

## Ethical Art

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In his reply to Jerry Fodor's discussion of *Transfiguration of the Commonplace*, Danto correctly resists the idea that it is the mere intention on the part of the artist to make an object that is an artwork that makes the resultant object an artwork. He likens the metaphysics of artworks to the metaphysics of personhood. In the same way that it is not the intention of the parents to produce a person by producing an infant that makes that infant a person (accidental pregnancies lead to persons just as often as deliberate ones), it is not the intention of the artist to produce an artwork by producing an object that makes that object an artwork. What *does* make an object an artwork is a more complex social arrangement than this simple intention, a social arrangement which at minimum requires on the part of the audience the kind of cognitive activity involved in interpretation and, more specifically, the kind of cognitive activity involved in understanding a metaphor.

However, as Danto is well aware, Fodor's claim is not the simple one that it is the artist's intention to make an artwork that results in an artwork; rather, it is a much more complex intention, one associated with Grice's understanding of communication generally:

A communicative gesture is *ipso facto* intended (a) to be *interpreted* by its audience in a certain way, (b) to be recognized as intended to be interpreted by its audience in that way; and (c) to have its effect on its audience in part in virtue of the audience's recognizing that the gesture was intended to be so interpreted ('Déjà vu All Over Again', page 48).

For Fodor, an instance of art, *qua* communicative gesture, must satisfy at least the third condition (which he calls the "reflexive condition") if it is to be successful.

Danto is much less resistant to this more complex construal of the artist's intention:

To intend the work is to intend the object of it together with the interpretation through which the object is a work of art, and I am quite happy with Fodor's imposition onto this of what he terms the "reflexive condition," namely that the work is intended to receive on the part of an audience recognition of the interpretation which transforms the object into a work (Danto, 'Replies', page 200).

I say "much less resistant" rather than "fully accepting" because it is clear from this passage that Danto still holds onto the idea that it is the interpretation that elevates a mere object to the status of an artwork, rather than the intention. What Danto happily accepts is that it is a *component of the interpretation* that the reflexive condition be attributed to the artist, but it remains his position that it is the interpretation that is doing the metaphysical work.

Danto's position thus construed exposes various rich veins of philosophical material to be mined.

For example, it would be worth investigating the extent to which Danto's construal of the logical structure of metaphor is consistent with the attribution to the artist of intentions embodying the reflexive condition. As well, it would be helpful to assess the psychological plausibility of the combined position—it does, after all, involve attributing patterns of cognition with extremely complex contents to both artists and audience, and one might reasonably wonder to what extent the likes of Rauschenberg, Warhol, LeWitt, Andre, Bochner or Hesse, and those of us who appreciate their works, exhibit any such thoughts. For present purposes, however, I want to focus not on these (which, by the way, I do not think present insurmountable challenges for the position) but rather on the intersection between the reflexive-condition-attributing interpretation and an idea associated with Kant that is *not* the one ordinarily raised in the context of aesthetics. More specifically, I want to consider the extent to which incorporation of the reflexive condition satisfies the Kantian ethical stricture that we treat one another not as means but as ends.

Notoriously it is unclear what exactly Kant intended by this formulation of his imperative, and I certainly do not wish to undertake substantial exegesis here. Fortunately, however, the general idea is clear enough, and I believe this is all that is required for present purposes. Human beings have a variety of cognitive capacities not shared by other living things, and to treat one of our conspecifics as an end is at minimum to recognize and engage such capacities. However, this cannot be all there is to the stricture, as there are plenty of examples of situations where *A* recognizes and engages *B*'s cognitive capacities and yet uses *B* as a means toward an end. Iago certainly recognizes and engages Othello's cognitive capacities, but he is using him as a means toward an end all the same. What additional cognitive architecture must be present in order for the stricture to be observed?

Fodor's reflexive condition is a plausible candidate. Suppose *A* recognizes and engages *B*'s cognitive capacities and brings about a change in *B*'s epistemic status. Suppose that *A* also engenders in *B* a second-order awareness that he or she is having his or her cognitive capacities recognized and engaged *and* that the change in epistemic status was contingent upon such second-order awareness. Given that such self-awareness is a clear mark of personhood (plausible accounts of personhood have at their core the capacity for higher-order thought) such an arrangement would be one way of *A*'s treating *B* as a *person*, which is, arguably, the essence of treating someone as an end, not a means.

To the extent to which Fodor's reflexive condition is indeed incorporated into Danto's analysis, I see it as thus bringing a Kantian ethical dimension to Danto's offered understanding of art. The artist wishes to cause her audience to undergo a change in epistemic status (to put matters as dryly but as generally as possible). But if she were to do only this, something important in her ethical dealings with her audience might be lacking. Instead, if she can present her audience with objects that result not only in their minds being "moved to action" but as well result in an awareness that their minds are being so-moved, and do so in such a way that the movement is contingent on such awareness, the possibility is opened that she is dealing with her audience ethically.

I have little doubt that Danto is correct in his view that much of the value in art arises from its tendency, as a species of rhetoric, to engage the minds of the audience members. And I concur

that such engagement frequently exhibits the structure of the interpretation of an intended metaphor, and that additional value thus often arises from the well-known ability of metaphors to communicate the ineffable. But if I am right that Fodor's reflexive condition bears the mark of a respect for Kant's stricture, and if Danto's analysis can indeed be made to incorporate such a reflexive condition, then we have a third source of value in art, one that, keyed as it is to qualities apparently unique to our species, makes art, like ethical action, something that when done well importantly manifests our humanity.

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There is another discussion by Danto that can, perhaps, be augmented by the ethical considerations raised here. In his fascinating essay 'The Naked Truth', Danto argues convincingly for the importance of *appearances* in the context of portraiture (his discussion is focused on *photographic* portraiture, but the more general issues raised have application in painting and sculpture as much as in photography). More specifically, Danto notes that as human beings we care about how we appear to others and that, since portraits are representations of such appearances, we naturally care about how we are made to appear in them. Problems arise, however, when there is a tension between how the portrait-maker wants to present the appearance of the sitter, and how the sitter wants his appearance presented. In extreme instances of this tension, the appearance presented in the portrait is so at odds with the appearance desired by the sitter that the overall result is "morally bruising." Danto provides examples of this which are quite compelling (see especially pages 269-72). How can such tensions be relieved?

One solution would be to insist that the portrait-maker always depict the sitter in ways that are at least not inconsistent with the sitter's desires. Clearly, however, such a solution would not be practical, as such a constraint would collapse the distinction between commercial portraiture (in which the sitter pays money in exchange for a desirable, flattering, likeness) and the kind of fine-art work which is the object of Danto's attention (he mentions explicitly Arbus, Avedon, Hujar, and Winogrand). The other extreme would be to insist that the portrait-maker have free rein, and that the sitter must simply accept the results as part of having willingly taken part in the overall artistic endeavor. But this too is unacceptable. Danto, through his examples, makes, I think, an excellent case that there ought to be at least some constraints. Some sort of compromise between these extremes is thus required.

The burden of this discussion has been to see the relation between the artist and her audience as one constrained by Kantian ethical considerations. This framework remains in place in the discussion of portraiture, but needs to be augmented to include consideration of the sitter. Not only must the artist and audience take the appropriate attitudes towards one another, but the artist and the sitter must do so as well. I suggest that the reflexive condition be applied to the latter interpersonal relationship, perhaps along the following lines. The portrait-maker may bring about a change in how the sitter desires to appear, and may do so by creating a portrait that represents the sitter in a manner inconsistent with his current desires. But this alone is not enough. The extra cognitive architecture required is that the sitter be made aware that one of the functions of the portrait is to cause him to change his mind about his desired appearance and that, if such change does indeed come about, that it come about contingently upon such awareness. This

would allow for portraits that are consonant with the communicative desires of the portrait-maker, that are less than flattering towards sitter, and that at the same time acknowledge the humanity of the artist, the sitter, and the audience.

**References:**

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