instrument. Presumably these sorts of features started to take place only with the rise of the artist in the romantic era, and thus were not characteristic of early or Baroque music.

is that music was repeated enough to be changed in substantial ways; but then there must have been a rule of repeatability. If these kinds of examples are to tell against permanence, then Goehr must deny premise (1) of The Repeatability Argument.

On either way of understanding it, Goehr's "numerous changes" argument is unsuccessful. For it is based either on re-used themes, or on changed instrumentation. An argument based on re-used themes should be rejected; we have seen that, for all the different ways this kind of argument might be put forward, it is unsound. On the other hand, if the "numerous changes" argument is based on changed instrumentation, then it implies that there was, contrary to Goehr's claim, a common rule of repeatability before 1800.

The Argument from Novelty

Perhaps Goehr's argument for the claim that there was no rule of permanence before 1800 is based on the claim that musical performances were characterized by novelty before 1800. Indeed, classical performances today are not characterized by novelty. Most symphony concert programmes include a "masterpiece" or a "classic"—a piece of orchestral music that has been a standard of the orchestral repertoire for quite some time. The study of musical classics also forms a foundational part of music education in classical traditions.

Contrast this with the picture Goehr paints of Baroque performances. Goehr quotes the English music historian Charles Burney writing in the late eighteenth century about the Annual Handel Commemoration festival in London, a yearly festival where

works of Handel were played. Burney claims that “[i]t cannot be reasonably supposed, that there is a sufficient number of persons ... [who] will continue much longer to enable or incline them to attend such an expensive performance year after year merely to hear the same pieces repeated.” (IMMW, 187) Goehr takes examples like this to show that “novelty was a feature of much early music production” (IMMW, 187). She says that “[s]ince music was mostly appreciated by the public because it served this or that occasion, no one was much concerned about its longevity.” (IMMW, 186) We can formalize Goehr’s argument as follows:

The Argument from Novelty:

1. Novelty was a feature of most music production before 1800.
2. If novelty was a feature of most music production before 1800, then there was no rule of performance (i.e., music was not produced to outlast its performance) before 1800.
3. So, there was no rule of permanence before 1800.

The Argument from Novelty is unsound, because (1) is false. For one thing, it is false that there was no interest in old music in Burney’s London. In *Concert Life in London from Mozart to Haydn*, Simon McVeigh demonstrates that there was, as Goehr’s quote from Burney suggests, a tremendous appetite in Burney’s London among the more popular subscription concerts for new instrumental music. But importantly, McVeigh notes that

It is a common mistake to underestimate the durability of repertoire in this period. During a single season a piece that caught the public imagination could be heard again and again. In 1753 Handel’s ‘Return, O God’ was performed by Gaetano Guadagni at least six times in three months.⁴⁷

For another thing, McVeigh also demonstrates that there were other early concert series which placed an emphasis on musical “classics”, most famously the Academy of Ancient Music, founded as early as 1710. The concerts of this society featured works by

⁴⁷ McVeigh 1993: 96-97

composers such as Tallis and Byrd, some of which were at the time over a hundred years old. The society appealed to aristocratic classes of society when, towards the 1760's, *new* instrumental music became accessible to (and popular with) middle class members of society. Attempting to show the superiority of their taste to the taste of the middle class, the aristocratic classes turned to the "classics" performed by the Academy of Ancient Music. In addition, even the more popular middle class concert series still played (for example) older works by Handel occasionally, some of whose works were, by the time Burney was writing, fifty or sixty years old. Indeed, Burney himself at times seems to paint a picture at odds with Goehr's:

There is, perhaps, no country in Europe, where the productions of old masters are more effectually preserved from oblivion, than in England: for, amidst the love of novelty and rapid revolutions of fashion, in common with other countries, our cathedrals continue to perform the services and full anthems of the 16th and 17th centuries, by Tye, Tallis, Bird, Morley, Biggons, Humphrey, Blow, and Purcell; as well as those produced at the beginning of the present century.⁴⁸

In other words, this fad for novelty only arose around Burney's time. Simon McVeigh believes, contrary to what Burney says above, that the fad for novelty arose most noticeably in London. There does not seem to have been any such fad until around 1770, and it does not seem to be pronounced anywhere except London.⁴⁹ This points to a further complexity, which is problematic for Goehr: it is misleading for her to say that such a fad was characteristic of pre-1800's European music generally, when it characterizes only a couple of decades leading up to 1800, and even then only in a single

⁴⁸ Burney, preface vi; perhaps Burney is referring to aristocratic taste here. He also says of the famous "Crown and Anchor Concert" that it was "established in 1710, for the preservation of old masters of every country." (ibid, vi)

⁴⁹ See also Weber 1992.

European city. While it may be true that there was less interest in old music, it is not true that there was no interest in old music.

The Argument from Novelty is also unsound because (2) is false. For (2) amounts to the following claim:

The Novelty Principle: If only novel music is performed, then there can be no rule of permanence.

In other words, works can only be permanent if they *aren't* treated as novelties. If The Novelty Principle is right, then the existence of novelty in a musical culture is incompatible with a rule of permanence. Since novelty was a feature of pre-1800 musical performance, musical production couldn't have been subject to a rule of permanence. But a thought-experiment will show that the mere presence of musical novelty doesn't preclude a rule of permanence.

Imagine a community of musicians who listen to only new music; they have tired of the classics, say. Every week they get together to listen to new music; and once they have heard a piece, they never listen to the same one again. (Listening to these pieces more than once would bore them; they would rather hear something they haven't heard than something they have.) Now, these works are clearly novel for our imaginary community—Novelty obtains for the works, since they aren't repeated. If the Novelty Principle is right, it follows that there will be no Permanence about the works. But what about such a situation should imply no rule of permanence? As we've said above, part of what's important about a rule of permanence is that relevant timbral and notational properties of the work—that is, (a), (b), and (c)—remain stable and lasting over time. But presumably this can be true of these works, *even* if they are novel; our community can

admit that the works have stable timbral and notational properties, even if they never listen to them again. So the Novelty Principle, and premise (2), are false; a work can be both permanent—with respect to (a), (b), and (c)—and novel.

Additionally, consider the contemporary “classical” music world. There is no shortage of composers, and thus no shortage of compositions. Many pieces are written for new music festivals, composition recitals, and so forth. And many of these compositions are, like many Baroque pieces, performed only for their commissioned performance and never again. In such situations, the works are novel. But, like our fictional community above, we do not take the novelty of these works to imply that composers have no determinate intentions with respect to instrumentation or notation. We take instrumentation and notation to be fixed regardless of their novelty.

But, leaving aside the point about novelty, some musicologists have made a claim that is agreeable to Goehr’s point: Generally, there was no concept of musical “classics” until the late eighteenth century.⁵⁰ If this is correct, then Goehr could perhaps more reasonably endorse a different argument based on the absence of musical classics rather than mere popularity of novelty. We can formalize this argument as follows:

The Argument from Classics:

1. There were no musical classics before 1800.
2. If there were no musical classics before 1800, then there could not have been a rule of permanence before 1800.
3. So, there could not have been a rule of permanence 1800.

The Argument from Classics is valid. Premise (1) follows from the beliefs of some musicologists. Premise (2) follows from the thought that the existence of musical classics in a society is necessary for the existence of a rule of permanence in that society; we

⁵⁰ See Weber 1992.

cannot have a rule of permanence without the existence of musical classics. Premise (3) follows validly.

However, while the musicological jury may not have conclusively rendered a verdict, there are very good reasons to reject (1), and accept that there were musical classics before 1800. Two prominent examples can illustrate this. First, there seems to have been a canon of musical classics in seventeenth-century France, in the works of Lully, Lelande, Charpentier, etc. These composers' works were repeated and republished many times, and they seem to have been familiar to the people.⁵¹ Second, there seems to have been a canon in musical classics in fifteenth- and sixteenth-century Europe. In his book *The Rise of European Music*, Reinhard Strohm traces the "birth of the masterwork" to the late fifteenth century. As we've mentioned, he shows that the medieval composer Phillippe de Vitry was famous in his own lifetime, since his motets spread around Europe.⁵² He identifies Johannes Ockeghem as "the new star of the 1450s".⁵³ The ingenuity of his piece "Missa L'homme armé super voces musicales", says Strohm,

earned the work an enormous reputation. In his first print of Josquin Masses in 1502, Ottaviano Petrucci places this Mass at the beginning; the volume had to be reprinted four times.

Such compositions were popular, and remained that way for some degree of time.

Certainly they remained influential among both common people and medieval composers, the latter of whom, Strohm shows, worked hard to familiarize themselves

⁵¹ See James Anthony 1974: 293-4 for comments about how Delalande's works were published continuously throughout the first half of the 1700s, remaining popular; cf. Ranum 1990.

⁵² Strohm 1993: 67.

⁵³ Strohm 1993: 414. Strohm also argues that composers generally maintained an elevated status in the late 15th century, in Strohm 1993: 127-8.

with works of the past, and did study musical classics.⁵⁴ The Argument from Classics, then, should not be accepted, because the musicological evidence does not fully support (1).

In this section, we have surveyed two kinds of arguments Goehr makes for the claim that there was no rule of permanence before 1800. The first kind of argument is based on the re-use of themes; that argument cannot be sustained. Either Goehr means that the re-use of themes implies that there wasn't a rule of permanence, or she means that the changing of instrumentation implies that there wasn't a rule of permanence. But neither argument stands up to scrutiny; the first simply can't be sustained, since a re-use of themes is consistent with permanence. And, while the second fares better, it isn't consistent with Goehr's claim that there was no repeatability before 1800. The second kind of argument is based on the claim that performances before 1800 were characterized by novelty. This kind of argument cannot be sustained, both because it does not seem as though performances before 1800 were in fact characterized by novelty, and because, even if they were, this would not eliminate the possibility of a rule of prevalence. Even if Goehr were to make a similar argument based on the fact that there were no musical classics before 1800, there would be substantial reason from historical musicology to be skeptical of such an argument.

1.5 Perfect Compliance

Goehr also argues that there was no regulative work concept before 1800, because there was no ideal of perfect compliance. She says that there was no need for a "fully

⁵⁴ Strohm 1993: 616-617. Oxford and Cambridge instituted music degrees in the mid-15th century, which presumably contributed to historical consciousness about great works. See Strohm 1993: 293.

specifying notation,” given “the occasional and transient nature of performances”

(IMMW, 187). She elaborates:

In the early centuries, say, in the sixteenth, it had been believed sufficient to notate the figured bass and the melodic outline, leaving the performance to embellish and perform extempore according to established conventions and taste. Even in the eighteenth century . . . performers were still required to fill in requisite embellishments according to contemporary principles of taste. . . . Performers did not generally play music, then, with the idea of instantiating an already completed work. (IMMW, 187)

What we understand today to be perfect compliance has not always been an ideal and might not be in the future. Actually it is quite peculiar and rather unique. It has characterized classical music practice only for the last 200 years. (IMMW, 99)

Goehr seems to be making the point that, although there may have been additional parts, both the melodic line and the bass line were both mere “jumping-off points” for instrumentalists.⁵⁵ This claim pursues two plausible challenges to an ideal of perfect compliance. The first challenge is that the notation for the bass lines, or *basso continuo*, often signified merely the chord-factor (root, third, etc.) and thus the required harmony, with both the voicing and elaboration left to the performer’s discretion.⁵⁶

Correspondingly, the *basso continuo* instrumentalists were expected to improvise. Since notation was incomplete and performers were expected to improvise, there could have been no ideal of perfect compliance. Goehr’s second challenge is that performers of the melody often embellished or ornamented the melody line within the bounds of

⁵⁵ A brief caveat: Consider Goehr’s claim that musical notation was skeletal before 1800—that composers merely “notate[d] the figured bass and the melodic outline”. On first glance, the claim seems to be that musical notations consisted solely of figured bass and melodic outline. This immediately suggests that there were only two staves in musical notation (a staff for melodic outline and a staff for figured bass), that players of additional parts had to make up their parts as they went along, and that each staff was a very minimal template. However, this suggestion is straightforwardly false of nearly all early European music. For one thing, *multiple* parts have consistently been notated in the European tradition, going back to Medieval plainsong (see Strohm 1993). For another thing, melodic and harmonic points (though not bass continuo parts) were always fairly filled out

⁵⁶ Thanks to Richard Burslem for suggesting this way of describing *basso continuo*.

convention. We'll focus on the second challenge, since it's not clear that *basso continuo* lines, or the playing of such lines, really constitutes a challenge to perfect compliance. Note the difference between these two challenges: while there was clearly a melody line given for instrumentalists from which they could deviate, it's not clear that deviation was expected in the case of *basso continuo*. *Basso continuo* performers still expected to accord with the notations of chordal movement, and that seems sufficient for perfect compliance to the score. So we will primarily focus on the challenge from ornamented melody lines. We can formalize Goehr's argument as follows:

The Perfect Compliance Argument:

1. Musical performance before 1800 was characterized by both improvisation and deviation from the score.
2. Musical performance after 1800 involved neither improvisation nor deviation from the score.
3. If (1) and (2), then there was an ideal of perfect compliance after, but not before, 1800.
4. So, there was an ideal of perfect compliance after, but not before, 1800.
5. But, if there was an ideal of perfect compliance after, but not before, 1800, then there was no regulative work-concept until 1800.
6. So, there was no regulative work-concept until 1800.

Goehr believes that there is historical support for (1) and (2). Premise (3) makes explicit Goehr's implicit premise, that, given widespread improvisation and deviation from the score, there couldn't have been an ideal of perfect compliance. The idea behind (5) is that an ideal of perfect compliance is necessary for a regulative work-concept. Premises (4) and (6) follow validly.

In what follows, I present evidence concerning perfect compliance throughout the history of Western classical music, and I argue that it undermines premises in The Perfect Compliance Argument. First, I present evidence from before 1800. I argue that this evidence supports the claim that there was an ideal of perfect compliance before 1800; as

such, the evidence supports a rejection of (1) Next, I present evidence that there was often no ideal of perfect compliance in performance practice after 1800. I argue that this evidence undermines (2). I then present Goehr with a dilemma. I argue that either she must reformulate the argument so that a universal ideal of perfect compliance is unnecessary, or she must reformulate the argument so that the conclusion is for a watershed date of 1900. Since the second horn of the dilemma seems implausible, I argue that we should reject an ideal of perfect compliance in (5).

Let's begin by examining premise (1). From a historical point of view, Goehr's point in premise (1) has some precedent, at least if it is restricted to chamber music.⁵⁷ As we have seen, David Schulenberg thinks that improvisation could be of paramount importance for Baroque musicians—so much so, in fact, that he thinks music was mostly written out for pedagogical purposes.⁵⁸ James Anthony notes that improvisation played a substantial role in much French dance music from the early seventeenth century: “Like modern jazz musicians with their ‘lead sheets’ or ‘fake books’, many of the men simply worked from a dance melody to which the bass and inner voices were added, hopefully, in rehearsal.”⁵⁹ Performing members of Handel's orchestra “often guarded their own

⁵⁷ Recall Anthony's claim (1974: 297) that these embellishments occurred in chamber music and not in orchestral music. Presumably the reason for this is that if everyone embellished all of their parts in orchestral music, the resulting sound would be messy and discordant. The consequence of all this is that Goehr's argument from perfect compliance is restricted to chamber music—it cannot include orchestral music.

⁵⁸ Schulenberg 1995; cf. Schulenberg 1982.

⁵⁹ Anthony 1974: 290. Anthony goes on to say that “It is conceivable that much of the repertory served both the *Confrerie* and the court and was committed to memory much the same as the standard ‘pop’ tunes of today.” Cf. Tunley 1983, esp. pp. 21 and 77.

prerogative of improvisation with jealousy.”⁶⁰ We should accept that, for many composers, there was no ideal of perfect compliance.

However, we should also accept that, for many other Baroque composers, there *was* an ideal of perfect compliance. Couperin “took infinite pains over the notation of his ornaments”, and established a standard way of writing out particular ornaments by the early 18th century.⁶¹ The same notational exactness is also ascribed to (for example) Bach,⁶² Handel,⁶³ the early French Baroque composer Leclair,⁶⁴ and most 17th century Italian music.^{65, 66} This may seem at first to be puzzling: how can both views be right? However, I believe that the seemingly conflicting evidence points to a more likely conclusion: that Goehr has overly simplified what was actually a plurality of traditions across region, time, individuals, and performance traditions. We can formalize this view as follows:

The Complex View: Some performance practices exhibited a rule of perfect compliance, and other practices did not.

The Complex View is true of pre-1800 performance practice. It explains both kinds of data we have seen. It also explains why Lully, for example, could be more or less exact in

⁶⁰ Mann 1996: 35. However, Mann also says that Handel could be meticulous in notating every part about his own, because he memorized his own parts. “It was typical of Handel’s artistic disposition that, playing the solo part himself, he saw no need for writing it out in all detail. When he approached the preparation of a score from the point of view of the conductor indicating directions for the orchestra, he could be as meticulous as Bach, who took infinite care in making his manuscripts explicit. But wherever he wrote for himself, a mere sketch was the rule, leaving the more elaborate execution of his part ‘ad libitum,’ i.e., ‘at the whim’ of the performer. It may have been ‘premeditated’, but no more than a mere outline was committed to paper.” (pp. 33-34)

⁶¹ Higginbottom 1986: 195-6. Cf. p. 197; Tunley 1983: 72.

⁶² David and Mendel 1966: 250; cf. Hochreither 2002.

⁶³ Mann 1996: 33-34.

⁶⁴ Anthony 1974: 325.

⁶⁵ Allsopp 1999: 135.

⁶⁶ Strohm believes that composers in the 15th century had tight control over the performances of their music, in terms of notation. He argues that, although there were some improvisatory elements which they did not have control over (basso continuo), they had tight control over melodic, rhythmic, and contrapuntal aspects. See Strohm 1993, p. 44.

prescribing ornamentation, depending on which orchestra he was writing for: “Lully forbade the group [the *Petits Violons*] to indulge in the sometimes excessive ornamentation and haphazard improvisation techniques that characterized performances by the ’24 violons du Roi’.”⁶⁷ Allsopp reinforces this view, pointing out the plurality of performance traditions just in Italy:

Composers were not necessarily averse to writing out their own ornamentations, for Colombi’s manuscripts include introductions which consist of bare outlines and others with quite florid melodic lines. On the other hand, Italian attitudes to embellishment were by no means as unequivocal as is generally supposed: a stream of seventeenth-century composers from Cima to G.M. Bononcini expressed their contempt for the practice, and even the famous singer Siface preferred to rely on expressive devices such as the *messa di voce* rather than on embellishment.⁶⁸

Since The Complex View is correct about pre-1800 music, then premise (1) of The Perfect Compliance Argument is incorrect; it’s wrong to say that there was no rule of perfect compliance before 1800. While this rule may have been absent from some traditions, it was present in others.

We should also reject (2) for a corresponding reason. Since the publication of Goehr’s book, recent research by David Ferris, Kenneth Hamilton, and Jim Samson has shown that there was no ideal of perfect compliance throughout the nineteenth century to the extent that there is today, especially in piano recital culture.

According to Hamilton, “[t]he spectrum of attitudes in the nineteenth and early twentieth centuries to the interpretation of the written score was weighted very differently

⁶⁷ Anthony 1986: 4; cf. Anthony 1974: 10, 42.

⁶⁸ Allsopp 1999: 135. John Butt has also noted Goehr’s tendency to simplify the entire era of pre-1800’s European music. “[Goehr] tends to homogenize the considerable history of western music up to the end of the eighteenth century...” Butt 2002: 63. ,

from modern standard practice.”⁶⁹ In his book *After the Golden Age*, Hamilton gives extensive examples both from written and recorded music history which shows that most pianists (Liszt, Clara Wieck Shumann, Rubinstein, eg.) felt free to take liberties in ornamentation and embellishment.⁷⁰ “Improvisation, unmarked arpeggiation of chords, and tempo flexibility”—the same properties that Goehr takes to show that there was no regulative work-concept before the romantic age—were, Hamilton claims, “an important feature of much romantic performance practice”.⁷¹

Indeed, Hamilton shows that this attitude continued even into the beginning of the twentieth century. For example, Hamilton writes that the pianist and conductor Anton Rubinstein, considered a “conservative” in his time (the late nineteenth century) in terms of his respect for notation, would be considered very liberal by our modern standards of perfect compliance:

Anton Rubinstein summed up a general attitude when he advised his piano students to begin by learning a piece exactly as the composer wrote it. If subsequently some things still seemed capable of improvement, then the pianist should not hesitate to alter them. Rubinstein’s approach was actually far stricter than that of some of his contemporaries, who omitted the first stage entirely.⁷²

David Ferris has made a similar claim. Based on first-hand reports from private piano concerts of the mid-eighteenth century, Ferris claims that attendants at these concerts were concerned merely with the transient and improvised artistry of the performers, not with the works performed. These sorts of concerts regularly involved improvisation and

⁶⁹ Hamilton 2008: 21.

⁷⁰ Hamilton mostly focuses on Liszt’s liberties in particular. See Hamilton 2008: 190-194; cf. p. 204.

⁷¹ Hamilton 2008: 31. Note that not all pianists were so liberal with improvised ornamentation and improvisation; Hamilton shows that Mendelssohn resented having to play in this way, and eventually stopped improvising ornamentation or passages altogether (p. 46, 195).

⁷² Hamilton 2005: 173.

significant departure from the score.^{73, 74} Such evidence suggests that The Complex View characterizes much performance of the nineteenth century as well. Thus we should reject premise (2) of The Perfect Compliance Argument.

Indeed, given that both pre- and post-1800 performance practice is characterized by The Complex View, we have an important continuity between the two time periods. The Complex View characterizes both romantic music and Baroque music; a difference in attitudes about notational compliance does not divide romantic performance from pre-1800 performance.⁷⁵ Thus any ideal of compliance that is loose enough to align with the attitudes of people such as Rubinstein will easily include the music of “looser” Baroque composers.

The continuity of The Complex View throughout musical history also seems to tell against the claim in premise (5) of The Perfect Compliance Argument, that a rule of perfect compliance is a necessary feature of the regulative work-concept. Indeed, Hamilton believes that our modern, universalized ideal of perfect compliance is a result of recording technology: “Audiences are now used to the idea that what they should hear at a concert is what they would hear on a recording.”⁷⁶ But then, since popular recordings

⁷³ Ferris 2003: 354-5.

⁷⁴ Counterexamples to Goehr’s claim (that there was an ideal of perfect compliance after 1800) are not limited to chamber music, either. Tibor Szasz points out that Beethoven, for example, had “continuo indications in his five piano concertos and the Triple Concerto, as well as in his Mass in C major Op. 86 and the *Missa solemnis* Op. 123”. Furthermore, the instructions for how to realize this continuo are often vague. If Goehr wants to rule *basso continuo* out of court, she will rule these pieces out as well—pieces which are paradigmatic examples of musical works. See Szasz 1994: 2; cf. Szasz 1988-89.

⁷⁵ For a different opinion on these arguments, see Samson 2003. Samson accepts that romantic piano culture encouraged embellishment and individualistic ornamentation. However, he denies that this tells anything about musical works. For, he argues, 18th century piano-recital culture was fundamentally opposed to the orchestral culture of note-perfect musical works (a trend actualized before the advent of recording technology). But I do not find Samson’s argument compelling. The claim that piano-recital culture was opposed to musical work culture seems mere conjecture; Samson offers no solid historical evidence for his claim.

⁷⁶ Hamilton 2008: 138; cf. p. 97.

are very a recent phenomenon, this makes the universalized ideal of perfect compliance a similarly recent phenomenon—less than a hundred years old. The suggestion that an ideal of perfect compliance is simply part of musical work-practice is, simply put, a myopic suggestion. Goehr has underestimated the influence that recording has had on musical listening and performance—she has assumed that our extreme ideal of perfect compliance is the same as the ideal that characterized Romantic musical performance.⁷⁷

If Goehr maintains that an ideal of *completely* perfect compliance is necessary for a regulative work-concept—compliance in its extreme form, universalized by the presence of recordings—then it seems she will have to accept one of two claims, depending on how she construes the way that an ideal of perfect compliance is necessary for a regulative work-concept. However, as I will argue, both of these claims have unacceptable consequences; and neither claim allows Goehr to sustain a watershed date of 1800 in any case. We'll continue by examining both of these options.

On the one hand, Goehr might say that universal acceptance of a rule of perfect compliance is necessary for a regulative work-concept. On this view, there is no rule of perfect compliance, in the sense Goehr takes to be necessary for a regulative work-concept, unless *every* relevant person (say, everybody in the Western classical performing tradition) performs under such a rule. If Goehr accepts this position, she will

⁷⁷ Richard Taruskin, for example, contrasts “orality”—that is, improvisatory music—from “literacy”—that is, perfectly compliant music. He explains that both kinds of music have always been around: “Like [Francesco da Milano, a medieval *ricercare*], and like Paganini and Liszt when performing, [many musicians] work primarily in an oral medium. While there is certainly some contact between their art and preserved musical texts of various kinds, it is a secondary contact of a sort already available to Francesco da Milano. But it did not constitute his art, the way the music text of a Willaert or a Buus constituted the *ars perfecta* in Francesco’s time, or a symphony by Beethoven in Paganini’s time, or a string quartet by Arnold Schoenberg in Frank Sinatra’s time.” Taruskin 2005: 617. Interestingly, Taruskin uses “classical” examples of oral traditions for every century except the twentieth.

need to hold that the regulative work-concept is only one hundred years old, instead of two hundred years old. That is, she will need to accept a watershed date of 1900.

A watershed date of 1900 is at odds with Goehr's general programme, of course. Goehr claims that the work-concept essentially involves a Beethoven prototype, but of course it is difficult to see how this is the case if Beethoven's music is not even actually regulated by the work-concept.

In fact, a case could be made that, if a universal rule of perfect compliance is necessary for a regulative work-concept, then there has never been a regulative work-concept. For Hamilton's claim that there has been a universalized rule of perfect compliance since 1900 might be challenged. We might say that composers still haven't shown total agreement about how much freedom they wish to allow for embellishment and ornamentation. Stravinsky and Bartok, for example, took opposite sides on this debate in the middle of the last century. Aaron Copland considered himself to be taking middle ground in 1970, when he wrote:

Honesty compels me to admit that the written page is only an approximation; it's only an indication of how close the composer was able to come in transcribing his exact thoughts on paper. Beyond that point the interpreter is on his [sic] own. That attitude ["just play the notes"] blithely ignores the insufficiencies of musical notation. ... The only sensible advice one can give a performing artist is to ask that a happy balance be found between slavish adherence to inadequate signs and a too liberal straying from the clear intentions of the composer.⁷⁸

Indeed, the past decade in classical performance has shown a revival in more improvised, less note-perfect, classical performances, at least from some corners. The conductor Will Crutchfield has been recently noted in *The New Yorker* for "campaigning for a return to

⁷⁸ Copland 1970: 50.

spontaneity and idiosyncrasy”, by rejecting an ideal of perfect compliance.⁷⁹ Such examples give reason to believe that the debate in the Western European classical tradition concerning the extent of notational compliance is, and will remain, a live one. If this claim is right, then an ideal of perfect compliance does not universally characterize Western Classical performance at any time, including the most recent one. If Goehr requires a universalized rule of perfect compliance for a regulative work-concept, then, she is in danger of being committed to the claim that there has never been a regulative work-concept, since there may have never been a universalized rule of perfect compliance. Even if Hamilton is right and there has been a universalized rule of perfect compliance since 1900, however, Goehr would be committed to a watershed date of 1900.

Alternatively, Goehr might say that universal acceptance of a rule of perfect compliance is not necessary for a regulative work-concept; it is not necessary for a rule of perfect compliance (in the sense Goehr is concerned with) that *everybody* performs under a rule of perfect compliance. Rather, she might say that a rule of perfect compliance (one, in Goehr’s sense, which is necessary for a regulative work-concept) is in place only where there are people who perform under rule of perfect compliance. So we can say, for example, that while Liszt did not perform under a regulative work-concept, Mendelssohn did. This is the case because Mendelssohn performed with a rule of perfect compliance, and Liszt did not. According to this position, however, the history of Western classical music has been fractured and divided throughout its history. For recall that most of Western music can be characterized by The Complex View. If Goehr holds that a

⁷⁹ Ross 2009.

(localized) rule of perfect compliance is necessary for a regulative work-concept, then, throughout its history, there is a fundamental divide between music regulated by the work-concept—music regulated by an ideal of perfect compliance—and music which is not regulated by the work-concept—music not regulated by an ideal of perfect compliance. But we—musicologists and common listeners alike—do not view the history of Western music as fractured in this regard. Further, this position would imply that Liszt, for example, did not compose under a regulative work-concept. In addition, this position also has the consequence that there was an ideal of perfect compliance long before 1800. For, as we saw in our support for The Complex View, there were early pre-1800 performing traditions in which there was an ideal of perfect compliance, just as there were post-1800 performing traditions which lacked such an ideal. But, since it is sufficient for an ideal of perfect compliance (in Goehr's sense) just for some performing traditions to use such a rule, then we can say that there was an ideal (in Goehr's sense) far before 1800. So position on a requirement for perfect compliance does not support a watershed date of 1800.

We've seen that neither (1) nor (2) stand up to historical scrutiny. In addition, If Goehr accepts the claim behind (5), that an ideal of perfect compliance is necessary for a regulative work-concept, then she must accept either that there was no regulative work-concept before 1900, or that the history of Western music has been fractured throughout time. Both of these options, however, seem implausible, and we have no immediate reason to accept either consequence. Given such implausibility, then, we should reject the claim behind (5), that an ideal of perfect compliance is necessary for a regulative work-concept.

1.6 Autonomy

So far, we have considered whether a watershed thesis is plausible for four of the rules that Goehr thinks are necessary for the musical work-concept to be regulative. In this section, I consider Goehr's argument from the rule of autonomy. I will begin by explaining what autonomy is—both in Goehr's words and in the words of other musicologists—and by giving Goehr's argument from autonomy. I continue by briefly explaining why the argument avoids an objection that has been raised against it. I will show that the autonomy plays a large role in the musicological "age debate"; that is, in the debate among musicologists about Goehr's watershed claim. Musicologists who reject Goehr's watershed claim hold to one view about the proper application conditions of autonomy, and musicologists who accept Goehr's watershed claim hold to a different view about the proper application conditions of autonomy.

What Is Autonomy?

Goehr describes an autonomous practice as one that is "independent", "depending on nothing ultimately but itself—its own internal ideals and its own medium—for its functioning, power and significance" (IMMW 148).⁸⁰ Goehr's basic point here is similarly that a musical work, being independent, is not subject to "extra-musical" constraints (IMMW 148). Richard Taruskin explains autonomy as

the notion from which all the others stem—namely, that a piece of music worthy of consideration as such ought to be able to stand timelessly on its own two feet. What is demanded [for work-hood] is that [music] have an existence independent of its context, its observers, and particularly its users. This is called the principle

⁸⁰ She says elsewhere that "independence [is] characteristic of an autonomous and work-based practice" (IMMW, 178-179).

of autonomy, and it is pretty universally regarded today as a requirement for aesthetic appreciation—that is, for evaluation as a work of art.⁸¹

On the most natural reading of Goehr's and Taruskin's comments, to say that there is a rule of autonomy means that musical products are created for a setting in which they are accepted as the sole object of attention, and where they are not taken to serve some extra-musical (say, political, religious, or social) purpose. Admittedly, both these explications of autonomy, as well as my tentative explanation, are somewhat vague. But we needn't worry about definitional details of autonomy. Musicologists do not really disagree on what autonomy is; and thus, the details of autonomy will not arise as an issue in this section. Neither do we need to connect this to the substantial literature on autonomy in philosophical aesthetics.

Goehr claims before 1800 most musical performances were written to serve a function within political or religious settings, "'as an act of religion' or as an act of ceremony" (IMMW 187). Goehr claims that this is the case because of the way music was commonly treated: (a) music was functional, since it was "appreciated by the public because it served this or that occasion"⁸²; and (b) music was not an object of aesthetic attention, because audiences didn't regard music as an independent object of aesthetic attention (music was "not so much listened or attended to, as it was worshipped, danced, and conversed to"⁸³). Though Goehr also appeals to data directly from composers, she often does so just to emphasize how much they had to accommodate and endure the attitudes of common folk (including patrons), who did not have a conception of

⁸¹ Taruskin 2005: 64-65; cf. pp. 144, 541-542.

⁸² Goehr, *Imaginary Museum*, p. 186.

⁸³ Goehr, *Imaginary Museum*, p. 193.

autonomy.⁸⁴ Such facts, meant to establish that there was no rule of autonomy before 1800, assume the following principle:

Folk Grounding: There is a rule of autonomy only if musical products are generally treated as autonomous in folk (or popular) conceptions and practices.

Though Goehr also appeals to data directly from composers, she often does so just to emphasize how much they had to accommodate and endure the attitudes of the folk (including patrons), who did not have a conception of autonomy.⁸⁵ Goehr's thought, then, is that, in these sorts of pre-1800 functional contexts, the folk did not treat music as autonomous. But, if it was not treated by the folk as autonomous, then there was no rule of autonomy. We can formalize this argument as follows:

The Folk Autonomy Argument:

1. Music was considered to be functional by the folk before 1800.
2. Music wasn't an object of aesthetic attention by the folk before 1800.
3. If (1) and (2), then the folk did not treat musical products as autonomous before 1800.
4. The folk did not treat musical products as autonomous before 1800.
5. If the folk did not apply a rule of autonomy to musical products before 1800, then there was no rule of autonomy before 1800.
6. So, there was no rule of autonomy.

Goehr takes (1) and (2) to follow from the historical evidence. Premise (3) is motivated by the thought that, if music is treated functionally and not as an exclusive object of aesthetic attention, then music is not treated autonomously. Premise (5) is a consequence of Folk Grounding, and (4) and (6) follow validly.

⁸⁴ For example: Goehr points out that, because of the demands of patrons, "[e]arly musicians did not have the privilege of expecting performances to fit their music. They generally had to content themselves with fitting their music to performances." (Goehr, IMMW p. 197) Goehr's notion of composers "contenting" themselves with folk expectations—and, thus presumably having a different conception of their music than patrons and ordinary people—recurs throughout her explication of historical performance practice.

⁸⁵ For example: Goehr points out that, because of the demands of patrons, "[e]arly musicians ... generally had to content themselves with fitting their music to performances." (Goehr, *Imaginary Museum*, p. 197) Goehr's notion of composers "contenting" themselves with folk expectations—and, thus presumably having a different conception of their music than patrons and ordinary people—recurs throughout her explication of historical performance practice.

James Young has argued against premise (2) that “prior to [1800] music was often the exclusive object of aesthetic experience.”⁸⁶ He thinks that Goehr has inflated the historical data about inattentive audiences. In defense of this claim, he cites (mostly English) first-hand accounts of musical experience, taken from diaries, journals, and letters. These accounts seem to show that, even in situations of mixed-media art, there were still some people who focused exclusively on music. Indeed, such examples are not limited to England. Consider two distinct accounts of Corelli’s “well-nigh celestial harmony” at a performance in 1687, which, according to one of the accounts, “rendered the audience ecstatic”.⁸⁷ Such reports only seem possible if the listeners were paying close attention to the music.

However, it seems that Young has misdirected his evidence, since he does not present us with sufficient evidence to deny (2) of The Folk Autonomy Argument. Instead, he seems to direct his evidence towards affirming that *sometimes*, music was the exclusive object of aesthetic attention. But this does not necessarily imply that the folk, generally, treated music as the object of aesthetic attention. Indeed, Young does not seem to recognize that Goehr’s argument relies on Folk Grounding. Given Folk Grounding, Goehr can both accept Young’s claim that the folk sometimes treated music as an object of aesthetic attention, along with Young, and affirm premise (2) of The Folk Autonomy Argument. For, she will say, while there may be some outlying individuals who treat music as autonomous, music was not autonomous if it was not *popularly* thought of as autonomous. And Young has not presented enough evidence for the claim that the folk generally thought of music as autonomous. Goehr can thus dismiss the experiences which

⁸⁶ Young 2005: 175-184.

⁸⁷ Allsopp 1999: 44.

Young points to as either outlying accounts, or the accounts of experts. The Folk Argument for Autonomy is not threatened by the counter-examples presented by Young.

The Folk Autonomy Argument in the Age Debate

The Folk Autonomy Argument has special importance, because most musicological discussion of Goehr's work focuses on the rule of autonomy, and thus on this argument. In the remaining chapters, I will show that it is often the case that musicologists' disagreement about Goehr's watershed claim rests just on a disagreement about the proper application conditions for a rule of autonomy. To show this, however, we must look into the musicological debate that Goehr has sparked. Let's begin by brief explanations of the opposing camps in the Age Debate.

Those who endorse a watershed date of 1800 can be called, simply, "Newists", and their view can be formalized as follows:

Newism: There was no regulative work-concept until 1800.

Newism can be seen to originate in claims made by Carl Dahlhaus and other German musicologists in the 1970s and 1980s; however, the view received special prominence only after it was taken up and defended by Goehr in *Imaginary Museum*. Goehr's intended readers, analytic philosophers of music, were generally somewhat hostile to her book. But it has been received warmly and defended by many musicologists, including Michael Talbot,⁸⁸ Jim Samson,⁸⁹ and—most prominently—the famous musicologist Richard Taruskin,⁹⁰ who wrote the introduction to the 2007 revised edition of *Imaginary*

⁸⁸ See Talbot 2000.

⁸⁹ See Samson 1994, Samson 2003.

⁹⁰ See Taruskin 1995, Taruskin 2006.

Museum. Goehr's claims and her terminology (especially her term 'work-concept') have significantly influenced musicological research, frequently occurring in musicological books and journal articles.⁹¹

Before the publication of Goehr's book, Newism was not the standard view among musicologists (and indeed, among listeners). The standard view was what we'll call "Oldism":

Oldism: There was a regulative work-concept before 1800.

Leeman Perkins, Reinhard Strohm, and Harry White have defended Oldism, usually in direct opposition to Goehr;⁹² they preserve the commonly held belief that composers such as Bach, Handel, and Vivaldi operated under a regulative work-concept. Leeman Perkins, for example, claims that "the concept of a musical work as an identifiable ontological entity began to take shape long before the 1800s".⁹³ Perkins and Strohm believe that there was a regulative work-concept since the 1480's. We will continue by examining Oldist arguments that there was a regulative work-concept before 1800, and another Newist argument that there was no regulative work-concept before 1800.

Oldists argue against a watershed date of 1800 by appealing to the presence of autonomy before then. But, unlike Goehr, they do not establish the presence of autonomy by pointing to folk conceptions. Rather, they tend to establish autonomy by appealing to data about (a) attitudes of composers, and (b) formal artistic development in particular pieces. In *The Rise of European Music*, Reinhard Strohm claims that autonomous

⁹¹ In addition to the many books and articles listed here, see, e.g., Butt 2005, Ferris 2003, Hunter 2005, Samson 2001, Sisman 2008, Weber 1997.

⁹² See Strohm 1993, Strohm 2000, White 1997, Perkins 2003.

⁹³ Perkins 2003: 16. All three believe that musical works existed as far back as the late fifteenth or early sixteenth century.

masterworks date back to 1480, well before Goehr's date of 1800. Using historical data and musical analysis, Strohm argues that early renaissance composers were trying to emulate and outdo each other in formal composition.⁹⁴ Thus, led by Ockeghem in the 1480's, they thought of their music as individuated, original, and *autonomous*.⁹⁵ According to Strohm, "the greatest flaw of [Goehr's] arguments is the idea that function or relevance for social practices should, generally, have been a hindrance to music's possession of work-character".⁹⁶ In notable contrast to Goehr, Strohm focuses on the intentions and conceptions of composers, rather than the ordinary conceptions of common folk.⁹⁷

Leeman Perkins and Harry White make similar appeals to composers' conceptions. Perkins claims that the Age Debate ultimately amounts to "whether or not musical compositions were seen (and heard) as fixed identifiable artifacts that were both reproducible and transportable before ... 1800".⁹⁸ He argues that musical compositions were indeed seen as such, by appealing just to conceptions of late renaissance composers (and not popular conceptions). Likewise, White explains the injunction of the composer Johann Fux to a younger composer, that he study the music of other composers, in an early eighteenth-century document called the *Gradus*:

⁹⁴ Strohm 1993: 9; cf. pp. 616-617. For a similar statement of this claim see Taruskin 2005: 226-227, 247, 352, 484, e.g., and especially both p. 608, where he calls such art "academic art", and pp. 474-5, where he writes: "The dynasties of composers and of compositions that so distinguished the fifteenth and sixteenth centuries were dynasties of emulation. Works of 'high' style became models for other works that aspired to highness in a spirit at once of submission to a tradition and mastery of it, and in a spirit at once of honoring and vying with one's elders." Though he agrees with Strohm, Taruskin does not seem committed to anything like Expert Grounding.

⁹⁵ Strohm 1993: 447, cf. pp. 127-8; 222-224.

⁹⁶ Strohm 2000: 139; cf. Strohm 1993: 542.

⁹⁷ Strohm does occasionally deal with ordinary conceptions, pointing out that composers achieved a level of fame in the late 15th century (Strohm 1993: 127-8). But given above quotes, this is not relevant to grounding for him.

⁹⁸ Perkins 2003: 18.

[T]he *Gradus* derives its authority and sense of purpose from the achievement and independent existence of individual art works. ... We need not, in short, put inverted commas around the statement that Johann Joseph Fux composed musical works. From this I take it as axiomatic that the same can be said of Johann Sebastian Bach. Not only now, but then.⁹⁹

White thinks that Fux's treatment of musical products gives evidence for thinking that Fux had a conception of music as autonomous. According to White, Goehr's conditions for autonomy depend too much on the attitudes of audiences. The fact that composers saw each others' music as art-works—as autonomous—is something that he takes to be sufficient evidence in favor of Oldism.

Such claims are fundamentally at odds with Goehr's. On these views, autonomy is realized where there is merely a conception of it by composers. We can formalize this view as follows:

Expert Grounding: music is autonomous iff there is a conception of music as autonomous by experts/composers.

Similarly, we can formalize Oldist arguments in the following way:

The Expert Autonomy Argument:

1. Composers attended aesthetically to music before 1800.
2. Composers engaged in formal artistic development of their musical genres.
3. If (1) and (2), then experts treated musical products as autonomous before 1800.
4. Experts treated musical products as autonomous before 1800.
5. If experts treated musical products as autonomous before 1800, then there was a rule of autonomy.
6. So, there was a rule of autonomy.

Premises (1) and (2) are taken to follow from historical evidence. Premise (3) follows from the thought that aesthetic attention and formal artistic development are good indicators that composers treated considered their music to be autonomous. Premise (5) follows from a commitment to Expert Grounding. Premises (4) and (6) follow validly.

⁹⁹ White 1997: 101.

Similarly, other Newist defenses from autonomy—not just Goehr’s—are characterized by a commitment to Folk Grounding. Consider Michael Talbot, who endorses Newism. He claims that, unlike contemporary musical work practice, pre-1800 musical work practice was not a “composer-centred” practice.¹⁰⁰ Like Goehr, Talbot’s defense of this claim relies explicitly on Folk Grounding; he requires a “leap in the public imagination from artisans to artists”.¹⁰¹ Thus music was not a composer-centred practice before 1800, just because there was no such *folk* conception at that time. Talbot elaborates on the basis for this claim:

In Western art music composers themselves, and probably many performers and some patrons along with them, have always ‘sorted’ music first by composer. But that is really no more significant than to observe that violin-makers take a keen interest in what their colleagues do.¹⁰²

Just like Goehr, Talbot is committed to Folk Grounding: the view that there is a rule of autonomy only in virtue of folk or popular conceptions; autonomy is present only if there is a popular conception of it. Composers’ or experts’ conceptions are not enough to ground autonomy. I will argue in the next section that the debate, when it concerns autonomy, rests just on the question of whether Folk Grounding or Expert Grounding is true; it does not rest on history.

What the Age Debate Amounts to

Considering both The Folk Autonomy Argument and The Expert Autonomy Argument helps us get clearer on where the musicological debate often rests. However, we should

¹⁰⁰ It’s worth noting here that musicologists usually take composer-centredness to be something like a component of (or a necessary requirement for) the property of autonomy (See Goehr, IMMW, ch. VII). Given the conceptual weight of composer-centredness, the kind of claim made by Talbot is substantial.

¹⁰¹ Talbot 2000: 173.

¹⁰² Talbot 2000: 173.

begin by noting where the musicological debate, when it focuses on the property of autonomy, does not rest. First, both agree that presence of *autonomy* is, generally, necessary and sufficient for the musical work concept to have regulative force.¹⁰³ Both Oldists and Newists take the presence of autonomy at a time to be sufficient evidence for a regulative work-concept at that time. And oppositely, they both believe that the absence of autonomy is sufficient evidence against the existence of a regulative work-concept at that time. Goehr appeals to autonomy (and to the lack of it before 1800) to establish her Newist claim; and Perkins, White, and Strohm all attempt to rebut Goehr's claim by showing how musical products were created as independent artistic objects before 1800, and thus were indeed considered to be autonomous. Furthermore, there's agreement across the board that musical autonomy is only actualized when there is *a conception of music as autonomous* at that time. As Taruskin says, autonomy is thought of by musicologists as "the notion from which all others stem"; a rule of autonomy is taken as the primary thing that is necessary for a regulative work-concept.

Oldists and Newists do not disagree over the general historical picture, either. If it did, then the historical claims—that is, premises (1), (2), and (3)—of The Folk Autonomy Argument would be inconsistent with the historical claims—that is, premises (1), (2), and (3)—of The Expert Autonomy Argument. But the historical claims of the two arguments are consistent with each other—and indeed, consistent with a commonly accepted general picture of history. Consider such a picture presented twenty-five years ago by Carl

Dahlhaus:

¹⁰³ Autonomy is important to many musicologists. It plays an important role in Dahlhaus's classic characterization of musical works in Dahlhaus 1982. Taruskin refines the notion of autonomy in Taruskin 1995, making it essentially a special kind of (intentional) relation between performance, work, and text. See also Butt 2002.

...the idea that music is exemplified in works, no matter how firmly rooted it has become in the past century and a half, is far from self-evident. The beginnings of this idea extend back into the sixteenth century. ... Lisentius [in 1537] puts the accent on the musical text, not the performance. .. Lisentius's notion, however, that music might be an *opus absolutum*, a work in itself, freed from its sounding realization in any present moment, suffused only around 1800 into the consciousness of 'connoisseurs and amateurs.'¹⁰⁴

The core of Dahlhaus' claim here is that composers thought of their music as autonomous before 1800, and common folk did not think of music as autonomous before 1800. But this is consistent with premises (1), (2), and (3) of The Folk Autonomy Argument, and it is consistent with premises (1), (2), and (3) of The Expert Autonomy Argument. Since the disagreement does not hinge on these historical premises, the debate, when it is focused on autonomy, is not a debate over the general historical picture. Indeed, both Talbot and Goehr seem willing to allow that experts thought of their music as autonomous before 1800. And Oldists such as Strohm and White seem willing to allow that the folk did not think of musical products as autonomous until 1800.

The disagreement often hangs not on the definition of autonomy, or on the historical picture, but about the application conditions for a rule of autonomy; that is, it hinges on whether Folk Grounding or Expert Grounding is correct. Touching on this idea, John Butt has noted that

the move towards the profiled composer and the perfection of individual works (as was happening in the fourteenth and fifteenth centuries, if not before) is precisely that character which Reinhard Strohm considers essential for the European tradition. ... What is unique to this later conception—Goehr's 'work concept'¹⁰⁵—are the specific social, aesthetic, and analytic practices attached to music...

¹⁰⁴ Dahlhaus 1982: 10-11; for a similar claim see Taruskin 2005: 226-228.

¹⁰⁵ Butt 2002: 63

And Willem Erauw has framed the debate in similar terms:

Lydia Goehr ... sees music in a much broader social sense [than White]. She ... [focuses] on questions such as: which music was played and how was it experienced? ... Above all, we have her audience-orientated approach in which listening to the canon after 1800 was different to listening to music before 1800.¹⁰⁶

The thrust of these passages is that, while Goehr looks takes a rule of autonomy to be realized in “social practices” which reveal popular attitudes, Strohm takes a rule of autonomy to be realized in composers’ attitudes—in their “perfection of individual works”. The difference between them is whether Folk or Expert Grounding is true. Deciding between these two positions is a philosophical matter, which deserves philosophical attention. It is beyond the scope of this chapter to address this matter fully; my aim here is only to note that Goehr’s argument for autonomy turns on a philosophical position. While she has not defended this position, it may be defensible.

In this chapter, we’ve surveyed Goehr’s arguments that five of the six concepts did not operate as rules before 1800. I hope to have shown that Goehr’s arguments for a Watershed Claim from permanence, repeatability, composition, and perfect compliance, are not sound; there were in fact rules of permanence, repeatability, composition, and perfect compliance before 1800. I’ve argued further that a rule of perfect compliance does not seem necessary for a regulative work-concept. And finally, I’ve argued that Goehr’s argument from autonomy depends on whether Folk Grounding is correct. While the argument from autonomy seems to be Goehr’s strongest argument, its success hinges on a philosophical position which requires more philosophical research.

¹⁰⁶ Erauw 1998: 112

Chapter 2: Regulative Concepts

2.1 Introduction

Goehr's case for a watershed date crucially relies on the notion of regulative concepts, since her claim is just about the emergence of the regulative work-concept. My goal in this section is to clarify what Goehr means by "regulative concepts". In what follows, I'll argue first that the existence of a regulative concept such as repeatability doesn't mean just that repeatability is prevalent in some society. Following Goehr's suggestions, I'll argue that regulative concepts are more properly understood as essentially action-guiding—which involves more than just prevalence. But there are two ways to cash out how a concept could be action-guiding: either it *explicitly* guides action (so that the action-guidance is conscious in the minds of performers), or it *implicitly* guides action (so that action-guidance isn't conscious in the minds of performers). I'll argue that the second account is preferable to the first.

2.2 The Basic Idea behind Regulative Concepts

Let's begin by getting a basic idea of what regulative concepts are. Goehr says that they "indirectly suggest to the participants of a practice that only certain beliefs and values are to be held and only certain kinds of actions are to be undertaken", and further, that "when we act in accordance with a regulative concept . . . we act on our beliefs and values articulated in terms of constitutive rules" (IMMW, p. 104). Regulative concepts, then, involve normativity. For example: for the concept of repeatability to be regulative, there must be a normative force present such that people think that it's right to think of musical

products as repeatable, and wrong to think of them as non-repeatable. In the case we are discussing, then, Goehr's claim is that participants of musical practice after 1800 take the concepts (a)-(f) to have normative force—concepts, recall, of composition, repeatability, performance, autonomy, and perfect compliance. Before 1800, however, there was no normative force on participants to follow those rules. I wish to continue by disambiguating further what regulative concepts are.

Before we continue, a brief clarification is in order. When Goehr discusses regulative concepts, it is mostly in the context of her claim that the work-concept is a regulative concept. At present, however, our focus is not on the work-concept itself as being a regulative concept. Rather, we're concerned with the way in which the internal rules or concepts of the work-concept, (a)-(f), are regulative. (I take it that, in order for the work-concept to be regulative, its internal concepts must also be regulative.)

Whatever we say about regulation should no doubt extend to how the work-concept itself is regulative. But it's worth reminding ourselves that we're worried here about how the individual concepts of the work-concept—and not the work-concept itself—is regulative.

2.3 Regulative Concepts as Prevalent Concepts

In the first chapter, we used the notion of prevalence to help understand what it means for there to be no regulation by, for example, the concept of repeatability. We said that, if there was a prevalent practice that conflicted with repeatability—if music was treated as non-repeatable—then there would be no regulative rule of repeatability. We formalized the strategy into an argument form, as follows:

The No Regulation Argument:

1. Prevalent performance practice conflicted with a rule of repeatability before 1800.
2. If prevalent performance practice conflicted with a rule of repeatability before 1800, then there was no regulative concept of repeatability before 1800.
3. So, there was no regulative concept of repeatability before 1800.

In what follows, I will examine the connection between prevalent practices and regulative concepts that is suggested by The No Regulation Argument. I will first examine a potential objection against premise (2) of the argument, and show that the objection is misplaced. I will then examine a view of regulative concepts that's suggested by The No Regulation Argument, which I'll call "The Prevalent Account". On this view, the existence of a prevalent practice which some concept describes is both necessary and sufficient for the concept to be regulative. I'll argue that The Prevalent Account is not an adequate account of regulative concepts.

It may seem that The No Regulation Argument just doesn't work in the first place, because (2) is not strong enough: In order to show that there was a rule against repeatability, we cannot appeal just to the prevalence of a practice which conflicted with a rule for repeatability. For example, consider a society in which murder is prevalent. Would Goehr want to say that there is no rule against murder in societies where murder is frequent? That seems absurd! There are actual societies in which there's a rule against murder, and yet murder is rampant. And likewise, we can easily imagine a society in which there's some kind of (institutionalized, say) rules against repeatability, and perfect compliance, but in which no one follows those rules. So (2) is wrong: we cannot say that there was a rule of no repeatability, just because prevalent practices conflict with this rule.

This objection to The No Regulation Argument seems to suggest a way of modifying The No Regulation Argument. It suggests that Goehr must show that people

were (socially or institutionally) punished, or castigated, if they complied with the work-concept rules before 1800. People faced penalties (say, they got yelled at) when they produced performances that followed a rule of repeatability. If this is right, a proper dialectical strategy to counter Goehr's argument would be to argue that such punishments didn't in fact occur. People could produce repeatable works and not face punishment. And because this was the case, there was no rule against repeatability before 1800. Indeed, there is substantial evidence of people following the work-concept rules without facing penalties, so it seems it would be easy to raise objections to such an argument.

The initial objection is misplaced. It is misplaced because it assumes that Goehr is arguing that there were rules against repeatability (and the other concepts) before 1800—or, in other words, that there was a regulative concept of non-repeatability, non-composition, etc., before 1800.¹⁰⁷ If Goehr was indeed arguing that non-repeatability was a regulative concept—if she was arguing that there was a rule against repeatability before 1800—then she would certainly need to show that people faced penalties when repeatability was followed. And if this was her general claim for pre-1800 practice, she would need to show that there were rules against repeatability, perfect compliance, and so forth, before 1800. However, this is not her claim. Goehr is not arguing that there was a rule against repeatability before 1800; she is merely arguing that there was no rule of repeatability before 1800. She isn't committed to the existence of a rule against repeatability before 1800, or to any other kind of regulation before 1800 (including a rule against perfect compliance, a rule against compositionality, and so forth). All she is committed to is this: the concept of repeatability (e.g.) did not function as a rule before

¹⁰⁷ Whereas the regulative concept of repeatability involves a rule that you should repeat pieces, a regulative concept of non-repeatability involves the claim that you should not repeat pieces.

1800, but it did function as a rule after 1800. As such, it doesn't seem problematic for her if there turn out to be performances which were consistent with the concept of repeatability before 1800.

While the initial objection is misplaced, however, the positive suggestion which came after makes a suggestion about what's necessary for regulative concepts. The idea is that if a concept—for example, the concept of repeatability—is regulative, those who don't treat music as repeatable are punished. More generally, the idea is that regulative concepts essentially involve punishment, or castigation, when they are not respected. We can formalize this as follows:

The Castigation Condition: If a concept is regulative, then individuals who don't respect it are punished.

The initial context in which this suggestion arose is mistaken. It arose in connection with the claim that Goehr is committed to a rule against repeatability before 1800, but as we saw Goehr has no such commitment. However, The Castigation Condition itself does not seem so implausible, and may have implications for an account of regulative concepts generally. While plausible, however, it does not seem consistent with Goehr's account of regulative concepts. Here's why: If The Castigation Condition were a correct interpretation of Goehr's account of regulative concepts, then Goehr would show that, if people violated the rules of the work-concept after 1800, then they would face castigation. However, Goehr does not show this. So, The Castigation Condition is not a condition on Goehr's account of regulative concepts.

The No Regulation Argument suggests a close relation between regulative concepts and prevalent practices; it suggests that certain sorts of prevalent practices are

both necessary and sufficient for regulative concepts. We can formalize this view as follows:

The Prevalent Account: The concept of repeatability is a regulative concept iff there is a prevalent practice of repeatability.

However, it does not seem that The Prevalent Account is correct; prevalent practices of repeatability are neither necessary nor sufficient for a regulative concept. First of all, a prevalent practice of repeatability is not necessary for a regulative concept of repeatability. Just from the mere prevalence of a certain concept or practice, it doesn't follow that the concept or practice is normative. Consider, for example, a musical society in which a practice of repeatability is prevalent; it never occurs to people in that society that there could be musical products which aren't repeatable. Or consider a musical society in which repeatability occurs with most musical products—but in which no one thinks there's anything wrong with non-repeatable musical products. In these societies, the concept of repeatability has no normative force, even though practices of repeatability are prevalent. What goes for repeatability goes for practices described by other concepts of the work-concept; all of these practices might be prevalent, yet not normative. But, as we saw, regulative concepts must involve some kind of normativity. So, prevalence is not a sufficient condition for a concept to be regulative, since it won't provide normativity.

In addition, a prevalent practice of repeatability is not sufficient for a repeatability to operate as a regulative concept. Punishment gives us a good example. Consider an imaginary society in which those who steal face a punishment of death. Certainly, in this society, capital punishment is a regulative concept in that it guides action; it greatly discourages its citizens from stealing. But this can be so, even if the harsh punishment of

death is rarely carried out. There seems, then, to be no necessary connection between a concept's being regulative, and its being prevalent. The Prevalent Account, then, is not a good account of regulative concepts.

2.4 Regulative Concepts as Action-Guiding Concepts

What besides prevalence might we appeal to, to sort out the notion of a regulative concept? It helps here to consider Goehr's claim that the concepts of the work-concept are action-guiding; following this claim, we should view regulative concepts as follows:

Regulative Concepts: Regulative concepts *guide action* in *normative* ways.

The import of 'normative' here is that, if repeatability is a regulative concept, then performers and listeners will take it as correct to treat music as repeatable, and incorrect not to. If the work-concept as a whole is a regulative concept, then musicians and listeners will take it that it is correct to apply concepts (a)-(f) to musical products, and incorrect not to.¹⁰⁸ The import of 'action guidance' is that, if performers take the rules of the work-concept to have normative force, this influences the kinds of actions they take.

Goehr briefly elucidates the relationship between normativity and action guidance:

A final difference between identity conditions and ideals is that the latter, unlike the former, are action-guiding. When we act in accordance with an ideal, we act in a domain of normativity. We are guided by certain beliefs and we develop appropriate skills. (IMMW, 101)

Generally, the thought here is that such action-guidance amounts to the participants of musical practice taking repeatability, perfect compliance, etc., as correct attitudes to take towards particular musical products. So repeatability became regulative in 1800, just

¹⁰⁸ This account of normativity does not necessarily require castigation when a rule is broken; it does not include The Castigation Condition.

because it began to guide action in a normative way. As it guided the actions of participants, the concept of repeatability become normatively reinforced; performers and composers took it to be the case that they should treat music as repeatable, and should not treat music as non-repeatable. Thus there was a normative shift.¹⁰⁹

I'll grant that the account above generally fills out what's required for normativity, and thus for regulation. However, it's an important question how aware of regulative concepts we must be, in order for them to guide action. In particular, are concepts regulative only when they consciously guide the actions of participants? Must the concept of repeatability be obvious and explicit to agents, in order to be regulative? Or, is it sufficient merely if participants unconsciously treat music as repeatable—even if they have no conscious beliefs about repeatability? That is, can the concept of repeatability be regulative if implicit? We'll proceed by investigating both of these kinds of action-guidance: explicit and implicit.

2.5 Explicit Action-Guidance

Let's start with the position that the rules of the work-concept must explicitly guide the actions of participants in order for them to regulate action. On this view, the concept of repeatability is regulative only if participants think explicitly or consciously about repeatability, at least some of the time; people must have repeatability explicitly in mind.

¹⁰⁹ These normative shifts can occur in two ways: The first is what we might call a *normative change*. Repeatability would undergo a normative change if it was normative in one way before 1800, and normative in a different way after 1800. Repeatability guides action—and so is a normative concept—before and after 1800; but after 1800, it guides action in a different way. It is normative in both cases, though the particulars of that normativity change. The second kind of change is what we might call a *normative jump*—a “jump” *into* normativity. Repeatability undergoes a normative jump when it goes from *not* being normative, to *being* normative (or vice versa). Goehr's clearly concerned with the latter, and not the former, kind of normative change; she's concerned with a jump *into* normativity, and not a change between different kinds of normativity.

It is not enough for regulative rules that they guide the actions of people in an unconscious way. Rather, a conscious conception of the rules is required for those rules to be regulative. And indeed, if there is a conscious awareness of the concept of repeatability, repeatability will guide action in a normative way. Let's call this position "Explicit Conception".

Goehr's watershed claim, recall, is based on the fact that the work-concept rules weren't regulative before 1800, but they were regulative after 1800. Under Explicit Conception, there are two ways of understanding an explicit argument for The Watershed Claim. In what follows, I'll explain both kinds of argument, and show that both are unsound.

The first way of understanding an explicit argument is that, for the concept of repeatability to be regulative, people must have an explicit concept of repeatability. So, under Explicit Conception, Goehr's watershed claim would amount to the claim that repeatability was explicitly in mind after 1800, but wasn't explicitly in mind before 1800. Let's proceed by formalizing this argument for Goehr's watershed date, using Explicit Conception. We'll call this argument "The Explicit Argument", since it relies on Explicit Conception.

The Explicit Concept Argument

1. Before 1800, people didn't explicitly have concepts of repeatability, composition, etc.
2. After 1800, people did explicitly have concepts of repeatability, composition, etc.
3. If (1) and (2), then the concepts guided action after, but not before, 1800.
4. So, the concepts guided action after, but not before, 1800.
5. If the concepts guided action after, but not before, 1800, then the work-concept regulated performance after, but not before, 1800.
6. So, the work-concept regulated performance after, but not before, 1800.

The Explicit Argument requires historical basis for premise (1). Rather than affirming (1), however, there are two ways in which the historical record seems to tell against it. The first way is that, before 1800, many composers consciously repeated their own and others' music. It is extremely difficult to imagine that they were not aware that these works were being repeated—that, for example, they would play the same music again from the same score, and yet not think of the music as being repeated. It seems clear from this that composers before 1800 had an explicit conception of repeatability. There is a second reason that the Explicit Argument fails for historical faithfulness: There is not much historical evidence to be adduced which says that participants acknowledged that they had new concepts. This is evidenced by the fact that there is no mention of a watershed claim until at least the 1970s. But if the concepts of repeatability, composition, etc., became explicit only around 1800, we would expect that participants would realize and acknowledge that they had new concepts. If Goehr's argument requires something like Explicit Conception for action-guidance, it falls prey to historical objections.

It seems implausible, then, the watershed depends on the explicit concepts employed. The second way of understanding the explicit argument avoids this worry. It says that what became explicit in 1800 was not a new concept, but rather the role of conceptual content in musical practice. On this view, the concept of repeatability existed before 1800 as well as after 1800; indeed, it was consciously employed in both periods. But (we might say) it explicitly regulated musical performance after 1800, and did not explicitly regulate musical performance before then. The second way of understanding an explicit argument for The Watershed Claim allows that people had the relevant concepts before and after 1800—for example, they had the concept of repeatability. But while they

had the concept of repeatability, they did not explicitly apply it to music before 1800. They only explicitly applied the concepts of repeatability, composition, etc., to music after 1800. This way of understanding an explicit argument can be formalized as follows:

The Explicit Application Argument:

1. Before 1800, people had the concepts but didn't explicitly apply them to music.
2. After 1800, people had the concepts and did explicitly apply them to music.
3. If (1) and (2), then the concepts guided action after, but not before, 1800.
4. So, the concepts guided action after, but not before, 1800.
5. If the concepts guided action after, but not before, 1800, then the work-concept regulated performance after, but not before, 1800.
6. So, the work-concept regulated performance after, but not before, 1800.

The Explicit Application Argument avoids the objections above, since it allows that performers explicitly had concepts of repeatability, perfect compliance, etc. But The Explicit Application Argument is still not sound, because premise (3) is false. The historical claims in (1) and (2), even if true, still would not be sufficient to establish Goehr's Watershed Claim. If the claim is just that repeatability only *consciously* regulated action around 1800, it's still possible that repeatability still implicitly regulated action before 1800. And implicit regulation is regulation nonetheless. Surely Goehr would not want to say that the practices of the work-concept still guided music production before 1800, even implicitly. On either formulation, an explicit argument does not seem to capture what's at stake. On the first formulation, the argument is at odds with the historical record; on the second formulation, it is not strong enough to support The Watershed Claim. We'll continue by examining implicit notions of action-guidance.

2.6 Implicit Action-Guidance

If Goehr's argument does not require an explicit shift, either about beliefs or about regulation, then it requires an implicit shift—a shift “in the air”, or an unconscious shift—with respect to the regulative role of these concepts. The concept of repeatability became normative in a particular way, even though musicians were not aware of this change. Around 1800, the concept of repeatability subtly influenced the actions of musicians and listeners, so that they implicitly treated some kinds of performances as right, and others as wrong.¹¹⁰ According to this view, a regulative shift can occur even if the participants are not consciously aware of such a shift. Let's call this view “Implicit Conception”. We'll proceed by formalizing an argument for Goehr's watershed claim that makes use of Implicit Conception. We'll call this argument “The Implicit Argument”.

The Implicit Argument

1. Before 1800, there was no implicit constraint to follow a rule of repeatability.
2. After 1800, there was an implicit constraint to follow a rule of repeatability.
3. If (1) and (2), then the concepts implicitly guided action after, but not before, 1800.
4. So, the concepts implicitly guided action after, but not before, 1800.
5. If the concepts implicitly guided action after, but not before, 1800, then there was a regulative work-concept after, but not before, 1800.
6. So, there was a regulative work-concept after, but not before, 1800.

As we said, implicit constraints are unconscious constraints. Such a reformulation of the argument avoids the problem with history for the Explicit Argument. It's consistent with history to say that the shift was unconscious, since we seem to have evidence against any conscious shift, or appropriation of new concepts.

¹¹⁰ You might think that concepts have to be transparent and explicit in order to guide action in normative ways—in other words, concepts just can't be regulative if we're not conscious of them. This is an interesting claim, but I think it's false. I've often felt compelled to act a certain way (because of peer pressure, etc), without realizing it at the time. Only later do I realize that a kind of normative action guidance was going on.

However, there is some ambiguity in The Implicit Argument, since it's not totally clear what counts as an implicit constraint. We have already a basic condition for an implicit constraint: it is not a conscious constraint. In addition, if there is an implicit constraint, the concepts—for example, repeatability—are normative in a way they were not normative before. This sort of move is suggested by Goehr, when she says:

...when we act in accordance with a regulative concept we act vicariously. ... When we act we do not always explicitly think of the 'higher' regulative concepts with which those rules are associated. (104)

Citing Samuel Wesley's complaints of Handel's borrowing music, Goehr claims that around 1800, "[m]emory of what the conditions of practice had been like was clearly very short" (IMMW, 185)—in other words, performers after 1800 took it to be the case that originality regulated musical work-performance before 1800. This suggests that the shift was not even realized by many contemporary participants in musical practice—which, as we saw, supports Implicit Conception rather than Explicit Conception. An implicit view is further suggested by Goehr's claim that such a shift is furthered when participants "develop appropriate skills" (IMMW, 101), and are indoctrinated into a practice. Perhaps part of the idea here is that participants can accept certain normative features of their practices as simply given, and concepts begin to exert normative force on agents in subtle and imperceptible ways.

The most obvious regulative shifts are, of course, not implicit. Consider those brought on by feminism, African-American civil rights movements, and the increasing multiculturalism in Western society; these shifts have been anything but implicit. In fact, they required great efforts on the part of the oppressed to make their concerns *explicit*! There are, however, examples of other relevantly similar shifts that are implicit and "in

the air”. For example: According to the journalist Jon Savage, it is common among cultural theorists to believe that the social category of teenagers is a relatively recent invention.¹¹¹ Before sometime in the early- to mid-twentieth century (cultural theorists say), people were socially classed in Western thought either as children, or as adults; there was no in-between stage. But around the First World War, there was a new social classification with respect to age: people began to be classed (and socially stereotyped) as teenagers, in between the child and adult stages. This shift was certainly regulative; with the invention of the teenager, people at certain ages took it to be correct to undertake certain kinds of actions, and incorrect to undertake other kinds of actions. But it was also implicit; it seems to have occurred without explicit realization that a new social category was created.

This example helps some, but it does not give us a complete account of what implicit regulation amounts to. If Goehr opts for The Implicit Argument, the burden of proof is still on her to explain how a shift “in the air” operated, and to give conditions of adequacy (even loose ones) for such a shift. She does not give any such explanation or conditions of adequacy.

2.7 Conclusion

We’ve made some headway in explaining the idea behind regulative concepts. Regulative concepts are not merely prevalent concepts; they are essentially action-guiding and normative concepts. However, Goehr’s argument can’t be that there was an *explicit* shift

¹¹¹ See Savage 2008; the consensus among cultural theorists is that the “invention” of teenagers occurred around the middle of the twentieth century. Savage argues for an earlier date, around the end of the nineteenth century.

in action-guidance around 1800; such an argument either lacks historical support, or does not support The Watershed Claim. Rather, Goehr's claim is best understood as a claim that there was an *implicit* regulative shift in action-guidance around 1800. However, Goehr does not clearly state the conditions of adequacy for an implicit regulative shift. For The Implicit Argument to work, the details need to be more fully sorted out.

Chapter 3: Goehr's Ontology of Musical Works

3.1 Introduction

Is Goehr committed to the view that musical works existed after, but not before, 1800? This ontological commitment has been ascribed to her in both the philosophical and musicological literature; however, Goehr has denied that she has any such ontological commitment. In this chapter, we'll begin by examining whether Goehr is committed to the existence of musical works in the first place. I'll argue that she has not successfully avoided an ontological commitment to musical works. I'll continue by examining whether, given an ontological commitment to musical works, Goehr should admit a further ontological implication: that musical works existed only after 1800.

3.2 Ontological Commitment

As we've seen, Goehr commits herself to a watershed claim: The regulative work-concept emerged around 1800. This claim, at least straightforwardly, involves a concept (the work-concept) rather than objects (musical works); that is, her claim is conceptual rather than ontological. But it's been claimed—for example, by Stephen Davies, Harry White, and Leeman Perkins—that Goehr is committed to a further ontological claim.¹¹² That is, her view is properly construed not just about the work-concept, but about musical works, the things themselves:

The Ontological Watershed Claim: Musical works existed after, but not before, 1800.

¹¹² See Davies 2003; Perkins 2003; White 1997.

Before we answer whether Goehr is committed to The Ontological Watershed Claim, we must answer a prior question: Is Goehr committed to the claim that musical works exist? (We'll call that claim "The Ontological Claim". Goehr might be committed to The Ontological Claim, but yet not committed to The Ontological Watershed Claim. That is, she might assert that musical works exist, yet also assert that they existed before 1800. Conversely, if Goehr is not committed to The Ontological Claim, she can't be committed to The Ontological Watershed Claim. We'll begin by considering whether Goehr is committed to The Ontological Claim; I'll argue that she is. I'll then consider whether Goehr is committed to The Ontological Watershed Claim.

3.3 Is Goehr Ontologically Committed?

Goehr denies that musical works exist. She commits herself to what she calls a 'projectivist' or 'fictionalist' view, according to which musical works are only projected as existing entities; but they do not really exist. Here is what she says:

In a projectivist view ... works do not exist other than in projected form; what exists is the regulative work-concept. However, insofar as this concept functionally involves projections or hypostatizations—for each work composed we project into it 'object' existence—the resultant objects are accorded projective or fictional existence. (IMMW, 106)

According to projectivism, we act as though musical works exist, given our contingent musical practices, attitudes, and so forth. But musical works are mere projections, or fictions, and projections do not really exist. The idea here seems to be that, although we speak in a way that suggests that musical works exist, there are no underlying existing

things that are musical works. Indeed, this sort of view has recently been advocated by Andrew Kania.¹¹³

However, projectivism is easily undermined by an argument which begins with the thought that performances of musical works exist—and since those performances exist, musical works exist. We can formalize this view as follows:

The Anti-Projectivist Argument

1. Performances exist.
2. If performances exist, then musical works exist.
3. So, musical works exist (projectivism is false).

Premise (1) is supported by the thought that performances, whatever else they are, are at least events; and events exist. Premise (2) is supported by the thought that musical works are made up of at least performances. Premise (3) follows validly.

The Anti-Projectivist Argument is not a very stringent argument, but I do not think that a stringent argument is required here. It is an orthodox way of seeing social institutions—musical works included—as existing things. Furthermore, there are no convincing arguments that we should deny either of the premises of The Anti-Projectivist Argument. Given that we have no such argument, we should accept the conclusion of The Anti-Projectivist Argument: musical works indeed exist.

Perhaps we should interpret Goehr a little differently; perhaps it is that we take musical works to have a natural or inevitable structure, when they in fact have no natural structure. Indeed, this is a common thread throughout Goehr's writing. She emphasizes the fact that “[m]usical practice can be, but need not be, governed by the work-concept, and it is at most historically contingent whether or not it is”; however, the work-concept has “become so entrenched within a practice that it gradually takes on all the airs and

¹¹³ Kania 2008.

graces of necessity” (IMMW, 13). Indeed, it seems that her concern is that philosophers of art have treated musical works as necessary existents, since she claims that, for traditional philosophers, “to describe a concept purely ontologically was not a descriptive mode that needed to accommodate historical (contingent) differences”.¹¹⁴ Perhaps her worry, then, is that traditional analytic ontological accounts of music are committed to a false view of musical works as inevitable or necessary existents.

If it really was the case that traditional philosophers could not account for the contingent nature of musical works, then certainly their accounts would be problematic; and Goehr is correct that any ontological account that treats musical works as inevitable or necessary existents must be mistaken. Musical products generally are not necessary existents—even less so musical works in the classical tradition. There are a many ways things could have gone such that there were no musical works: there could have been no humans; humans could have developed no sense for hearing; and even if we did develop music, we might have never developed anything like Western art music.

However, this point does nothing to support the conclusion of The Projectability Argument, the claim that musical works do not exist. If Goehr’s goal is to show that musical works do not exist, it does nothing to help her case to show that they exist contingently. Indeed, such a position is at odds with the claim that musical works do not exist, since contingently existing things still, of course, exist.

In any case, Goehr would be responding to straw philosophers of music, for philosophers of music have themselves claimed that musical works only exist

¹¹⁴ Goehr 2000, p. 235; cf. IMMW, p. 72-74.

contingently.¹¹⁵ Jerrold Levinson, for example, says in his analysis of musical works that he is only analyzing music of the Western “classical” tradition, and he does not claim that they exist naturally, necessarily, or inevitably.¹¹⁶ Indeed, philosophers of music such as Stephen Davies and Nicholas Wolterstorff have explicitly emphasized that musical works exist only contingently.¹¹⁷

Some Platonist accounts seem committed to a view of musical works as necessary existents. On Platonist accounts of music, musical works are types—abstract sound structures, which can be instantiated in performances. However, abstract objects generally, and thus musical works in particular, seem to be necessary existents. So, on Platonist accounts of musical works, musical works necessarily exist, since they are abstract objects. However, Platonists can surely admit that it is possible for musical works to exist at worlds in which no one ever refers to them; in these worlds musical works are not instantiated. Even if the sound structures necessarily exist, performances do not. Performances of musical works are not, then, necessarily instantiated, even if Platonist accounts of musical works are correct.

3.4 What Kind of Ontological Commitment?

Commitment to The Ontological Claim seems unavoidable; but what about commitment to The Ontological Watershed Claim? It might seem like a straightforward implication from one to the other; it might seem obvious that, given a commitment both to the

¹¹⁵ For that matter, it’s doubtful that even ordinary audiences of classical music treat the existence of musical works under the work-concept as an inevitable fact, either. Ordinary classical music listeners today are also exposed to many other styles and traditions of music (even within the concert hall), and surely they realize that it’s not necessary even for a musical culture that musical products are packaged in the terms of the work-concept.

¹¹⁶ Levinson 1980: 6.

¹¹⁷ Davies 2001, 2003; Wolterstorff 1987.

existence of musical works and to the watershed claim, Goehr is obviously committed to the view that musical works did not exist before 1800. However, the matter is not as obvious as it might seem. As stated above, Goehr's ontological commitment to the existence of musical works is based on the fact that we treat some things as musical works. But it does not straightforwardly follow that musical works exist only when we treat things as musical works. Consider the Brandenburg Concertos, composed in the early 1700s. Can we say that the Brandenburg Concertos existed as musical works in 1730, just because they have been treated as musical works *at some time*? That is, is it true that the Brandenburg Concertos were musical works in 1730 simply in virtue of the fact that we treated them as musical works in 1840? Or must they be treated as musical works—under the work-concept—in 1730, in order for the Brandenburg Concertos to be musical works in 1730? If so, then Goehr can consistently hold The Ontological Claim while rejecting The Ontological Watershed Claim. It would also follow that she should reject The Ontological Watershed Claim even if her conceptual watershed claim is correct.

The appropriation of objects as artworks in museum settings is a good example of this. In museum settings, we treat many religious, political, and social items from the past as artworks—even though they were not originally treated as artworks. Consider an ancient idol, found and transported to the museum in 2010. We treat this idol as an artwork; we admire its smooth features, godlike yet human facial expression, and so forth. Yet it was originally used as an object of reverence or worship, and not an artwork. Should we say that the idol became an artwork, say, when the curator admitted the item

into the museum's catalogue? Or should we say that the idol was an artwork all along, from the time it was created?

On one view, there are musical works only when people treat musical products as musical works. We'll call this view "Temporal Constraint". There are musical works now, only because we treat things as musical works; but there were no musical works in 1730, because there was no work-concept. According to Temporal Constraint, it is only when people had the work-concept, and applied it to the Brandenburg Concertos, that the Brandenburg Concertos became musical works. Or consider the example of the idol in a museum: On this view, the idol is an artwork now, because we treat it as such. But it was not an artwork in 2000 BCE, since people didn't treat the idol as an artwork then.

On a different view, which we'll call "Temporal Freedom", things can be musical works even before they are treated as musical works. The idea behind Temporal Freedom is that, if a group of people treat musical products as works at any time, the musical products are musical works at every time at which they exist. On this view, the Brandenburg Concertos existed as musical works in 1730, just because we have treated them as musical works lately. This remains the case even though people did not treat them as musical works in 1730. Such a view has the consequence that there were musical works before 1800, because we've treated the same products as musical works after 1800. Thus The Ontological Watershed Claim is false. Similarly, on Temporal Freedom, the ancient idol was an artwork in 2000 BCE just because we regard it as an artwork now. This is the case even though it wasn't regarded as an artwork at the time. Temporal Freedom is probably not the most intuitive view, at least not immediately. However, we will continue by examining three reasons to endorse Temporal Freedom nonetheless.

The first reason for accepting Temporal Freedom arises from an intuition. This intuition is that it's implausible that another entity came into existence when the curator catalogued the idol; it seems to many of us that the thing the curator is cataloguing—and the thing we are enjoying when we look at it in the museum—is the same thing that was created before 2000 BCE. But if another entity did not come into existence when the thing was catalogued, then the idol must have always been an artwork. So the idol was always an artwork. While the first reason might follow from an intuitive view, however, it seems a mistake to take the intuition to be conclusive. This intuition is a notable trouble-maker, as it's also put to use in The Statue and Clay Problem. The Statue and Clay Problem can be seen as an inconsistent triad, which arises from the following scenario: we have some clay (call it "Clay"), and form it into a statue (call it "Statue"). Then we destroy Statue, but Clay still exists. Now it seems that Clay can survive squishing, but Statue can't. So, they must have different properties, and thus the following claim seems true:

Distinctness: Clay and Statue are distinct.

It also seems that, while Statue was around, Clay and Statue occupied exactly the same region. But if that's true, then the following claim is also true:

Coincidence: Clay and Statue occupied the same region.

Distinctness and Coincidence imply that distinct things can occupy the same region. But that conflicts with a seemingly obvious metaphysical principle:

Exclusivity: No distinct things can occupy the same region.

One of the three claims of this triad must be false; we should either give up Distinctness, Coincidence, or Exclusivity. Which of these we should give up is a hard matter; any one

of these may face rejection. But notice that Exclusivity is just the intuition that the idol couldn't have undergone a change when it was catalogued into the museum. Since Exclusivity may face rejection for a correct answer to The Statue and Clay Problem, it would be a mistake to rest our reasons on it foundationally, at least without extensive further investigation. I'll leave this option behind, then, since we don't have time for extensive further investigation.

The second reason to adopt Temporal Freedom involves a view about what things count as art. On this view, the basis for an artwork's or musical work's existence is not the concepts that we use. Rather, whether something is a musical work depends just upon its properties. Call this view "Art-Ontological Empiricism".¹¹⁸ According to Art-Ontological Empiricism, the Brandenburg Concertos count as musical works only if they sound the right way; the idol is an artwork only if it looks the right way. It does not matter whether we treat them as artworks or musical works or not; they are artworks or musical works just on the basis of how they look or sound. But how they look or sound has remained constant from the time they were created. So, they were artworks or musical works from the time of their creation.

The second reason, however, does not look as though it successfully establishes Temporal Freedom. This is because Art-Ontological Empiricism does not seem as though it can provide us with a successful ontology of art. There are many things we take to be artworks—Duchamp's *In Advance of a Broken Arm*, for example, which consists of a shovel taken from the hardware store—which look exactly like other things that aren't

¹¹⁸ Note that we are not dealing with aesthetic empiricism about artistic or aesthetic value, which is the view that the artistic or aesthetic value of a work can be determined just by seeing or hearing it. We are concerned with a different position: the view that a thing's ontological art-status can be determined just by seeing or hearing it.

artworks. It follows from Art-Ontological Empiricism that, if *In Advance of a Broken Arm* is an artwork, every shovel that looks like the one on display is an artwork too. But that is clearly not the case; all those shovels sitting in sheds are not artworks. So Art-Ontological Empiricism is false; whether something is an artwork, or a musical work, cannot depend just on how it looks or sounds. This does not immediately spell the doom of Art-Ontological Empiricism; perhaps a defender of the view can argue either that this is not in fact a consequence of the view, or that this consequence is actually welcome. Either argument, however, is an uphill battle. While we cannot pronounce Art-Ontological Empiricism definitively dead for our purposes, we can realize that it's a better use of our time to pursue other options.

The third reason is not a reason to adopt Temporal Freedom exactly as the view is stated above. Rather, it is a reason to adopt a modified, and more modest, version of Temporal Freedom. Let's begin by getting clear on the modification. On this modified view, musical products existed as musical works before the work-concept only if they were created and appreciated with concepts *similar enough* to the work-concept. On this sort of view, the Brandenburg Concertos count as musical works in 1730. Even if they were not treated as under the work-concept then, they were treated closely enough so that we can say that they existed as musical works. However, the idol will not have existed as an artwork when it was created. This is because, presumably, it was not originally treated with a concept close enough to the art concept we employ now.

What's the argument for this more modest version of Temporal Freedom? Why think that something exists as a musical work if it is treated *similarly enough* to the way we treat musical works? The answer, perhaps, might be this: if we take artworks and

musical works to depend on concepts employed, we can't be too picky about exactly how they are treated; we must allow some leeway in how the concept is employed. For if we do not allow leeway in the concept—if we require one precise, exact, musical work-concept in order for musical works to exist—then we must require the exact same concept of musical works to be around whenever there is a musical work. But we cannot require an exactly uniform concept. For one thing, it seems ridiculous to claim that the work-concept has remained exactly the same for the past 200 years. It would surely be surprising if there was no variation in the concept for that amount of time. But presumably things can be included in the work-concept for the past 200 years. For another thing, there is significant explicit disagreement among contemporary composers, artists, critics, and the public, as to what exactly the purpose of art is, or (even more problematically) what kinds of things are in the extension of the term 'art'. Even without our own concepts of musical works and artworks, there is some diversion; we do not, even now, all share exactly the same concept of artworks and musical works; nor have we for the past 200 years. Since we cannot require an exactly uniform concept, then, we should say there is leeway with respect to the concept of art.

But if there is leeway, then there must have been artworks and musical works before 1800. For, if we allow leeway, then we allow that similar enough concepts about art can establish the presence of art. But there were concepts before 1800 which were similar enough to the work-concept.

Such a consideration gives us reason not only to adopt Temporal Freedom, but to prefer it to Temporal Constraint. For certainly we must allow leeway with respect to some artists who do not share our concept of art; and providing that is the case, we must

also allow that the Brandenburg Concertos count as musical works, even if the conception of musical products in 1730 was different from the work-concept.

3.5 Conclusion

In this chapter, we have examined Goehr's ontological commitments regarding musical works. We have seen, first, that Goehr's view about the ontology of music, projectivism, should not be accepted. Second, we have seen that Goehr should admit that there were musical works before 1800; that is, she should reject The Ontological Watershed Claim.

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