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## Performer, Persona, and the Evaluation of Musical Performance

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## Performer, Persona, and the Evaluation of Musical Performance

Theodore Gracyk

### Abstract

Engaging with recent ideas about the moral evaluation of art, I argue that facts about the lifestyle, attitudes, and moral character of music performers are relevant to evaluating a musical performance. When it contributes to a better understanding of the performance, this knowledge contributes to a more accurate estimation of its aesthetic merits and flaws. I explain how my view departs from those of Berys Gaut and Jeanette Bicknell.

### Key Words

aesthetic autonomism; forgery; insincerity; moral evaluation of art; musical performance; ontological contextualism; persona; popular music

### 1. Introduction

There is an important view in philosophy of art, aesthetic autonomism, which holds that aesthetic values are independent of other sources and kinds of value. Although it was often treated as an essential axiom of aesthetic theory, the dominance of aesthetic autonomism is waning. The burden of proof seems to have shifted, so that the burden now falls on those who maintain that the aesthetic and the ethical are mutually exclusive categories of value judgment. In that spirit, I proceed on the assumption that autonomism is mistaken and that ethicism requires no defense. My positive contribution is my argument that influential formulations of ethicism continue to concede too much to autonomism when the position is applied to musical performance.<sup>[1]</sup> I propose that the ethical attitudes of performers are sometimes partially constitutive of the aesthetic flaws and merits of their musical performances.

My position relies on two major assumptions. First, I accept ethicism as a general theory about ethical and aesthetic value: ethical assessment has bearing on aesthetic assessment. Second, my emphasis on sources stems from recent arguments against aesthetic empiricism.<sup>[2]</sup> Aesthetic empiricism is the position that the aesthetic value of any object of appreciation depends only on those non-aesthetic properties that are directly perceived in it.<sup>[3]</sup> In contrast, ontological contextualism proposes that facts about artistic provenance are often relevant to shaping the aesthetic properties that emerge from non-aesthetic ones. Aspects of a work's history can make an aesthetic difference. Although ontological contextualism was expressly developed in order to accommodate artistic modernism, it does not stand or fall simply as an account of the aesthetics of recent fine art.<sup>[4]</sup> It can also shed light on our interactions with objects and events that are not necessarily artworks, including popular entertainment.<sup>[5]</sup>

I develop my argument in relation to popular music. Although a great deal of ethical condemnation of popular music relies on empirically doubtful claims that impressionable listeners will be harmed by its pernicious influence, that is not my concern. Nor do I wish to turn back the clock to the era when critics ranked the "relative excellence" of stories, films, and artworks according to their capacity to positively transform our values and thus behavior.<sup>[6]</sup> My aim is to advance the claim that ethical judgments about musicians can be relevant to the aesthetic experience of – and therefore the value of – their music. Expanding upon an insight supplied by Jeanette Bicknell, I propose that this version of ethicism is particularly apt for evaluating popular music. However, the first step is to align ethicism and ontological aesthetic contextualism.

### 2. Contextualism

Ontological contextualism is well known in contemporary philosophy of art as a result of Arthur Danto's endorsement of it: "the aesthetic qualities of the work are a function of their own historical identity, so that one may have to revise utterly one's assessment of a work in the light of what one comes to know about it."<sup>[7]</sup> Consider Kendall Walton's well-known example of Pablo Picasso's *Guernica* (1937). Walton argues that its precise expressive character is determined by its degrees of similarity and dissimilarity to other cubist paintings, and to its having originated as a painting rather than, say, a sculpture. If an identical image appeared within a tradition of bas-relief sculpture rather than twentieth century cubism, the artwork would be either very dull or very serene. However, it would certainly be a mistake to perceive it as violent and dynamic—which Picasso's *Guernica* is.<sup>[8]</sup> Thus, a proper appraisal of *Guernica*'s aesthetic value depends, in part, on knowingsome facts about Picasso, the artist.

Applied to music, contextualism implies that what sound like two indistinguishable performances of the same musical work may in fact be performances of two very distinct works, and those two works may possess very different aesthetic properties.<sup>[9]</sup> Similarly, different performances of the same work will have different properties as a result of being generated in different contexts. The identity of the performer, I argue, is one such relevant contextual factor. For example, the order of performance can make a difference, as when a singer's interpretation of a song that is already closely associated with another singer counts as a "cover" version and so gains an aesthetic complexity that may have been lacking in the earlier version (e.g., Sid Vicious singing "My Way.")<sup>[10]</sup>

As a first step in showing that the ethical evaluation of performers can play an important role in aesthetic evaluation of performances, I will take a detour into the topic of food consumption. In particular, I want to connect contextualism and disgust. Although there may be some people who select food strictly on the basis of its nutritional value, they are certainly not the norm. Most people are influenced by the manifest properties of our food, especially how it looks and tastes. (Manifest properties are any that are directly apparent in seeing, smelling, tasting, and so on.) However, aesthetic responses to food are also influenced by its non-manifest properties. Although it is a staple source of animal protein, many Americans and Europeans recoil at the thought of eating goat and drinking goat milk. Eel, squirrel, snake, and a host of other tasty creatures are also widely shunned by food consumers who can afford more expensive proteins. Others reject beef, pork, and poultry on the grounds that they are produced under cruel conditions, or on the grounds that the cognitive abilities of these species make them unsuitable for consumption. In short, food choices are guided by a combination of economic, aesthetic, and ethical considerations.

Carolyn Korsmeyer is particularly insightful on how contextual factors influence aesthetic evaluations of food. Here is a morsel of what she says about food and disgust:

Living within a religious milieu that prohibits the eating of pork, for example, inculcates the belief that pork is inappropriate food. The relevant cognitive assessments become exceptionally strong evaluations, such as "pig products are abominable." The assessment also takes a strong visceral form: the smell of bacon is nauseating. ... Upon discovering that one has accidentally eaten pork, perhaps ... food believed to have been made of something else, one may feel retrospective nausea and be disgusted by the past event of eating pork.<sup>[11]</sup>

The first important lesson here is that the aesthetic response of feeling disgusted can be influenced by a cognitive component: beliefs about origins. Although disgust is among our most basic emotions, it is not restricted to an instinctive, non-cognitive response to manifest properties. Turning from aesthetic judgment to aesthetic properties, a second point is that aesthetic properties are not confined to whatever we immediately perceive. They accrue to complex, ongoing experiences. Consequently, we often formulate retrospective aesthetic responses that differ from our occurrent responses to what was perceptually apparent to us. Third, Korsmeyer observes that there is "overlap between core [visceral] disgust and moral disgust ... when disgust is brought about by human agency with injurious purpose." I think that the same point holds in cases where there is no injurious purpose. Upon learning that the delicious restaurant meal that I ate the previous evening was prepared in a kitchen where someone on the kitchen staff has hepatitis and poor hygiene, my retrospective disgust is justified even if I believe that exposure to the virus arose from ignorance and laziness rather than bad intentions.<sup>[12]</sup> Finally, the relevant injury may be to someone or some animal *in the past*, and not an injury or threat for the person making the aesthetic judgment. It is not unreasonable to translate ethical sympathy for ducks and geese who are mistreated in the production of *foie gras* into aesthetic disgust in the stuff itself.

Sadly for ducks and geese, modern aesthetics is rife with arguments for autonomism rooted in aesthetic empiricism, encouraging us to ignore their unseen history when the *foie gras* arrives at the table. Contrary to the tradition inaugurated by Kant, it is all but impossible to avoid cognitive spill-over in the case of food.<sup>[13]</sup> Following his precedence, autonomists might respond to Korsmeyer's cases of retrospective disgust with the argument that disgust, directed at food, is not an *aesthetic* response. As it was developed into the twentieth century, Kantian autonomism was frequently employed to support the view that a wide swath of cultural activity—including food consumption—is resistant to disinterestedness and therefore to aesthetic judgment.

Ironically, Kantian autonomism shielded fine art from ethical censure while offering no such protection for "low" culture. Falling beyond the sphere of what is aesthetically valuable, popular culture does not trigger the autonomist's prohibition against ethical evaluation. In practice, one of the most notable examples is the so-called Hays Code, which supported ongoing censorship of Hollywood movies for a significant portion of the twentieth century.<sup>[14]</sup> Yet during the same period, the legal system of the United States increasingly protected images, language, and narratives that would be prosecuted as obscene in popular culture. The erotic content of James Joyce's *Ulysses* is one among many prominent cases. This difference in treatment—ethical autonomism for fine art but only for fine art—is increasingly recognized to be an unjustifiable double-standard. Popular music seems to have received a disproportionate share of abuse as a result of this double-standard.

The lesson here is that although ontological contextualism was developed to make sense of developments in the artworld of the twentieth century, we employ a double-standard if we assume that contextualism only applies to fine art. Provenance makes an aesthetic difference. Ethical dimensions of provenance make an aesthetic difference with food. So why not popular music, too?

### 3. Composers and provenance

Ontological contextualists debate whether knowledge of provenance of music requires knowing the identity of the music's composer. It cannot *always* make a difference; there are many musical traditions where sophisticated listeners are not concerned with it. Focusing on the Western classical tradition, the composer's

identity is of varying relevance. On the one hand, there are traditions where that information does not seem to matter. We do not know who composed the traditional fiddle tune "The Soldier's Joy." However, I think that evaluation of its aesthetic merits can go awry if one hears it while under the false impression that it was composed by Gid Tanner, an American, in the late 1920s—based, perhaps, on the fact that Tanner recorded it with The Skillet Lickers in 1929. In that case, the tune could merit interpretation as a nostalgic and perhaps even reactionary, and thus racist, assertion of Dixie pride. Although that might be a proper reading of Tanner's version and a number of other performances of it, it would be a mistake to regard it as true of all performances: the tune predates Tanner by centuries. Yet how would it profit us to get the time and place of composition exactly right? It would make little or no aesthetic difference to learn that it is the only surviving composition by a Scottish Highland fiddler named Gilbert Burns, circa 1642, rather than the only known tune of a fiddler named Patrick Walker, of Stirling, in the Lowlands, and dating from about 1657. On the other hand, we have traditions and genres where such information is highly relevant. As Jerrold Levinson observes, had Richard Strauss composed music in 1897 that sounded just like Arnold Schoenberg's *Pierrot Lunaire* (1912), Strauss's music would not be the same musical work, for it would be expressively and aesthetically very different from Schoenberg's composition.<sup>[15]</sup> Here, a change of composer and a gap of fifteen years are very significant.

Because facts about a work's composer are sometimes aesthetically relevant, and because a work's ethical flaws are sometimes aesthetically relevant, I think the burden of proof falls on those who think that a work's ethical flaws can be aesthetically relevant and yet a composer's ethical flaws remain irrelevant. Tradition aside, why do we think that the moral purposes and moral quality of an artwork can always be determined in the absence of a judgment about the moral character of the artist? Yet it appears that way to Berys Gaut, who narrows the range of what is ethically relevant to elements within the work: "the artist's attitudes manifested in the work ... are a central object of ethical assessment."<sup>[16]</sup> Elsewhere, he is clear that the attitudes manifested in the work are restricted to "artistic acts performed in the work."<sup>[17]</sup> Everyone expresses different attitudes on different occasions and in different contexts, and therefore assessment of an artwork should focus on attitudes expressed *in it*.<sup>[18]</sup>

But what of the artist's real-life behavior when it clarifies what is expressed in a particular work? Here, Gaut proposes, "[T]he view also allows that the artist's personality as manifested outside his work *may* be relevant, since it is the same person who acts in both contexts. The test must be whether, in light of one's knowledge of the artist's attitudes outside his work, one can detect in the work traces of these attitudes." The test is whether this knowledge leads us to locate these traces upon further close "inspection" of the work, so that we "see" in a painting something previously overlooked. If we cannot locate any such trace, the artist's behaviors and attitudes are ethically and aesthetically *irrelevant*.<sup>[19]</sup>

My central proposal is that this position is mistaken. The relevant ethical merits and flaws are not limited to what can be seen—or, with music, heard—in the work. Consider my earlier example of ducks, geese, and *foie gras*. The mistreatment of the fowl takes place in a context far removed from the consumption of the delicacy, so that it is possible to have regularly eaten it without knowing about the animal cruelty involved in its production. When ethically sensitive diners learn of that cruel mistreatment, their ensuing disgust is not based on sudden "detection" of something "in" the food. They do not suddenly become sensitized to a previously unnoticed manifest property. The ethical flaw remains altogether "outside" the aesthetic object. Yet it is aesthetically relevant. Analogously, I propose that there are cases where an artist's values and attitudes are not reflected in corresponding "traces" in the artwork, yet where knowledge of them is relevant to its aesthetic assessment. This result is a straightforward consequence of ontological contextualism, which tells us that, for any fixed arrangement of non-aesthetic properties that are directly perceived, there may be rival interpretations that ground distinct experiences of those properties, and so consequently distinct aesthetic judgments.

Art forgery offers examples in which provenance introduces ethical considerations that ought to be taken into account when assigning aesthetic value. Forgery is a category that is concerned with the artist's behavior. More to the point, it is a category where knowledge about the creative process *ought* to influence aesthetic judgment.<sup>[20]</sup> Yet the alteration of judgment may occur for knowledgeable viewers without the intervening step of a discovery of previously overlooked traces within the work. As Peter Lamarque emphasizes, the forger relies on generating false beliefs about artistic provenance.<sup>[21]</sup> The aesthetic failing of a forgery does not depend on the forger's doing a bad job in forging another painter's work or style; aesthetic failure is not always linked to visible traces of being a forgery. A perfect forgery is aesthetically bad because the forger has an unethical stance in relation to the audience, demonstrating that an ethical flaw in the artist can bequeath an aesthetic flaw in the art despite the absence of ethical problems in the attitudes manifested or expressed by, or in, the work.

#### 4. Performer and persona

Musical forgery is uncommon. However, it is very similar to artistic insincerity, and at least two noteworthy categories of insincerity arise from a disparity between the artist's public persona, the music performed, and, sometimes, the artist's non-performing life. Both kinds of insincerity are found in popular music. The first category is the more obvious case, where insincerity is an ethical and therefore aesthetic flaw. The second case is the one where duplicity in the construction of a public persona enhances the work ethically and aesthetically (e.g., the example of

Victor Willis in section 5). These two categories are important in popular music because it is dominated by song performance. Consequently, center stage is normally occupied (both literally and metaphorically) by individual singers, rather than the music's composer(s) or its instrumental accompanists. Elaborating on Stan Godlovitch's observation that the visible human agency of musical performance invites the audience to treat "artist and artwork, performance and performer ... as inseparable," Jeanette Bicknell observes that the standard success criteria for popular song performance include the audience's "[c]onviction that this particular singer is appropriate for this song and vice versa."<sup>[22]</sup>

Bicknell chooses to "set aside" the question of whether certain song choices are morally inappropriate for certain singers.<sup>[23]</sup> With this move, she restricts her discussion to the *seeming* appropriateness of a song and singer: does the singer perform a particular song with sufficient conviction? This narrowing of focus presumes that the popular audience does not care whether that conviction is won through an insincere communication. However, I propose that audiences do care, and should care. More to the point, insincerity is the most obvious case of an aesthetically relevant ethical flaw that may reveal no manifest "trace," where the attitudes that are manifested in the song performance are not those of the artist, and where this disparity is relevant to an ethical appraisal and thus to its aesthetic value.<sup>[24]</sup> Although there are many cases where insincerity is ethically innocent, there are also cases where duplicitous insincerity merits ethical condemnation. Some of these cases become visible only if, building on Bicknell's notion of a "fit" between public persona and song choice, we allow the additional move of considering the potential relevance of real-life behaviors that never come to the attention of—or which are actively hidden from—the popular audience. But why stop there? Having granted that an artist's identity can be an aesthetically relevant aspect of an artwork's provenance, and having agreed with Godlovitch and Bicknell that a performer's persona enters some musical performances as constitutive elements of those performances, then we have all the warrant we need to examine a performing artist's relationship to her or his public persona.

I take it that all stage behavior during public performance is part of a singer's public persona. Perceived as a "folk" singer in the first half of the 1960s, Bob Dylan's first appearance onstage with an electric guitar (on July 25, 1965) radically redefined his persona. Stage banter can also define and redefine a singer's persona. On March 17, 2013, Michelle Shocked made derogatory comments about same-sex marriage to a club audience that included a large number of lesbian fans who had interpreted Shocked's songs and performances in light of a public history that positioned her as a radical feminist lesbian.<sup>[25]</sup> The 2013 incident quickly led to a cancellation of a tour of American cities. Due to this change in her public persona, we can anticipate that Shocked's longstanding fans will appraise all future performances of her established repertoire differently, on the grounds that it is aesthetically inappropriate for her to continue to give voice to songs that endorse a degree of personal freedom that the singer's persona morally denounces. However, this is simply a variation of Bicknell's point about the aesthetic flaw that can arise from a discrepancy between persona and song selection. The argument that follows moves beyond the fact that changes in a public persona can deprive a singer of what had been, until then, the requisite conviction to perform one or more songs.

The crucial cases involve disparities between the singer's public persona and the singer's ethical character. For example, early in Bob Dylan's career, journalists discovered that he was supplying a false biography (e.g., his actual name was Robert Zimmerman and he claimed that he was an orphan, when he was not). Some journalists published these discoveries. Others sought to discredit him by relaying the false rumor that he was not the actual songwriter of "Blowin' in the Wind." Most competent listeners can *hear* that the tune is derivative from the African-American spiritual "No More Auction Block," and thus can make an educated guess about its *general* provenance, which connects the song to the civil rights movement. (Lacking this manifest connection to the tradition of African-American spirituals, it is doubtful that the song would have become one of the anthems of the civil rights movement.) Yet the American press was not exploring the song's general provenance when spreading the false claim that Dylan had purchased the words and music from a high school student whom Dylan met while visiting Woody Guthrie in a New Jersey hospital.<sup>[26]</sup>

Suppose that the rumor was true rather than false. If true, it would (in 1963 and immediately after) have given good reason to reconsider Dylan's performances of the song. Had Dylan purchased the song instead of composing it, performances of "Blowin' in the Wind" that displayed an emerging talent that rivaled or overshadowed his model, Woody Guthrie, would instead constitute the public actions of a musical charlatan. The fabrications within his Guthrie-like persona are not necessarily a mark against Dylan's performances in the early 1960s, but if it were true that Dylan lied about composing such a significant song, it would be a genuine moral failing of the *singer* that would reduce the conviction and power of his performances at that time. It would certainly be relevant to Dylan's performance for the March on Washington on August 28, 1963, as a featured singer prior to the famous "I have a dream" address by Martin Luther King, Jr.<sup>[27]</sup> Dylan's inclusion in one of the signature events of the American civil rights movement would have been unmerited. (He sang three of his most recent compositions and the civil rights staple, "Keep Your Eyes on the Prize," but not "Blowin' in the Wind.")

It might be objected that a song's true authorship cannot make an aesthetic difference unless it becomes known, and so it only matters after it enters the singer's public persona. However, that objection misunderstands the contextualism that frames my argument. The primary insight of ontological contextualism is that many

facts about provenance are relevant (rather than that they are relevant only if we happen to know them). The situation with Dylan's performances of "Blowin' in the Wind" is just as it is with any aspect of provenance that makes an aesthetic difference: the audience's ignorance of relevant facts about provenance generates distorted aesthetic judgments. Furthermore, although aesthetic properties are response-dependent, our aesthetic reevaluation of Dylan in 1963 upon learning of the deception would not depend on our suddenly becoming aware of manifest traces of the lie in Dylan's performances of 1963.

I am not, however, advancing a general principle about song authorship. I am not suggesting that being the author of a song always matters in this way. Many artists besides Dylan sang "Blowin' in the Wind" with conviction. (In fact, the folk trio Peter, Paul, and Mary sang it instead of Dylan at the March on Washington.) My only claim is that some things that are presented as part of a singer's persona may be unacceptable elements of that persona—and so also of that performer's performances—if they are not actually true of that singer. The relevance of Dylan's false claim of authorship, had it been such, lies in its discord with the rapid evolution of Dylan's public persona at that time. In sum, the relevance of the rumor about the authorship of "Blowin' in the Wind" illustrates that behaviors that are not incorporated into a singer's public persona can be morally and aesthetically relevant to a proper evaluation of that singer's performances. In the same way that a public persona can deprive a song performance of conviction, facts about the singer's private life can deprive the persona of conviction, too.

##### 5. Reappraisals: negative and positive

Taking stock, my analysis recognizes that there are four distinct ways that ethical merits and flaws can matter in a song performance. First, a song's expressive features often include moral attitudes. Many of Dylan's songs express harsh moral condemnation, including the harsh self-criticism of songs like "Idiot Wind." Because it is part of the song's design, self-criticism is expressed when others sing that song. Second, many songs are designed to solicit particular moral responses from listeners. The solicited response is often, but need not be, identical to what the song expresses. Successful performances of "Idiot Wind" encourage listeners to reflect on their own ignorance and foolishness. In contrast, Randy Newman's "Short People" is a clear example where these diverge. The solicited response is quite different from the cruel bigotry of the song. Quite rightly, Bicknell invites us to look beyond these two factors to a third variable, the singer's public persona, for it also enters into the song's performance and thus counts as aesthetically relevant.<sup>[28]</sup> Therefore, when different singers with dissimilar personae perform the same song, those performances may solicit distinct moral and thus aesthetic responses. When we respond to the conviction of a particular performance, we are still within the orbit of the manifest properties of the music's performance, and so we remain within the limits on relevant properties endorsed by Gaut's ethicism, for the only morally relevant properties belong to the "artistic acts performed in the work."

I have argued that Gaut and Bicknell are mistaken in asking us to stop there. If the attitudes and behaviors that appear in the public persona are relevant, then facts about the singer's ethical character can also matter. It seems particularly relevant when the singer's character diverges from the singer's public persona. The singer's own moral character is a fourth contribution of the ethical that can make a genuine aesthetic difference. The remainder of this essay offers additional thoughts about the complex interplay between a singer's persona and the singer's life.

I have acknowledged that public personae evolve, and some of the change is governed by gossip and tell-all biographies. We might adopt a principle of interpretive charity, according to which the singer's conviction in a particular performance is "walled off" from subsequent changes in the performer's public persona. However, once we allow that the singer's life is relevant to evaluating the public persona, this is not always the right approach. On the assumption that most people do not change all that much over the course of their adult lives, later events in a singer's life may reveal aspects of character and attitude that provide an epistemic warrant to reevaluate an earlier period of that person's life. If Shook's 2013 persona leads her fans to reevaluate her 1988 album *Short Sharp Shocked*, that is because fans are now considering a fourth factor, her actual moral character in 2013, which may constitute evidence that her 1988 persona was highly duplicitous. If her long-time fans now find that they are disgusted by the performances on *Short Sharp Shocked*, their revulsion would be parallel to the difference that it would make if Dylan made a death-bed confession that he really had purchased "Blowin' in the Wind" from a high school student in 1963. In short, it is sometimes appropriate to evaluate the virtual agency that is "in the work" (expanded to include a singer's public persona) in light of the "private" life of the musician who presents that public persona. Therefore, anything we learn about a singer's life—including subsequent events—might be relevant to evaluating that performer's persona and performances during any point in the singer's career. I do not mean that everything is equally relevant. The point should be understood in light of ontological contextualism, which says that different facts relating to provenance are relevant with different artists and artworks.

Unless one subscribes to backwards causality and thus the possibility that an event's properties can be changed by later events, there is no reason to suppose that the properties of a particular performance can be *changed* by later events. Dylan did not perform "Blowin' in the Wind" on August 28, 1963, and later events cannot change that fact. Similarly, insofar as Dylan's public persona entered into his performance on that day, the relevant persona is whatever it was at the time of that performance. Dylan's taciturn stage presence in the later decades of his life does

not change his persona of the early 1960s, when he was often talkative between songs. Suppose, agreeing with Bicknell, that the moral attitudes that are manifestly present in a public persona are the only ones that should be allowed to supplement the ethical dimensions of the song that is being performed. In that case, audiences will almost always be making an error if they reevaluate a performance in the light of subsequent events in the performer's life. At best, we might consult later events and behaviors as a basis for thinking that the singer's public persona had been *misunderstood* in some way. In contrast, I am proposing that revelations about a singer's persona-independent attitudes and behaviors are potentially relevant to a moral and aesthetic reevaluation of the singer's public persona. As such, a reevaluation of the persona does not have to involve the discovery of previously overlooked manifest properties of that persona. We might experience retrospective disgust, just like a diner's retrospective disgust upon learning more about the production of *foie gras*.

It will be useful to offer another example of subsequent events that should be permitted to inform a moral reevaluation of a popular musician's public persona as it enters into a particular performance. The Grateful Dead performed an outdoor concert in Toronto, Canada, on June 27, 1970. However, a crowd of about two thousand protesters gathered at the stadium's entrance and attempted to persuade others not to pay to see the show. Insisting that music should be free, a number of protestors tried to force their way in, others climbed over the fences, police officers were injured, and there was a concern that rioting would erupt. Jerry Garcia, the Dead's lead guitarist and nominal leader, spoke to the protestors and offered to provide a free show in a nearby park—something the group did from time to time in their home city of San Francisco (and the fact of which was part of their public persona, prominently documented in two photographs adorning the *Live/Dead* album of 1969). Garcia pitched the offer of free music as a solution that would avoid violence. The group's public persona and Garcia's specific remarks encouraged the gate-crashers to understand that free music was provided in a spirit of generosity and out of concern for everyone's well-being. (Garcia seems sympathetic to the demand for free music when he tells them, "All this is like voluntary in nature." He urges "coolness" while they arrange the "free stage.")

However, these events were filmed and eventually appeared in the documentary *Festival Express*, where they are supplemented with interviews of key participants filmed more than thirty years later.<sup>[29]</sup> At best, some of them had mixed intentions. Bob Weir, the Dead's second guitarist, emphasizes that he was there "to make a living." He seems to have regarded the protestors as naïve yet dangerous, thereby revealing attitudes that did not enter the Dead's 1970 persona. Festival promoter Ken Walker is also interviewed. Walker makes it clear that the free music was a business decision, provided in order to draw the protestors away from the concert site. In hindsight, it has become apparent that, with the possible exception of Garcia, the Grateful Dead were resourceful and increasingly savvy capitalists. The band was their business, and they protected their interests.<sup>[30]</sup> Much of the audience for the free concert in Toronto in 1970 might have evaluated the music differently if they could have known that, in the future, the band's business practices would serve as a model for twenty-first century entrepreneurs.<sup>[31]</sup> If any of the protestors or audience members from the free show saw *Festival Express* and heard Weir and Walker talk about the events of that day, an appropriate response would include some retrospective disgust about the Dead's free performance that day in the park.

Disparities between musician and persona do not always generate aesthetic flaws. Again, the aesthetic reevaluation that arises from discovery of insincerity or duplicity in a public persona does not have to generate the disclosure of previously ignored manifest evidence. Consider the disco group The Village People, whom Walter Hughes singles out as a paradigm of disco music's initial relationship to homosexuals in the 1970s.<sup>[32]</sup> They had numerous hit records that combined infectious dance beats with homoerotic innuendo, including "Macho Man," "Y.M.C.A.," and "In the Navy." The potent combination of their songs, music videos, and visual identity (exploiting and exaggerating various male stereotypes) was not without its political edge, for their public persona played a role in publicizing gay subcultural identity that had been largely confined to a few urban centers. At the same time that their cartoonish public persona supported the gay rights movement, the Village People also became targets of the homophobic backlash to disco.<sup>[33]</sup>

In this case, the dissonance between singer and persona arises from the presumption that the members of the group were, in fact, homosexual in their sexual orientation. However, lead singer Victor Willis was not. Yet Willis' voice and stage presence were at the heart of their public persona, and he composed the lyrics for several of their major hits. The group's popularity waned significantly after Willis quit in 1979. Within the group's public persona, Willis offered himself as homosexual. Here, we have a strong parallel to the Michelle Shocked case, but with an important reversal of evaluative valence. As has been said of the revelation that movie star Rock Hudson was homosexual, this revelation of sexual orientation "can alter the dynamics of looking, confirming or bringing out the confusions of the sex comedies ... in a way that unsettles their [sexual] affirmations."<sup>[34]</sup> In my estimation, Willis' presence in The Village People deepens the political dimension of their major hits, for Willis' extended practice of performing as "gay" constitutes a critique of the cultural norms of heterosexual behavior at that time. Minimally, he resisted the deep homophobia of the era in an admirable way. Admittedly, I am assuming that Willis would not have been at the forefront of the group if he was cynically exploiting an emerging music trend. After all, the disco hits of the Bee Gees and other musicians had already demonstrated that men could succeed within disco while presenting heterosexual personae, so Willis' assumption of that persona was not compulsory. To be fully consistent, I have to allow that there may be relevant facts about Willis

that remain unknown. However, the point remains that there are performing contexts in which seemingly trivial pop songs are highly politicized social interventions. The Village People are such a case, and consequently an ethical evaluation of the *singer* is relevant to our evaluation of the singer's public persona. Ontological contextualism allows that we don't always know all the important facts, but it reminds us that unknown facts about provenance may be highly relevant.

I have argued that facts about a performer's "private" life can be relevant to the aesthetic character of his or her performances. I recognize that staunch anti-contextualists have no reason to endorse my argument. Furthermore, I have made no attempt to develop a principled view of where to draw the line between relevant and irrelevant facts. However, I have given ontological contextualists a reason to locate that boundary line.<sup>[35]</sup>

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## Endnotes

[1] For a succinct summary of the positions of autonomism and ethicism, see Berys Gaut, "Art and Ethics," in *The Routledge Companion to Aesthetics*, 3rd ed., eds. Berys Gaut and Dominic McIver Lopes (New York: Routledge, 2013), pp. 394-403, ref. on p. 395. See also Elisabeth Schellekens, *Aesthetics and Morality* (London: Continuum, 2007), pp. 63-76.

[2] For a survey of the contextualist refutation of aesthetic empiricism, see David Davies, *Art as Performance* (Oxford: Blackwell, 2004), pp. 28-42.

[3] Generalized so that it is not restricted to art, this formulation is adapted from Peter Lamarque, "Aesthetic Empiricism," in *Work and Object: Explorations in the Metaphysics of Art* (Oxford University Press, 2010), pp. 122-138.

[4] See Davies, *Art as Performance*, pp. 191-192.

[5] Although I do not think it makes a difference whether, say, a Grateful Dead improvisation is an artwork, the general issue is explored at length by Noël Carroll, *A Philosophy of Mass Art* (Oxford: Clarendon Press, 1998).

[6] Edwin D. Starbuck, Frank K. Shuttleworth et al., *Guide to Literature for Character Training: Volume 1 Fairy Tale, Myth, and Legend* (New York: Macmillan, 1928), p. 11.

[7] Arthur Danto, *The Transfiguration of the Commonplace: A Philosophy of Art* (Cambridge, MA: Harvard University Press, 1981), p. 111; see also p. 154.

[8] Kendall Walton, "Categories of Art," *Philosophical Review* 79 (1970), 334-367, ref. on 347. For an overview of contextualism, see Theodore Gracyk, "Ontological Contextualism," in *A Companion to Aesthetics*, 2nd ed., eds. David Cooper, Stephen Davies, Kathleen Higgins, Robert Hopkins, and Robert Stecker (Oxford: Blackwell, 2009), pp. 449-453.

[9] Stephen Davies, *Musical Works and Performances: A Philosophical Exploration* (Oxford: Clarendon Press, 2001), pp. 72-86.

[10] See Michael Rings, "Doing It Their Way: Rock Covers, Genre, and Appreciation," *The Journal of Aesthetics and Art Criticism* 71 (2013), 55-63.

[11] Carolyn Korsmeyer, *Savoring Disgust: The Foul and the Fair in Aesthetics* (New York: Oxford University Press, 2011), p. 23.

[12] Compare this case to Korsmeyer's discussion of the consumption of fugu, a poisonous puffer fish (*Savoring Disgust*, p. 81).

[13] Immanuel Kant, *Critique of the Power of Judgment*, ed. Paul Guyer, trans. Paul Guyer and Eric Matthews (Cambridge University Press, 2000), p. 165. In German: Kant, *Gesammelte Schriften*, vol. 5, ed. Königlich Preussische [now Deutsche] Akademie der Wissenschaften (Berlin: G. Reimer [now De Gruyter], 1902-) §33, p. 285.

[14] Thomas Doherty, *Hollywood's Censor: Joseph I. Breen and the Production Code Administration* (New York: Columbia University Press, 2009). The standards articulated in the code continued to influence American television even after the code was withdrawn in 1968.

[15] Jerrold Levinson, "What a Musical Work Is," *Journal of Philosophy* 77 (1980), 5-28 (reprinted in Jerrold Levinson, *Music, Art, and Metaphysics*, 2nd ed. [Oxford University Press, 2011], pp. 63-88). For an extended argument that the composer's identity is only sometimes relevant, see Davies, *Musical Works and Performances*,



pp. 79-86.

[16] Gaut, *Art, Emotion and Ethics*, p. 108.

[17] Gaut, *Art, Emotion and Ethics*, p. 76.

[18] Gaut, *Art, Emotion and Ethics*, pp. 73-74. Although Noël Carroll's moderate moralism differs from Gaut's ethicism, my objections also apply to Carroll's emphasis on works that "fail on their own terms" to secure a desired emotional response due to design failure, generally arising from a narrative's ethical perspective (Carroll, "Moderate Moralism," *The British Journal of Aesthetics* 36 [1996], 223-238).

[19] Gaut, *Art, Emotion and Ethics*, p. 74. Gaut's position parallels the explications of Sophisticated Aestheticism, Moralism, and Ethicism provided by Schellekens (*Aesthetics and Morality*, pp. 64-71).

[20] Denis Dutton, "Artistic Crimes," *The British Journal of Aesthetics* 19 (1979): 302-341.

[21] Lamarque, "Imitating Style," *Work and Object*, pp. 139-152, ref. on p. 151.

[22] Stan Godlovitch, *Musical Performance: A Philosophical Study* (New York: Routledge 1998), p. 139, and Jeanette Bicknell, "Just a Song? Exploring the Aesthetics of Popular Song Performance," *The Journal of Aesthetics and Art Criticism* 63 (2005), 261-270, respectively. Bicknell's emphasis on conviction is amplified by the analysis of persona and integrity in Allan F. Moore, *Song Means: Analysing and Interpreting Recorded Popular Song* (Farnham: Ashgate, 2012), pp. 261-271.

[23] Bicknell, "Just a Song?," p. 263.

[24] Tellingly, the example that generates Bicknell's essay title is our disappointment if we learned that Paul Robeson regarded "Go Down, Moses" as just another song in his repertoire (Bicknell, "Just a Song?," p. 261).

[25] Leah Garchik, "Shocked Show Shut Down over Gay Slur," *SF Gate* (May 18, 2013), <http://www.sfgate.com/entertainment/garchik/article/Shocked-show-shut-down-over-gay-slur-4363898.php> (accessed 30 August 2017). Accepting an award in 1989, Michelle Shocked made public remarks that implied that she was a lesbian (Paul Russell, *The Gay 100: A Ranking of the Most Influential Gay Men and Lesbians, Past and Present* [New York: Carol Publishing, 1995], p. 331), and a few months later she explicitly told an interviewer that another woman was her "lover" (Christie Nordheim, "'Shocking' Revelations from Singer Michelle Shocked," *Outlines* [May 1990], p. 25).

[26] n. a. "I Am My Words," *Newsweek*, November 4, 1963, pp. 94-95 (available online <http://s.newsweek.com/sites/www.newsweek.com/files/styles/full/public/2016/05/24/i-am-my-words.jpg> [accessed 30 August 2017]). The core details of the false claim are easily refuted: Dylan had both published and publicly performed "Blowin' in the Wind" many months prior to the date that the student claimed to have written it (for publication, see *Broadside*, iss. 6, New York, late May 1962, p. 1; available at <https://singout.org/downloads/broadside/b006.pdf> [accessed 30 August 2017]; for performance on April 16, 1962, see "Bob Dylan - Live at Gerde's Folk City Vol. 2 (1962)," *YouTube* video, posted 6 March 2017, <https://youtu.be/MyezKA18UG0> [accessed 30 August 2017]). For more on the spread of the false rumor, see Robert Shelton, *No Direction Home: The Life and Music of Bob Dylan* (New York: Beech Tree Books, 1986), pp. 161-162.

[27] I am not saying that an artist cannot enhance her performance by falsely claiming to have composed something she did not compose: where the persona of the artist includes appropriating or taking credit for others' work, it might well enhance the performance.

[28] Explaining what does and does not belong to a singer's public persona, Bicknell observes that it may be the case that Frank Sinatra "experienced ... moments of vulnerability" at various times of his life, but vulnerability was not an element of his public persona; only aspects of his character that are on "public display" are relevant to why Sinatra was wise to avoid certain songs (Bicknell, "Just a Song?," pp. 265-266).

[29] *Festival Express*, dir. Bob Smeaton, 2003.

[30] Following Garcia's death, the band angered many fans by restricting the open circulation of high quality performance recordings in order to increase their market value; see Jeff Leeds, "Deadheads Outraged Over Web Crackdown," *The New York Times* (November 30, 2005), <http://www.nytimes.com/2005/11/30/arts/music/deadheads-outraged-over-web-crackdown.html?mcubz=0> (accessed 30 August 2017).

[31] See, for example, Barry Barnes, *Everything I Know about Business I Learned from the Grateful Dead: The Ten Most Innovative Lessons from a Long, Strange Trip* (New York: Business Plus, 2011).

[32] Walter Hughes, "In the Empire of the Beat," in *Microphone Fiends: Youth Music and Youth Culture*, eds. Andrew Ross and Tricia Rose (New York: Routledge, 1994), pp. 147-157, ref. on p. 150.

[33] Gillian Frank, "Discophobia: Antigay Prejudice and the 1979 Backlash against

Disco," *Journal of the History of Sexuality* 15 (2007), 276–306.

[34] Richard Dyer, *The Culture of Queers* (New York: Routledge, 2002), p. 169. Dyer argues that evidence of Hudson's real-life sexuality cannot be found in his onscreen acting.

[35] I thank the two anonymous readers of the essay. Their comments spurred many improvements.