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## The Heart of Classical Work-Performance

Andrew Kania

Trinity University, [akania@trinity.edu](mailto:akania@trinity.edu)

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### Critical Study: The Heart of Classical Work-Performance

Julian Dodd, *Being True to Works of Music* (Oxford: OUP, 2020), viii + 194 pp. £ ??.??

You can do lots of things with works of art: You can broadcast your wealth by hanging your O’Keefe over the fireplace or fend off an intruder with your Brancusi. Despite their more puzzling ontology, you can do lots of things with musical works, too: analyse them, mine them for ideas for your own compositions, or practise the hard bits to keep your technique in shape. But central to the tradition known as Western classical music is one particular use of musical works: their performance. Indeed, so central is work performance to that tradition that it is plausible that such works are *ontologically* for performance, in the sense that fully authentic instances of them must be performances (e.g., S. Davies, 2001, pp. 19-25 *et passim*; cf. Wolterstorff, 1975, pp. 129-36).<sup>1</sup> But what features must such performances have to qualify as fully authentic? And where is the line (if anywhere) between *less than fully* authentic work-performances and *inauthentic* work-performances or, for that matter, performances that fail to be of a work at all? Such questions go to the heart of the tradition of Western classical music, raising deep questions about its *telos* and value. It is unsurprising, then, that there has been much discussion of these questions by musicians, musicologists, and philosophers of music. Julian Dodd’s latest book, *Being True to Works of Music* (henceforth ‘*Being True*’), is an important contribution to this discussion.

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<sup>1</sup> On the nature of musical performance in itself, see Kania, 2020, pp. 157-63.

Exemplifying the importance of this topic to those who love classical music, Dodd says in the preface that his book ‘is expressive of who I am in a way that my previous work has not been ... because it is about something that brings meaning to my life’ (p. vii).<sup>2</sup> Dodd’s love of classical music is evident throughout the book – in the passion with which he makes his case, and the choice and discussion of examples that illustrate his argument. Dodd is also passionate about philosophy, of course, and no one familiar with his work will be surprised by the clarity, elegance, and cogency of the book. The care and charity with which he presents and develops extant arguments on this topic, no less than the originality and compellingness of the arguments he presents for his original views, are sure to make this book the new standard text on ‘authentic’ or ‘historically informed’ work-performance practice in Western classical music.<sup>3</sup>

### *1. Dodd’s view and an alternative*

I understand the core of Dodd’s view (defended in chapters 1, 2, 5, & 6) as follows. Musical works are at the centre of Western classical music, and these works are things *to be understood*. Just as a novelist uses a meaningful medium (language) in a certain way in a context to create a meaningful work of literature, so a composer uses a meaningful medium (music) in a certain way in a context to create a meaningful work of music.<sup>4</sup> But, unlike with literature, musical works are not created to be appreciated directly; they are properly appreciated *in performance*. The performer thus bears an important burden. She must attempt to *understand* the work, so that she can faithfully present it to the audience by performing it

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<sup>2</sup> Unless otherwise noted, all page references are to Dodd (2020).

<sup>3</sup> Henceforth I often drop the qualifiers ‘Western’, ‘classical’, and ‘work-performance’; but they should be taken to be implicit throughout.

<sup>4</sup> Given Dodd’s ontological views, discussed below, such ‘creation’ must be understood in a particular way (or two).

*in a certain way*. ‘It is shedding light on the works performed – evincing an understanding of these works in performance – that is the most fundamental value within our practice of work performance’ (p. 144). Though Dodd doesn’t make this point explicitly, I assume he would agree that, because of the work’s underdetermination of its performances, nobody can hope to perform a musical work of any complexity in such a way that its *entire* meaning or content is presented to the audience. But each performer will ideally aim to present *something* deep and true about the work.

That the fundamental value of classical work-performance is to evince understanding of works *in performance* is crucial; otherwise, lectures about works (say) might take the place of performances in the tradition without any loss in value (which would be absurd). But the fundamental value must be made even more precise, since one might perform a *new* piece that communicates something about a work, yet this would not manifest that fundamental value. Dodd thus clarifies that:

Since the performer has set herself the task of performing a work of music, rather than [for example] going in for pure improvisation, her artistic freedom is freedom in *doing a particular thing*: namely, in putting the composer’s instructions into practice, and thereby negotiating the path from doing so to shaping her performance in all its detail. (p. 55)

The value of ‘putting the composer’s instructions into practice’, of complying with the score in performance, is a ‘final’ value of classical practice: Score compliance is valued for its own sake, and thus cannot be sacrificed in favour of other, non-final performance values such as originality. But, according to Dodd, score compliance has only achieved this position within the hierarchy of values in the tradition because it ‘tends so effectively to facilitate [works’]

insightful interpretation’ (p. 163). Borrowing from Christine Korsgaard’s work on value, Dodd says that ‘we value score compliance ... for its own sake, yet only under the condition of its instrumentality’ (p. 144). Classical performance thus has, as Dodd puts it, a ‘three-tier normative profile’:

On the surface are [1] the garden-variety performance values: ... interestingness, liveliness, originality, and the rest. ... Performers freely trade these off against each other for the sake of improving their performance overall. More fundamental ... is [2] score compliance ... [which] cannot be traded off against these other [surface-level] performance values. ... But ... [3] interpretive authenticity – being true to a work by performing it in a way that evinces a subtle or profound understanding of it – ... is constitutive of the practice, and hence its most fundamental norm. (p. 163)

To say that interpretive authenticity is constitutive of the practice is to say that flouting it amounts, at best, to participating in the practice in a secondary or derivative way; at worst, to failing to participate in the practice at all. An immediate implication of this view is that if interpretive and score-compliance authenticity come into conflict, the former trumps the latter. That is, if one must choose between conveying something profound about the work and complying completely with its score, one should flout the score as needed for the profound interpretation.<sup>5</sup>

I should point out immediately my most fundamental disagreement with Dodd. I see ‘the most fundamental value within our practice of work performance’, i.e., ‘evincing an understanding of ... works in performance’ (p. 144) as a *single constitutive norm* at the heart of classical work-performance practice, namely *to evince an understanding of the work*

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<sup>5</sup> This is a departure from the view defended in Dodd (2015) and Dodd & Irving (2020), according to which score-compliance and interpretive authenticity are equally important norms between which, in cases of conflict, the performer may reasonably choose. (Dodd & Irving (2020) was written much earlier than its publication date.)

*through complying with its score* (cf. S. Davies, 2001, p. 164). In fact, if it did not give the appearance of begging the question, I would put this norm more simply: The task is to evince an understanding of the work *by performing it*.<sup>6</sup> From this perspective, Dodd's view appears to split the constitutive norm into two parts – score-compliance authenticity and interpretive authenticity – ranking the latter as more fundamental than the former.<sup>7</sup>

## 2. Meaning, authenticity, and ontology

Before discussing that fundamental disagreement, however, I would like to address some metaphysical matters, and their connection to performance issues via the notion of musical meaning. I should point out immediately that Dodd notes in the new book that he is 'no longer particularly driven to defend' 'the Platonist and sonicist ontological proposal for musical works that [he] offered in [his] 2007 [book]', *Works of Music* (p. 121 n. 6). On the other hand, he devotes a ten-page afterword to defending the compatibility of the theories of meaning, performance, and authenticity promoted in *Being True* with the ontological theory promoted in *Works of Music*. I hope to show in this section that although Dodd's view of musical meaning, performance, and authenticity may be logically consistent with his earlier ontological theory, it would be highly implausible to embrace both, rather than shifting to some kind of ontological contextualism about musical works.

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<sup>6</sup> I will give some reasons for preferring my interpretation over Dodd's, but I should state up front one reason for being cautious about the prospect of reaching agreement on these matters. I agree with Dodd's methodological approach, which is to understand performance practice in terms of the value structure underlying that practice, but I disagree with him about the details of that value structure. To the extent that excavating the value structure of a practice is an abstract, theoretical project, requiring careful attention to the nature of values, philosophers are presumably well placed to carry it out. But to the extent that the project is a descriptive, empirical one, this is not so obvious. And my disagreement with Dodd is partly on the descriptive, empirical side.

<sup>7</sup> Indeed, I think that Dodd's referring to some views he disagrees with (e.g., Stephen Davies's) as 'score-compliance authenticity' is seductively misleading, since the only reason such theorists (should) defend the value of score compliance is that scores play an important role in identifying and individuating works.

Dodd avers that ‘the answers we give to [ontological] questions would seem to have no bearing on our account of the norms governing our practice of performing works of music’ (p. 171). I disagree, though I think it’s easier to see the connections from the other direction, as it were, starting with our practice, and considering its implications for the nature of musical works.

In *Works of Music*, Dodd defends the view that musical works are eternal, unchanging, modally inflexible abstract objects, namely types of sound event (2007, pp. 1-200).<sup>8</sup> The book was influential in part because it flew in the face of what had become ontological orthodoxy in the ontology of music and philosophy of art more generally, namely *contextualism*: the view that artworks are metaphysically inextricable from the contexts of their creation. The classic arguments for contextualism involve ‘indiscernible’ cases, that is, cases of two entities that are perceptually indiscernible, yet which have different aesthetic or artistic properties – different *meanings* or *contents* – showing, according to contextualists, that there is more to artworks than meets the eye, ear, or other senses. For instance, Jerrold Levinson argues that a work with the same sound structure (roughly, the same notes or score) as *Pierrot Lunaire* (actually composed by Schoenberg in 1912), but (counterfactually) composed by Richard Strauss in 1897, would have different *aesthetic* properties. It would be ‘more *bizarre*, more *upsetting*, more *anguished*, more *eerie* even than Schoenberg’s work’ (1980, p. 11). Similarly, Bartók’s *Concerto for Orchestra* (1943) satirizes Shostakovich’s Seventh Symphony (1941); but if Bartók had composed a work by writing the same score in 1940, it could not have satirized Shostakovich’s future symphony. The actual *Concerto for Orchestra* and its earlier counterpart thus have different *artistic* properties. According to

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<sup>8</sup> There is more to the view, most notably that musical works are *norm*-types, but the details need not detain us here.

contextualists, the different properties of these works show that they are not identical.

Levinson, for instance, concludes that works are not ‘pure sound structures’ (something like Dodd’s sound-event types) but *indicated* sound structures, roughly such a type *as indicated by a composer in a particular artistic context* (Levinson, 1980).<sup>9</sup>

Dodd rejects such arguments, in part, by explaining away the purported differences in aesthetic and artistic content between the indiscernible works in the examples (2007, pp. 201-76). He *relativizes* artistic properties to acts of composition. So, Bartók’s *Concerto* – the work he composed – does not satirize Shostakovich’s symphony; rather, Bartók’s *compositional act* does that (and his counterfactual, earlier compositional act does not). Works just don’t have artistic properties, according to Dodd; those belong to acts of composition. Dodd does allow that works have *aesthetic* properties, though.<sup>10</sup> These are available to any listener ‘whose familiarity with the style of music has given her the requisite ability to hear it as it should be heard’ (2007, p. 209). So, the sound structure of *Pierrot Lunaire* has some particular degree of bizarreness, upsettingness, anguish, and eeriness, no matter when it is composed; you just have to be a properly backgrounded and sensitive listener to hear those properties.

The difficulty I see in reconciling this ontological view with the theory of classical work-performance defended in the new book is that it is central to the latter that works are *to be understood*, that is, *meaningful*. Now, Dodd makes clear in the afterword that works are not intrinsically, but only relationally meaningful. For example, the coda to the finale of Shostakovich’s Fifth Symphony,

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<sup>9</sup> There is a wide range of contextualist views available. I choose Levinson’s as merely a well known, illustrative example.

<sup>10</sup> At least in *Works of Music*. See note 12 for a complication.



when examined carefully, takes on a brutish, violent aspect that expresses disgust with, and defiance of, the Stalinist regime. But now let us imagine that ... an ‘outsider’ composer – someone entirely unaware of Shostakovich’s and, indeed, Soviet history – composes a work that is an exact sonic duplicate of Shostakovich’s Fifth Symphony. (pp. 173-4)

Call this composer ‘Bostakovich’.<sup>11</sup> Bostakovich’s symphony clearly doesn’t express disgust with, and defiance of, the Stalinist regime. Let us suppose, for the sake of argument, then, that ‘when examined carefully’ this alternative work has a *truly* (rather than merely *apparently*) triumphant coda. Contextualists would infer from the fact that these works seem to have different properties that they really are two distinct works. Dodd disagrees:

The way to avoid the ... conclusion that we have two distinct works ... is to construe a work’s meaning properties (as well as its aesthetic and artistic properties) as relativized to acts of composition. On this view, one and the same work – one and the same ... sempiternal type – has *both* [meaning-1]-as-composed-by-Shostakovich and [meaning-2]-as-composed-by-[B]ostakovich .... (p. 174)<sup>12</sup>

Here is the problem. Suppose that evincing an understanding of these different meanings in listeners requires playing the same notes in perceptibly different ways. Now imagine two performances, each of which manifests one of these interpretations, because one orchestra aims to perform Shostakovich’s work insightfully, while the other aims to perform Bostakovich’s work insightfully. Both these performances are authentic in the most important sense – they are true to the works they are of. It thus seems to me that Dodd is committed by his Platonist ontology to the view that both performances are true to *Shostakovich’s work*.

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<sup>11</sup> Dodd calls him ‘Shostakovich\*’.

<sup>12</sup> The parenthetical assimilation of aesthetic properties to the relativization strategy strikes me as a significant (unremarked) departure from the view espoused in the earlier book and explained above, but it does not affect my argument here.

After all, there is only one work here. It has two meanings, each relativized to a different act of composition, but the heart of classical work-performance practice, according to Dodd, is the commitment to evince understanding of at least something deep and true about *the work performed*, not the work performed *as composed by a certain person in a certain context*.

There are two obvious ways to solve this problem. One is to embrace the alternative view just mentioned, that is, to understand all references to ‘musical works’ in the new book (afterword aside) as shorthand for references to *musical works as composed by a person in a context*.

The other is to abandon simple Platonism and embrace a contextualist musical ontology, such as Levinson’s view that musical works are (roughly) sound-event types as indicated by a composer in a context.

These solutions are so similar that I must admit I find it difficult to distinguish between them. After all, if by ‘musical works’ Dodd means ‘musical works as composed by a person in a context’, has he not simply embraced ontological contextualism? Of course, Dodd could maintain that musical works, strictly speaking, are eternal sound-event types, metaphysically independent of acts of composition. But then it turns out, for instance, that (strictly speaking) musical works are *not* to be understood; they are *not* the bearers of the aesthetic and artistic properties that make them so engaging to us; they are *not* what performers properly aim to illuminate in performance; and so on. It begins to sound, to my ears, as if the term ‘musical work’ is now being used to name something that is a *part* or *aspect* of the things at the heart of classical work-performance practice, rather than to name those things themselves. Of course, one can use terms however one likes, but if this is merely a matter of idiosyncratic

terminology, it seems wilfully obfuscatory not to discuss that idiosyncrasy explicitly, early in the book.<sup>13</sup>

Dodd's discussion of the medium of music tends in the same direction. In chapter 5, he cogently argues that 'music's medium is the product of a musical tradition: a nexus of shared understandings concerning how working with sounds in particular ways and in particular contexts produces sound sequences with a particular musical meaning' (p. 134).<sup>14</sup> This fits nicely with the idea that the musical meanings of sounds are relativized to contextual uses of those sounds. But it doesn't sit well with the idea that eternal sound-types are works *of music*. It suggests, rather, that those types are transfigured into music when they are used in a particular way in a certain kind of context. (Again, Dodd might respond that calling these eternal sound-types 'musical works' is shorthand for something like 'things that might become musical works if used in a particular way in a certain kind of context'. But it would, at the very least, help to have that made explicit.)

### *3. The final and constitutive norm(s) of classical work-performance*

Let me assume that these metaphysical issues have been settled, and return to the central issue of the values at the heart of classical work-performance practice. Recall that where Dodd sees a three-tier normative profile, with the fundamental value of interpretive authenticity trumping score-compliance authenticity, I see only two tiers, with a fundamental value of interpreting a work *through* complying with its score. The difference between these

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<sup>13</sup> An anonymous reader for this journal suggests that making this charge is a lapse in taste. But given that Dodd, as we shall see, accuses me of occupying a 'cold, alienating' and 'obscure region of philosophical space reserved for those who have tied themselves up in knots' (p. 177), he should be able to take it.

<sup>14</sup> Though Dodd seems to think that this view contrasts with David Davies's view of the musical medium, it seems to me that the two views are very similar. For further discussion of the medium of music, see Kania 2020, especially pp. 12-24, 97-115, & 278-305.

two ways of understanding the fundamental value-structure of classical music brings us simultaneously to (1) the crucial theoretical question of what it is to perform a work, and (2) controversial examples of the sort Dodd discusses throughout the book.

Let's start with the examples:<sup>15</sup> '(1) Alfred Brendel, an accomplished pianist and writer, argues that we ought to ignore some tempi that Beethoven mandates in the scores of his piano sonatas, since any performances at those speeds will mask valuable detail' (Kania, 2020, p. 189). (2) In some of his performances of Beethoven's Fifth Symphony with the Berlin Philharmonic, Herbert von Karajan assigns a particular fanfare in the first movement to the French horns instead of the bassoons for which Beethoven scored it, since Karajan believes that this that more faithfully serves the fanfare's purpose within the work as a whole.<sup>16</sup> (3) 'Andreas Staier, a distinguished practitioner of early music, departs from the very notes in the score of Mozart's Rondo alla Turca the better to convey its character, even as he plays it on the relatively uncommon, but score-compliant, fortepiano (an ancestor of the modern piano)' (Kania, 2020, p. 189). 'At times, Staier moves the melody to the bass line, at others he improvises counter-melodies that take our attention away from the main theme'. The result is 'rich in theatricality and playfulness', according to Dodd (p. 149); some might say it verges on the bombastic.

According to Dodd, after prolonged, knowledgeable, and thoughtful consideration of the work in question, each of these musicians decides that to convey important aspects of the meaning of the work in performance, certain aspects of the score must be ignored or flouted.

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<sup>15</sup> I hope you'll forgive the recycling of my previous summaries of some of these.

<sup>16</sup> Dodd at first describes this example as a recommendation by Mark Evan Bonds, an esteemed musicologist. But he illustrates it with Karajan's actual performances. I focus on the latter for ease of exposition. Dodd also discusses a second horn-based example from Tchaikovsky's Fifth Symphony. For reasons of space, I consider it only briefly in a note below.

Let me grant this description of these cases. Dodd diagnoses each case as illustrating the value structure I outlined above: In performing these works, each musician sacrifices a little score-compliance for the more important goal of conveying something profound about the work in performance. I, on the other hand, think that these musicians convey the meaning they perceive in these works by doing something *other* than simply performing those works in a certain way (cf. Wolterstorff, 1975, p. 133). I would say that each musician performs most parts or aspects of the work, but since they intentionally disregard, ignore, or flout the remaining parts or aspects, they fail – strictly speaking – to perform that work in its entirety.<sup>17</sup>

Dodd criticizes this way of understanding these examples. He says that to characterize the Karajan example (for instance) as one in which the Berlin Phil does anything other than simply perform Beethoven's Fifth

is too far-fetched to be credible. No one present for the recording would have described the performance in such terms: our practice recognizes as a commonplace that performers can still count as performing a work while occasionally deciding to depart from a scored instruction here and there. To deny such a thing is possible is to occupy an obscure region of philosophical space reserved for those who have tied themselves up in knots. (pp. 176-7)

This strikes me as a very peculiar thing for Dodd to say in this context, namely the afterword in which he argues that the theory of authentic work-performance defended in *Being True* is consistent with the Platonist ontology defended in *Works of Music*. As Dodd acknowledges

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<sup>17</sup> We might understand them as performing something like (to put it in musical terms) an *arrangement* that is very close to the work in question, or (to put it in philosophical terms) a *close modal counterpart* of the work, though these descriptions risk misleadingly implying that the original work is not performed *at all*.

throughout that earlier book, his ontology is inconsistent with many commonplaces recognized by classical practice. To give just three examples, it implies (i) that composers discover, rather than create, the works they compose; (ii) that musical works have no artistic properties; and (iii) that had a composer mandated a single different thing in the score (e.g., that horns rather than bassoons play a certain fanfare), she would thereby have created a distinct work from the one she actually composed. But Dodd argues that these unintuitive implications can be explained away in familiar philosophical ways: The theoretical benefits outweigh the intuitive costs. And, of course, we have just seen him employing the same strategy in defending his theory of the meaning of musical works.<sup>18</sup>

Recall, also, that Dodd is committed, by his view, to describing plenty of events that classical musicians and audiences would unhesitatingly call work performances as, at best, non-paradigmatic, secondary, or derivative such performances, since they do not aim at evincing a subtle or profound understanding of the work performed. Think of most student and amateur performances, for instance. An oboe student might successfully struggle to achieve a note-perfect rendition of Benjamin Britten's *Six Metamorphoses after Ovid* at her senior recital and be highly praised for doing so. If a philosopher were to point out that she had at best performed the work in a non-paradigmatic, secondary, or derivative sense because she had not aimed at evincing a subtle or profound understanding of the work, he would surely be greeted by uncomprehending stares from the musically sophisticated (but philosophically naïve) audience members. But the philosopher's response would presumably be that while the theory has some intuitive costs, once you see the reasons for those you will realize that

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<sup>18</sup> In a response to this criticism (at the 2021 Eastern Division meeting of the American Philosophical Association), Dodd suggested (if I recall correctly) that such moves are acceptable when defending theories of the *ontology* of musical works, but not theories of their *performance*, since the former are metaphysical theories, independent of our practices, while the latter are descriptive of our practices. I do not see how such a sharp line can be drawn, as I hope my arguments throughout this essay show. For further discussion of such methodological issues, see Dodd, 2013, D. Davies, 2017, and the references therein.

they are intuitions well spent. Clearly, I want to say the same thing about my view of what is required to perform a work of classical music.<sup>19</sup>

It is helpful to approach my theory of work performance by way of Stephen Davies's alternative, which Dodd unquestioningly accepts (p. 150). According to that theory:

(1) there must be (a suitable degree of) matching between the performance and the work; (2) the performers must intend to follow (most of) the instructions specifying the work in question ...; [and] (3) there must be a robust causal chain from the performance to the work's creation, so that the matching achieved is systematically responsive to the composer's work-determinative decisions. (S. Davies, 2001, p. 182)

One thing worth observing at this stage is that, judging by Dodd's examples, if he accepts this theory of work performance, there would seem to be no *practical* difference between his three-tier, and my two-tier, theory of the values of classical work-performance. As Dodd notes, Brendel, Karajan, and Staier each (successfully) intend to follow *most* of the instructions specified in the scores of the works they perform (p. 150). They thus produce their insightful performances *by complying with the score*, in the relevant sense of 'comply'.<sup>20</sup> If Dodd intends his view to license more radical departures from the score – departures that would violate the second condition of this theory of work performance – he would obviously require a different theory of work performance after all. If not, his reasons

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<sup>19</sup> Dodd sometimes seems to suggest that certain things said or (apparently) implied by the musically knowledgeable (e.g., that Karajan's performance is (simply) of Beethoven's Fifth Symphony) are a kind of descriptive bedrock, to be revised or paraphrased in our philosophical theories only *in extremis* (e.g., p. 153 n. 11 & p. 176). But, like Dodd's characterization of Platonism about musical works as the 'default view' on the basis of its handling of works' repeatability and audibility (2007, p. 3 *et passim*), this smacks (to me, at least) of cherry-picking. (For more detailed discussion, see D. Davies, 2009, pp. 159-65 and 2017, p. 124; recall also my cautionary note 6.)

<sup>20</sup> Dodd (pp. 150-1) says as much in his reply to Stephen Davies's (2013) criticisms of an earlier version of his view. But he does not draw the conclusion that his examples are consistent with a different theory of the value structure of classical work-performance.

for thinking that these examples show that interpretive authenticity trumps score-compliance authenticity are no longer clear to me.<sup>21</sup>

Anyway, my goal is to advocate for a slightly different theory of work performance. Its advantages can be seen by considering the two, related places where Davies's theory is explicitly vague.<sup>22</sup> Not only must the performer intend to follow only *most of* the instructions in the score, according to Davies, her performance must 'match' the work only *to a suitable degree*. Of course, if one requires that only *most* of the instructions be followed, one can't require perfect matching. But there is another reason for the suitable-degree requirement, namely *mistakes*. If we can avoid it, our theory of work performance shouldn't imply that when you make a mistake you thereby fail to perform a work. But this naturally raises the question of how many mistakes are acceptable. To answer this question, Davies appeals to a criterion of *recognizability*: Your mistakes preclude your performance being of the work in question if a competent listener wouldn't recognize it in your performance (S. Davies, 2001, pp. 160-1; cf. Levinson, 1980, pp. 26-7 n. 33).<sup>23</sup> This strikes me as an implausibly low bar, since work-recognition is so easily attained. If the middle-school orchestra teacher spends all semester making sure that her students can play the first two measures of Beethoven's Fifth Symphony, they can hack through the rest of the piece however they like without any fear that a knowledgeable audience will fail to recognize the work they claim to be playing. Yet if no one arriving late would have a clue what they are playing, it's surely questionable whether they have in fact performed that work.

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<sup>21</sup> To put the point another way: If interpretive authenticity trumps score-compliance authenticity, why is it only acceptable to 'compromis[e] a little' (p. 145), 'ignor[e] certain scored instructions here and there' (p. 153 n. 11), or 'tinker with the score' (p. 156) – rather than to depart more radically from the score – in order to communicate a profound understanding of the work?

<sup>22</sup> To be clear: The vagueness is not a problem that motivates rejecting the theory in favor of its alternative, which, as we will see, is also plenty vague.

<sup>23</sup> Who counts as a 'competent' listener is controversial, but many theories in the philosophy of music appeal to such a person.



Perhaps a more sophisticated theory of recognizability could be developed, but I would urge a different approach. If we require that the intention to follow the work's instructions be *reasonable*, then it follows that the middle-schoolers who can play only two notes cannot perform Beethoven's Fifth Symphony (Predelli, 1995, pp. 347-8). In fact, this obviates the need for the first, 'matching' condition altogether, since (i) there will be very few (perhaps no) cases where a reasonable intention to perform a work fails to result in such matching, and (ii) the unintuitiveness of those cases (if any) is easily explained by the theory.<sup>24</sup> It's true that this alternative also requires a sophisticated theory that has not been supplied – a theory of rational intention. But we can rest assured that action theorists are on this case, whereas I'm not sure that anyone's working on theories of musical-work recognizability.

Let me now focus on the remaining vagueness: the requirement that the performer intend to follow only *most of* the work's instructions. There is significant tension between this condition and what Davies says elsewhere in the same book, including when he turns to focus on questions of authenticity. For instance:

It is one thing to play wrong notes accidentally and quite another to play wrong notes deliberately for the sake of achieving an interesting [we might say subtle or revelatory] interpretation. [Such an approach] is strange because it sets the player's intention at odds with the goal of work performance. Though the musician represents himself as playing the work ... he intends to ignore some of the composer's work-determinative prescriptions. It is as if this performer does not understand what work performance is. (2001, p. 248; see also pp. 157-8 and Levinson, 1987, p. 76)

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<sup>24</sup> Alternatively, we could replace the 'matching' condition with the requirement that the performers' intentions be successful. But combining this with the intentional requirement I argue for below would have the unintuitive consequence that a single mistake would preclude a performance from being of the work attempted.

An obvious way to interpret this is as requiring that work performers (properly) *intend* to comply completely with the score, while allowing for mistakes (cf. Wolterstorff, 1975, p. 133). And this idea fits much better with Davies's judgments about various performance choices than his explicit theory of work performance quoted earlier. For instance, he allows for departures from the scored instructions for practical reasons. Some instruments are no longer widely available; according to Davies, to completely refrain from performing works requiring those instruments for that reason would be 'prissy', 'puritanical', or 'pedantic' (2001, p. 248; 2011a, p. 109).<sup>25</sup> But he goes on to insist that 'in some cases, the appropriate response to practical barriers is that they should be overcome. ... The approach to the ideal remains important, even when musicians are more concerned with being practical than with being ideally authentic' (2001, p. 249).

With this alternative theory of work performance in hand, let us return to Dodd's examples. These are supposedly cases where score compliance and revelatory interpretation come into conflict, and thus the performers (rightly in Dodd's view) sacrifice the former, less fundamental norm in favour of the latter, most fundamental norm. I understand them a little differently.<sup>26</sup> I am willing to grant for the sake of argument that, due to their departures from the scores of the works they are purportedly of, Brendel and Karajan's performances convey subtle and revelatory insights about those works. I am just suggesting that it makes more sense of classical work-performance practice overall to understand these performances as exemplifying most of the properties of those works without (strictly speaking) being

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<sup>25</sup> Of course, on my view, we would strictly understand these as performances of *most* of the given work.

<sup>26</sup> Dodd sometimes responds to critical discussion of these examples with the complaint that it 'misunderstands the role that such examples play' in his argument (p. 150), since such discussion merely points out that there are other plausible interpretations of the works in question (p. 152). I hope it is clear that my criticisms are not of this kind.

performances of them in their entirety, because of their intentional deviations from the work-determinative requirements of their scores.

First, Brendel seems to think that Beethoven has mandated two incompatible things in the score in question: certain details and a tempo that effectively erases them. If he is right about this, then complete score-compliance is impossible, and one must choose which instruction to follow. The obvious way to go seems to be to follow the instruction that will yield the better interpretation of the piece. The point here is that this does not seem to constitute a departure from a commitment to score compliance as a constitutive norm.<sup>27</sup>

Second, Karajan's decision to give a particular fanfare in Beethoven's Fifth Symphony to the horns instead of the bassoons relies (at least as Dodd presents it (pp. 147-8)) on the premise that Beethoven would have scored the fanfare for horns if it were practically possible, given the instrumental resources available to him. This premise is highly questionable, for reasons to do with Beethoven's compositional practice and the history of the French horn, the details of which I cannot go into here.<sup>28</sup> But suppose it is correct. In this case, then, Beethoven's intentions as embodied in the score are not contradictory; rather, the contradiction is between what Beethoven mandated in the score and what it seems likely he *would* have mandated in slightly different circumstances. To play the fanfare in question on horns is thus to be faithful to the work *as Beethoven first conceived it*, though it requires flouting aspects of the work *as Beethoven ultimately wrote it*.

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<sup>27</sup> Dodd (private communication) points out that in such cases, my theory implies that it is impossible to perform the work, since one cannot reasonably intend to instance a contradictory sound structure. But perhaps we should understand the imperative of score compliance to include the qualification that if complying with all the scored instructions is impossible, one should intend to comply as closely with them as possible. Defining 'closeness' will be difficult, but presumably it will be a kind of all-things-considered judgment rather than a simple matter of, say, matching the maximum number of notes.

<sup>28</sup> See the discussion of this example in Kania 2020, pp. 190-3.

In fact, it starts to seem as if, in both these cases, the performers believe that Beethoven was striving for a meaning or content that could not quite be borne by the musical structure he chose to convey it, and thus they instance a slightly different structure – the structure Beethoven *should have* mandated, given the meaning he was aiming for, and (in the case of the Fifth Symphony) assuming the required resources had been available. This, it seems to me, gets things the wrong way around. A composer typically specifies a work by writing a score in a context of shared conventions for how to read such scores. The meaning the work has, as Dodd seems to agree (pp. 171-5), is a function of what is written and the context in which it is written. In these cases, then, Dodd seems to be arguing that, if Brendel and Karajan are right about the meaning he was aiming to convey, Beethoven should have written a different score. Dodd may object that Brendel and Karajan have unearthed this meaning by excavating the score that Beethoven did in fact write, so this score *does* bear this meaning. But if that is the case, then it seems that one could convey that meaning by playing this score.<sup>29</sup>

To approach this point from a different angle, consider the common practice Dodd mentions of composers' modifying their compositions (as Dodd puts it) 'to reflect ... more convincing performances of them' (p. 146 n. 2). There are three kinds of case here. First, much of what composers do in working on compositions involves modifying those compositions or their scores.<sup>30</sup> Some of those modifications occur, typically near the end of the compositional process, after hearing run-throughs of the work-in-progress. At some point, in a typical case, the work is finished, though what such completion consists in is another disputed topic in the

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<sup>29</sup> I would give the same diagnosis of the example Dodd considers regarding Tchaikovsky's Fifth Symphony.

<sup>30</sup> Whether such modification is, strictly speaking, a process of altering a persisting thing, or of replacing one thing with another, is of course a matter for fundamental musical metaphysics, of the sort addressed in *Works of Music*.

ontology of art.<sup>31</sup> The second kind of case is revision of a work after this point of completion. In such cases, we typically talk of different versions of the work, though, again, philosophers dispute how we should think of such things metaphysically.<sup>32</sup> Predictably, we get borderline cases. For instance, a composer revises a work after the première performances, the revision becomes the canonical version, but later the première version is resurrected.<sup>33</sup> The third kind of case is where a composer modifies the score to more closely match performances that intentionally depart from the score. A natural way to understand all of these cases (whatever the underlying metaphysics) is as the composer's modifying the score or work to better reflect the meaning or content she intends (or intended) to convey through the work she is composing (or has composed). But if Dodd is right about classical practice, a composer might just as well refrain from modifying the score in such cases. For knowledgeable performers will be able to see, through careful study of the original score, the meaning the composer is attempting to convey, and will (or should) feel free to depart from the score the better to reflect this meaning. That fact that composers *do not* refrain from modifying their scores – that, on the contrary, they take pains to modify those scores' smallest details – suggests that they understand such changes as modifying the content of their works, since that content is determined by the score in all its detail.

Dodd might reply that none of this constitutes a knock-down objection. His theory clearly implies that the score is the primary way we have of accessing the meaning a composer was attempting to convey, so it is unsurprising that composers takes pains to ensure that their scores convey such meanings as clearly as possible, *even if that same meaning might be*

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<sup>31</sup> See, for example, Hick (2008), Livingston & Archer (2010), Trogdon & Livingston (2014), Rohrbaugh (2017), Grafton-Cardwell (2020), and the references therein.

<sup>32</sup> Stephen Davies (2011b) considers versions of musical works in some detail.

<sup>33</sup> Sibelius's violin concerto (1903-05) is a nice example of this. After poor reviews of a lackluster première, Sibelius withdrew the work for revisions and then suppressed the original version, which was first recorded in 1991 and published in 2014. See Salmenhaara (1991) and Sibelius (2014, pp. viii-xxxiii).

*discerned in a different score*. Perhaps this view is coherent, but I submit that it better reflects classical work-performance practice to think that scores that differ in, say, assigning a fanfare to horns rather than bassoons in a crucial place, determine different works with correlatively different meanings.<sup>34</sup>

An anonymous reader for this journal suggests that my view ‘risks losing the ability to make sense of [the] predicament’ ‘in which performers are torn between obeying the score to the letter and maximising what they take to be understanding of the work’s point – or overall integrity – in performance’. I hope it is clear by now that I would understand this predicament rather as one of being torn between playing the work in its entirety and producing a performance that manifests the deep point that (the performer believes) the composer intended their work to convey (but which it doesn’t quite convey).

The remaining example, Staier’s highly non-compliant performance of Mozart’s Rondo alla Turca, raises some additional issues. First, it is not obvious to me, as Dodd claims, that Staier substantially departs from the score of the Rondo alla Turca because he believes the result ‘best evinces the Rondo’s point’ (p. 149).<sup>35</sup> But even if I am wrong about this, we seem to have another case of score compliance supposedly delivering contradictory demands:

If a central point of Mozart’s writing those notes in particular was to give his audience an experience of novelty and exoticism, the modern performer faces a dilemma. Since those notes will no longer give audiences that experience, one must choose – in being faithful to the work – between the notes and the experience (Dipert, 1980, 209-10).

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<sup>34</sup> Cautionary note 6 looms once more.

<sup>35</sup> Dodd cites the liner notes to Staier’s recording as evidence of this reasoning, but it seems to me that they do not support it (see Kania, 2020, p. 202 n. 18). To be fair, Dodd says that Staier thinks his approach ‘best evinces the Rondo’s point, *given the work’s place within our musical culture in the twenty-first century*’ (p. 149, italics added). Perhaps addressing this qualification requires discussing historicism about score compliance, to which I turn below.

Staier judges that some departure from the notes is required to do justice to the work.

(Kania, 2020, p. 194)

One way to challenge this example is to argue that Staier is unduly pessimistic about our ability to hear old works as contemporary audiences may have done. Stephen Davies has compellingly argued that our ability to appreciate a wide range of musical cultures and styles shows that our ears are more flexible than Staier seems to think (S. Davies, 2001, pp. 234-7), and Dodd embraces this idea (pp. 58-9). Indeed (analogously to a point I made about the Beethoven examples above), there is something strange about the idea that Staier can see, from careful contextual study of Mozart's score, the novelty and exoticism central to the work, yet does not think that performing that score can convey such novelty and exoticism to listeners.<sup>36</sup>

Anyway, I think the stronger argument is, again, to appeal to the notion that work meaning is determined – and tightly constrained – by the score (along with the context in which it is written). The reason, I presume, that Emperor Joseph II's supposed claim that Mozart's work contains 'too many notes' is considered laughable is that it implies that one might separate the content or meaning of a musical work from the notes that constitute it (cf. S. Davies, 2001, p. 71). Staier's judgment is superficially different from Joseph's – he seems to think that the Rondo doesn't have *enough* notes (at least anymore) – but the fundamental mistake is the same: The meaning of the Rondo is determined by the notes that constitute it (together with the context in which they were written). Thus, to play different notes may communicate more clearly (to certain audiences) some important higher-level features of the work, *but not by simply performing that work*. Performing that work insightfully requires conveying its

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<sup>36</sup> For further discussion of this aspect of this example, see Kania, 2020, pp. 196-7.

meaning *by playing its notes* (or reasonably intending to), however many – or few – they may be. On Dodd’s view, by contrast, being true to a work in performance might require producing an inaccurate instance of it. To my ear, that sounds like a reductio; it seems to me that such a performer must be being true to something else (e.g., the point that (she believes) the composer aimed – but failed – to communicate through his work).

#### *4. Score-compliance historicism vs. score-compliance traditionalism*

Dodd interprets Staier as assuming that our ears are historicized in a certain sense – we can no longer hear Mozart’s music as his contemporaries did – a claim that has received some discussion in the music-philosophical literature. But in chapter 3, Dodd asks a question about a different kind of historicization, one that he points out has been unjustly ignored by philosophers of music, namely, why we should think that scores should be interpreted according to the score-reading conventions operative in the context of their creation. Dodd argues that this historicized conception of score compliance (henceforth ‘historicism’) should be rejected in favour of a tradition-based conception (henceforth ‘traditionalism’), according to which the conventions relevant to understanding a score are those operative at the time of performance, provided they are ‘part of [the] evolving tradition of music-making linking the performance to the work’s composition’ (p. 63).<sup>37</sup>

To return to ontological matters for a moment, note that this view also seems to conflict with Dodd’s timbral-sonicist Platonism. Suppose for the sake of argument that playing the *Well-Tempered Clavier* on piano is ruled out by the work’s score as Bach’s contemporaries would

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<sup>37</sup> Dodd’s arguments for traditionalism seem to be independent of the arguments of the rest of the book. For instance, none of the examples he considers in chapters 5 and 6 rely on traditionalism about score compliance.



have understood it, but that the tradition has come to embrace the piano as a wholly acceptable instrument on which to play the work. Since, according to Dodd, the work is a type of sound event individuated at the level of timbre, piano sounds (with the right pitch properties, etc.) either count as instances of the type or do not. If the score that specifies the work *rules out* piano sounds, then such sounds cannot constitute an instance of the work, even though this conflicts with the latter-day, tradition-based acceptability of such instances. If the score that specifies the work *allows for* piano sounds, then their acceptability has nothing to do with how the tradition develops. Perhaps it is more plausible to interpret traditionalism as implying that the work changes over time, as the tradition changes what counts as an instance of the work (via what counts as an acceptable understanding of the score). But this clearly conflicts with the idea that the work is a Platonic type – or even a Platonic type *as composed by a person in a context*. A final possibility is that this problem is solved by Dodd’s view that although ‘something can figure within the content of a composer’s instruction only if it is within the composer’s ken’, it is *not* the case ‘that a composer’s scored instruction ... includes as implicit within its content the set of specific background conventions and performance practices appropriate to determining what it is to obey it’ (p. 76). Perhaps this view could be developed so that the sonic types that are musical works are somehow temporally (and culturally?) indexed, so that what sounds count as an instance of the work depends on the considered practices of the tradition at the time (and in the place, or by the people?) when (and where, or by whom?) those sounds are produced. Yet again, however, this seems like a significant departure from the austere ontology defended in *Works of Music*.<sup>38</sup>

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<sup>38</sup> For some related criticisms, see D. Davies 2012, especially 657-60.

Bracketing ontological concerns once more, the standard (if sometimes implicit) argument for historicism is, as Dodd points out, that scores are instructions issued by someone using a certain notation in the context of conventions by which that notation is understood. Thus, if we seek to understand those instructions, we must read the score guided by those same conventions (pp. 61, 71-2). Dodd rejects extant criticisms of the nature, value, and attainability of historicism, so understood (pp. 50-60). But he offers two new objections to the view. First, he appeals to contemporary classical practice, arguing that ‘as I write, the consensus within our critical and appreciative practice [even among ‘those with a taste for the historical approach to work performance’ (p. 62)] is that the historical approach to performance is not so much a performance value, as a stylistic option ...’ (p. 61). Second, he argues that traditionalism is analogous to the way in which we use words and apply laws, and thus to be preferred over historicism. I consider these objections in turn.

It is certainly true that classical practitioners and writers have come to be much more sanguine in their stated views about the relative merits of historically and contemporarily informed performance-practice – the ‘rhetoric of “authenticity”’, in a phrase of Michelle Dulak’s quoted by Dodd (p. 62). But if we look at what practitioners *do* (and what audiences expect), it looks to me much more like historically informed performance-practice has won the day in the tradition.<sup>39</sup> It is difficult to make a convincing case one way or the other regarding such a broad claim about a wide-ranging and complicated practice, and we should remember that historicism allows for thinness and vagueness in what a score mandates, in addition to practical reasons to ignore those mandates. But consider that it is very difficult to find recent recordings of Bach’s Brandenburg Concertos, for instance, that employ a piano

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<sup>39</sup> I assume Dodd would agree that musical practice weighs more heavily than theoretical discourse in figuring out the value structure of the practice. Where these conflict, it is worth considering socio-political explanations, such as the institutional clout of prominent musicians and musicologists making what Dodd rightly shows to be weak arguments against historicism (e.g., pp. 49, 51-2).

rather than a harpsichord for the keyboard parts, or live performances that use symphony-orchestra sized string sections. Modern string and wind instruments may be used – either for practical reasons or because the musicians consider them within the ambit of what the score mandates – but these are typically played in a historically informed style. This suggests that Dodd’s references throughout the book to non-historical performance-practice as ‘mainstream’ are misleading.

Perhaps the best case for Dodd’s claim is the utter normalcy of playing keyboard works that predate the invention or widespread use of the (forte)piano on a modern concert grand. But reasonable people disagree on whether this is prohibited on a historical understanding of such scores<sup>40</sup> and, again, there might be practical or artistic reasons to flout that aspect of the score.

I agree with Dodd that ‘the way in which a tradition’s historical sense and openness to reflective self-criticism cooperate ... opens up the possibility of a tradition’s taking a wrong turn, of its modifying its practices in ways that frustrate its essential norms and values’ (p. 73). But where Dodd seems to think that this process can be seen in a contemporary rejection of the more strident claims of the mid- to late-twentieth-century early-music movement, I take a longer view, seeing the ascendancy of historical performance-practice as part of the on-going process of the classical tradition’s growing self-awareness of its past – a process arguably begun with the first concerts of ‘ancient music’ in the eighteenth century, continued with the nineteenth-century revivals of Palestrina and Bach, and advancing today with (among other things) the reclamation of the music of women and composers of colour.<sup>41</sup>

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<sup>40</sup> Even Stephen Davies says that ‘performing Bach’s keyboard music on a grand piano, though it is inauthentic, should be faulted more for tastelessness, given the way the instrument muddies textures that should be clearer and cleaner’ (2001, p. 70).

<sup>41</sup> For a helpful summary of this history, see Kelly (2011, pp. 10-15).

Turning to Dodd's second objection, while there are undeniably analogies between complying with a score and using a word or applying a law, these analogies strike me as far too weak to support traditionalism in the face of the countervailing evidence in favour of historicism. Dodd argues that:

When it comes to determining the requirements of a linguistic rule, such as the rule for the correct application of a word, in any particular case, the relevant nexus of practices and customs is that in place at the time at which the case in question arises. ... Since this is so, and since following a score is just a case of following a rule, we have a prima facie reason for regarding the same to apply in the case of scores. (p. 70)

Clearly, even the weak conclusion that we have a prima facie reason to think that score compliance operates in the same way as word-application rules does not follow unless we have, for instance, reason to think that word-application rules are paradigmatic rules.<sup>42</sup> Consider that many people tragically discover late in life that they have not been playing Monopoly by the rules when they pay their fines into a pot to be claimed by the next person to land on Free Parking. However word-application rules work, the fact that there is a robust tradition of playing Monopoly in this way does not show that it is a correct application of that game's rules. Anyway, even if it were established that word-application rules are the paradigm rules, there are clear disanalogies between words and musical works that plausibly outweigh any prima facie supposition in favour of traditionalism. To take just three obvious examples: First, musical works, unlike words, are typically created by people publicly specifying (in a score) what should be done to produce an instance of that work. We can thus

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<sup>42</sup> I ignore the controversial theory of words as orthographical types that Dodd endorses in the afterword (pp. 172-3), since I don't think it is essential to this argument.

refer back to the score (as to the official rules of Monopoly) – understanding it as the result of contextual, intentional human action – to see what it mandates. Second, a ‘tradition-based’ approach to word-use makes sense where people use words to communicate new meanings (e.g., in conversation). But in other contexts (e.g., literary interpretation) a historical approach to word meaning is arguably (some might say obviously) better. Finally, the performance of a musical work is quite different from the use of a word. For instance, words are not typically used to evince a deep or insightful understanding of their meanings in audiences.

Dodd might respond to this objection with his analogy to the law (pp. 62-3). For laws, too, are typically created by people publicly specifying in a document what is permitted or forbidden in certain circumstances, yet we often understand laws using features of the context of their application rather than the context of their creation. Dodd considers the example of what counts as ‘threatening’, ‘abusive’, or ‘insulting’ according to the UK’s 1967 Criminal Justice Act, pointing out that these terms are correctly interpreted (in contemporary cases) in terms of contemporary standards of threats, abuse, and insult.

One response would be to ask how a contemporary composer would respond if the flautists in the orchestra premiering her new symphony decided to use Baroque rather than modern flutes. According to Dodd, such choices are ‘stylistic options’ rather than work-determinative mandates in contemporary practice. But perhaps Dodd has a more complicated picture in mind, according to which the only appropriate performance styles for a work are those used for *new* works in the context of the work’s composition, together with any styles that have been sanctioned by the performance tradition since then, but *not* earlier styles. This theory is going to get complicated, since some contemporary composers mandate Baroque style for

their new compositions, but let's assume for the sake of argument that it can be coherently worked out.

The main objection to the analogy between the application of law and the performance of musical works will surely be that law and music are quite different practices. There is only room to scratch the surface of these differences here, but I follow Robert Stecker (2003, pp. 153-83) in appealing to differences between the *aims of interpretation*, the *authority of interpreters*, and the *consequences of interpretations* in each practice. Though Stecker is mostly concerned with critical (as opposed to performative) interpretation, his view that the primary aims of art interpretation include appreciating works by understanding their actual meaning is close to Dodd's view that the primary goal of musical work-performance is to evince understanding of musical works. The primary aims of legal interpretation, by contrast, are '[1] to clarify the explicit content of an individual legal item such as a statute ...[:] [2] [to] bring[] ... the total relevant law[] to bear on a case to reach a decision ...[:] [3] [to] mak[e] the law as determinate in application as possible ...[:] and] [4] to reach decisions that are morally acceptable or just' (Stecker, 2003, pp. 161-2). The first aim seems analogous to that of understanding an artwork. The second seems to have no equivalent in art practice. The last two are justified in the legal (but not the artistic) case because of the serious sociopolitical consequences of legal interpretation. Most obviously, there are great benefits to living one's life in a society that embraces the 'rule of law' – a stable and comprehensive system of legal rights (Stecker, 2003, p. 166). And we see these aims reflected in the peculiar nature of judicial authority and legal precedent – legal interpretations by judges that are taken to be (defeasibly) binding, regardless of the merits of the reasoning for them (Stecker, 2003, pp. 163-4).

Stecker's main aim is to argue that a moderate constructivism about legal interpretation is to be expected, given these aims, while it should be rejected with respect to art interpretation. That is, the meanings of laws really do change as they are applied by courts to specific situations, while the meanings of artworks do not. Dodd is not a constructivist about the meanings of musical works (or, at least, musical-works-as-composed-in-a-context), but he is a constructivist about the meanings of *scores*: What they mandate changes as new ways of interpreting scored instructions are reflectively adopted in the tradition. The attentive reader will be unsurprised to hear that I have my doubts about the coherence of this view. The composer determines the work (and hence its meaning) by writing a score in a context that includes conventions for understanding such scores. How, then, can what the score communicates change without the work and its meaning (potentially) changing? Perhaps Dodd's answer would be, again, that the work and its meaning are not so tightly tied to the scored details as I think.

Anyway, I hope at least to have shown that the analogy with the law is not strong enough to support tradition-based constructivism about scores. If, as Dodd says, the goal of work performance is to evince understanding of the performed works (as composed in a context), then – absent the sociopolitical consequences that justify the third and fourth aims of legal interpretation listed above – we should interpret scores according to the conventions operative in the context of their creation.

##### *5. Concluding remarks*

In these comments, I have focused on my disagreements with Dodd. In the grand scheme of things, however, these disagreements are slight. I have not touched on Dodd's fine discussion

of personal authenticity (chapter 4), simply because I agree with everything he says on that topic. Indeed, it seems to me that he has effectively put the topic to rest (at least as it applies to classical work-performance authenticity). Nor have I said much about the way in which Dodd arrives at his three-tier value structure of classical work-performance through careful reconstruction and critical discussion of the extant literature; I can do no better than urge those who care about this issue to read the book.

Perhaps the greatest distance between us is on the question of how to understand scores, but this issue is independent of Dodd's theory of the value structure of the classical work-performance tradition. When it comes to the metaphysics of musical works, our views are arguably converging. As for authentic performance, we already agree on much and are hashing out the details. The fact that the stakes still feel so high – to me, at least – illustrates that Dodd's opening comments about the importance of classical work-performance in his life apply equally well to me. And yet, despite the importance of these matters to me, I would not have been able to articulate my own views to the extent that I have done without Dodd's work on the topic. I thus end by heartily thanking him for giving us this excellent book.<sup>43</sup>

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<sup>43</sup> Thanks also to Jerrold Levinson, Julie Post, two anonymous readers, and – especially – Julian Dodd for helpful discussion of earlier versions of this essay.



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