

Critical Performances

Jonathan A. Neufeld

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Abstract

Philosophers of music commonly distinguish performative from critical interpretations. I would like to suggest that the distinction between critical and performative interpretations is well captured by an analogy to legal critics and judges. This parallel draws attention to several features of performative interpretation that are typically overlooked, and deemphasizes epistemic problems with performative interpretations that I believe are typically blown out of proportion and ultimately fail to capture interesting features of performative interpretation. There *is* an important distinction to be made between critical and performative interpretation, but its source lies in a difference between the authority of critical and performative interpretations.

Keywords: *Music, Interpretation, Performance, Performative Interpretation, Critical Interpretation, Levinson, Habermas, Authority.*

I.

Philosophers of music commonly distinguish performative from critical interpretations. I would like to suggest that the distinction between critical and performative interpretations is well captured by an analogy to legal critics and judges. This parallel draws attention to several features of performative interpretation that are typically overlooked, and deemphasizes epistemic problems with performative interpretations that I believe are typically blown out of proportion and ultimately fail to capture interesting features of performative interpretation.

A central problem with the debate over performative interpretation is a focus on an overly narrow set of properties that are relevant to identifying them. This is brought out sharply by Jerrold Levinson's use of an argument from indiscernibility in his influential essay on performative and critical interpretation. I will begin by showing that performances with indiscernible sound structures do not necessarily indicate identical performative interpretations. A great number of performance choices that do not affect sound structure can be relevant to the identification of a performative interpretation. These extra-sonic properties of performative interpretations, combined with the sonic properties, can give us much more robust and critical interpretations that are usually acknowledged by those advocating for a sharp distinction between the types of interpretation. This is not to say that the distinction is irrelevant or uninteresting, however. There *is* an important distinction to be made between critical and performative interpretation, but its source lies in a difference between the authority of critical and performative interpretations.

The distinction between "performative" and "critical" interpretation is explicitly addressed by Richard Wollheim in his seminal *Art and its Objects* [Wollheim (1980)], Wollheim takes the relatively commonsense position that a performative interpretation was an expression of a performer's critical interpretation of a work. That is, there is a basic correspondence between performative and critical interpretations. The commonsense position has been assailed from two, ultimately similar, positions. The first position argues that performers do not really *interpret* at all since performances are not representations or are not assertoric [Dickie (1992)].¹ The second position allows that performers interpret, but argues that their interpretations are essentially different from, and so logically independent of, critical interpretations. I will focus my attention on this second position which has been defended by Jerrold Levinson [Levinson (1996)] and largely taken up by Robert Stecker [Stecker (2003)]. I will argue that the debate over the relationship between performative interpretations and critical interpretations has been hampered by an overly narrow conception of the performance choices that are relevant to the identification of a performative interpretation. To illustrate this, I show that even sonically indiscernible performances might be expressions of different performative interpretations.

This is especially clear in Levinson's influential article "Performative versus Critical Interpretation in Music" [Levinson (1996)] in which he argues for a sharp distinction between critical and performative interpretations. In illustrating this

claim, Levinson reveals an unreasonably narrow conception of the “facts of performance” that has been largely accepted without comment, and that serves to make his account far leaner than is justified. I argue that too sharp of a separation between performative and critical interpretations leads to an untenable view of performance practice. Levinson relies on the following example of indiscernible performances:

Consider...two conductors whose recorded performances of a given symphony sound virtually identical, allowances made, perhaps, for different orchestral venues—that is to say, they appear to have made all the same performing choices. Would we not hold these conductors to have offered the same PI of the piece, whatever else we might know or learn about the backgrounds of the performances? The answer to this seems clearly *yes*, and shows that a PI, as normally understood, does not include the discursive thoughts or analytical insights that may have occasioned it, or that it may occasion [Levinson (1996), p. 69].

This example makes it clear that the facts of the performance, the “performing choices,” that Levinson allows to be relevant to determining a critical interpretation are very limited indeed. For his view, a performative interpretation is nothing more than the intentionally produced sound structure into which the performer has put some thought.

II

Let us consider a few other descriptions of events containing identical performative interpretations – events in which the performers have made all the same performing choices – according to Levinson’s criteria.

1. Orchestra X performs Bach only with near contemporaries (“early music” is often marketed in just this way), and that Orchestra Y, though producing the same sound structure as Orchestra X, always performs his work with romantic and modern composers profoundly affected by him.

2. Two conductors' orchestras produce the same sound structure when playing Shostakovich's Fifth Symphony – one an unimaginative Soviet nationalist for a politburo audience, the other a Soviet dissident for the same politburo audience.

3. A made-for-CD performance of Haydn's Farewell Symphony and a live performance with the same sound structure, but in which the performers blow out candles illuminating their stands one by one before leaving the stage during the last movement.

4. A contemporary conductor's performance of Orff's *Carmina Burana* (or *Meistersinger*) in Israel and one with an identical sound structure performed by a conductor sympathetic with National Socialism at a Nuremberg rally in 1939.

Do we really want to say that these are all cases of virtually identical performative interpretations? The answer to this seems clearly *no*. There *are* facts that I could discover that would make me say that, though two performative interpretations in each case sounded alike, they actually differed in relevant respects. Each example picks out what I take to be a neglected type of fact when considering performative interpretations. The first example highlights program choice, the second the intentions and certain characteristics of the performer, the third chosen visual aspects of performance, the fourth general performance context. It seems to me that each of these facts of performance can play a role in performative interpretation, and can serve (though need not necessarily serve) partially to constitute a performative interpretation.

In each of the examples what Peter Kivy [Kivy (1996)] calls a "plausible story" can be told connecting a given performance fact to an understanding of a performative interpretation. I will briefly consider each, in order of what I take to be descending degrees of controversy. The general background context of a performance of Wagner or Orff seems to matter rather greatly to the identity of performative interpretation. If the sound structure of Daniel Barenboim's performance of *Tristan und Isolde* at the Israel Festival in the summer of 2001, which I discuss in much more detail elsewhere,² were identical to that of one produced by a conductor sympathetic with the Nazis at a birthday party of Hitler, I would not hesitate to call them different performative interpretations. Perhaps a

better example, since it better isolates context, would be if Barenboim produced the same sound structure in Orchestra Hall in Chicago with the Chicago Symphony as he produced in Israel with the Berlin Staatskapelle, the facts of performance are sufficiently different to at least put the burden on us to *argue* that they are the same performative interpretation. That is, the reasons for identifying the two performances reach beyond mere sound structure and into the realm of what Levinson would consider to be critical interpretation. It matters that the work was performed in Israel. It matters that it was performed by a German orchestra. It even matters that it *sounds the same as it does in Berlin*. The combination of just these factors *distinguishes* the performative interpretation from one in Berlin (or Chicago, or Peoria).

In the case of the ironic Shostakovich, the dissident's critical interpretation, background, and intentions are sufficient to make a different performative interpretation because he ironically uses the same techniques that the loyal nationalist Soviet does unironically.³ It may well be the case that the Shostakovich is different and raises unique difficulties because of the special characteristics of irony and parody. But if we want to hold on to the *possibility* of parodic and ironic performance, then we have to abandon the reduction of performative interpretations to sound structure.

Peter Kivy has argued convincingly that visual characteristics of a performance are aesthetically relevant [Kivy (1996)]. For example, blowing out the candles at the end of Haydn's *Farewell Symphony* is aesthetically relevant and does serve to distinguish it from a sonically identical performance. The performance space may also make a musical impact, an aesthetic impact. Imagine that two conductors produce the same sound structure when performing Bach masses, but one always performs in concert halls while the other performs only in spartanly appointed Lutheran churches. These performance choices matter to our understanding of the performances, are taken to matter by a number of performers and their audiences, and so matter to the identity of performative interpretation. The venue choice or the choice of other visually significant features of the performance often makes a statement about what kind of a work is being performed – religious, pious, autonomous and aesthetic, historically and culturally significant, premodern, protomodern, and so on.

Finally, it is most surprising that program choice is so seldom mentioned as a relevant fact of performative interpretation. It indisputably an important

performance choice with respect to an entire performance, as anyone who has given a recital would attest. It can be further used, and often is used, to illustrate various connections between, and even within, pieces. A number of performances in Miller Theatre in New York City in recent years have been specifically programmed to show the connections between contemporary composers and canonical ones – and sometimes the connections are somewhat surprising and make one hear the music quite differently. One concert in particular, by pianist Alan Feinberg was entitled “Reconsidering Haydn.” Feinberg anchored the program with Haydn’s work by opening with his piano Sonatas number 30 and 33. He then moved on to Judith Weir, *The Art of Touching the Keyboard*, Schubert’s Impromptu in G Flat Major, ending with Mauricio Kagel’s *An Tasten*. The mere act of putting these five apparently disparate pieces together in the same program encouraged both audience and performer to draw connections between them all. Christopher Hogwood has recently been performing neo-classical and neo-baroque composers of the twentieth century along with composers of the 17th and 18th centuries with the announced intention of drawing these historical eras closer together musically. All of these performance choices constitute performative interpretations that contribute to what I take to be nontrivial and even robust critical interpretations.

One might think that if we accept what I have just argued, then the position is susceptible to the following sort of “anything goes” worry: Joe copies Yo Yo Ma’s interpretation of Bach’s cello suites in every detail. He also comes up with a brilliant though controversial critical interpretation of the suites that Ma has publicly ridiculed, though Joe takes it to justify the performative interpretation he gives. Though there is nothing new about his sound, and his performance sound structure is indistinguishable from Ma’s, I seem to be forced to argue that he has a different performative interpretation because of his fascinating critical interpretation. (Note that this roughly follows part of the structure of the Shostakovich Fifth symphony example in 2. above.)

I would respond that, in this particular case, sound simply matters more than critical interpretation, and I would happily call the performative interpretation the same as Ma’s. But why is this justified? Just as Peter Kivy has argued is the case in the determination of the aesthetic relevance of visual facts of a performance, so it is for the various facts of performance I have outlined here including the critical interpretation of the performer. It is not a matter of conceptual identification and definition, but one of judgment to be argued on a case by case basis. I readily admit

that it is almost never the case that a brilliant critical interpretation on its own will make up for a derivative sound structure such that the performative interpretation associated with it is not derisively and correctly accused of being the same as another. It is inappropriate to set out criteria of relevance in advance – rather it depends whether one can tell a “plausible story” connecting the performance fact to a performative interpretation [Kivy (1996)].

Each of these performances could count as the same performative interpretation only if the facts of performance relevant to picking out performance choices are radically limited. Levinson suggests that his restricted notion is how performative interpretation is “normally understood.” But is this a normal understanding? One might justify this restricted version of “normal” in two different ways. First, one might argue that a musical performance, as such, is normally nothing more than object for *aesthetic appreciation*. In this case, the more concept-dependent elements of the event taken more broadly – political elements of Barenboim’s performance at the Israel Festival, for example – might be ruled out as extra-aesthetic, and so as something irrelevant to the performative interpretation.⁴ This manner of limiting the relevant elements of performance simply pushes the problem back one step. It is compelling only on a restricted view of the aesthetic that itself needs an argument. The argument for such an austere conception of the aesthetic is even more difficult to make at this point in the history of philosophy – after Nietzsche, Adorno, Dewey, Danto, Bourdieu, Margolis, Goehr, Rancière, among many others representing a variety of philosophical methodologies – than one limiting musically relevant object of attention to the sounding work. This is not to suggest that such an argument could not be made, of course. It is simply to point out a refutation of the contextualized account of performative interpretation I give here should cannot simply assume a deeply contested conception of the aesthetic. Moreover, many of the arguments I give here would apply, *ceteris paribus*, to austere conceptions of the aesthetic. While to fully defend a richer account of the aesthetic in full detail reaches far beyond the scope of this paper, I hope to have shown that the onus is on the defender of the austere conception of aesthetics.

Another, more modest, way to give a narrow account of “normal performance” compatible with the austere version of performative interpretation is to limit the facts of *all* performances to the sort of thing we get in an ideally sanitized recording of a performance. If *this* is taken as the central case of reception for performative interpretation, then something like Levinson’s view might look

more “normal.” Even in this case, however, more of an argument is needed in order to justify stripping away or excluding facts not included in the mere sound structure produced. People often buy recordings with a great deal of knowledge about the performers and performances, gain more knowledge about them by reading liner notes, reviews, blogs, and so forth. Nevertheless, as recordings have become more highly engineered, sound structure has become increasingly important and the “facts of performance” as presented on disc have been increasingly homogenized. It does seem, then, that Levinson’s normality claim has some purchase in the rarefied realm of modern digital recording. However, even if we grant that we would call two relevantly similar recordings identical performative interpretations no matter what other facts we discovered about them, the inference from this to a claim about all performative interpretations is certainly unwarranted. Where part of the point of modern digital recordings is to isolate the sound structure and present it in as pure a manner as possible, and one has to make an effort to discover the other facts of performance, the facts of a live performance are ineliminable – or at least one needs to make a concerted effort to block them out. Though sound structure is obviously a necessary and even *central* criterion for the identity of performative interpretations, it cannot be a sufficient condition.

At this point, it might be tempting to think that my account simply denies that there is a distinction between performative and critical interpretation. But there does seem to be *some* distinction that one would want to maintain between the two. In the space remaining, I would like to suggest one source of the distinction that would change the character of the debate of the role of performers in music practice and musical understanding for the better. I would like to suggest that the difference between a performer’s contribution to musical understanding and a critical contribution to musical understanding lies in a difference in the *authority* of the performer and critic.

III

The distinction between critical and performative interpretation is usefully illuminated by a brief account of the historical role of the critic in art practice and the development of the public sphere. The rise of the critic in art and music is

historically joined to the rise of the public sphere. Both Jürgen Habermas and Thomas Crow have described the critical influence that the heterogeneously populated *parterre* of 18th century theatre had on the success or failure of particular performances as well as works [Habermas (1991), Crow (1985)]. The same was true of music in the Paris Opera, according to James Johnson [Johnson (1995)]. There was an ever-strengthening tendency to make a distinction between true listeners—those who were moved by the judgments of the music itself – and those who were merely moved by cheap tricks or their own internal, *private*, reveries. Crow illustrated most clearly that, in the 18th century Salons, there was a persistent fear on the part of the Academie that the criticisms of a *parterre*-like public, that is one dominated by the rowdy and unreflective, would come to control the content of the exhibitions. Contemporary characterizations of the public contained both negative elements, describing the mass-like features of the crowds in the Salons, as well as positive elements describing the surprisingly refined judgments emerging from varied perspectives (from the sensitive fishmonger, or the keen-eyed baker). A key to stabilizing the judgment of the public, and to preserving the practice of producing artworks, was a core of reasonable attention to the work itself (the autonomous work of art) represented by well-founded critical interpretations.

In the artistic public sphere whose core norm was autonomy (autonomy of aesthetic appreciation, autonomy of judgment, and autonomy of works)⁵ the justification for an interpretation's being well-founded lay in its being grounded in the *work itself* rather than in any particular and arbitrary interest. This began as a negative critique of works that served the interests of residual feudal political and religious powers. But another danger opened on the side of reception the expansion of an ever more heterogeneous audience which raised the specter of interpretive chaos and philistinism. It is no coincidence, then, that professional art criticism arose simultaneously with the literary public sphere. At the outset, criticism was dominated by amateurs presumably because the sphere of influence of the artistic public was still fairly small and homogeneous. As the literary public expanded with regard both to demographics and types and numbers of works presented, it ran into conflicts similar to those encountered by the political public sphere. The concept of the autonomous work demanded critical interpreters that wouldn't be carried away by their own merely contingent preferences, and who would not be unduly influenced by expressions of the *mass's* interests. These demands of the autonomous work could no longer be generally expected to be met by a heterogeneous audience

that had lost its expectation of solidarity generated by a shared religion, shared social status, and shared education. Just as it was in the political public sphere, so it was in the literary public sphere: to preserve the public, the public needed to be divided into expert and lay audience. Habermas argues that it was through this institution of professional criticism, that “lay judgment of a public that had come of age, or at least thought it had, became organized” [Habermas (1991), p. 41].

The art critic was to be both educator and spokesperson for this public. German musicologist Carl Dahlhaus suggests that,

In the period of aesthetics [around 1800], the critic appears, at least ideally, as the representative of the public; he becomes its preceptor only when the discrepancy between the ideal and the empirical audience, the difference between the *volunté de tous* and the *volunté générale*, has become too acute [Dahlhaus (1983), p. 12].

Dahlhaus’s allusion to Rousseau here is especially rich and leads us by an unexpected route back to the difference between critical and performative interpretations. The difference between the general will (*volunté générale*) and the will of all (*volunté de tous*) is that the former is the public will while the latter is merely an expression of private wills. Government fails and descends into tyranny when it expresses merely a private will (whether of the individual government actor, or of some aggregate of the people). In such cases, the general will needs to be protected from the government. In cases where the will of all usurps the power of the general will, the latter needs to be protected from (the mere private aggregate of) the people. It is in just these situations that Rousseau believes the intervention of a tribunate is necessary for the preservation of democracy. The tribunate is a judicial body with the power of interpreting the law, which is the expression of the general will, and mediates between the people and the government. In Rousseau’s words, the tribunate “is the preserver of the laws *and* the legislative power. It serves sometimes to protect the sovereign against the government...; sometimes to sustain the government against the people...; and sometimes to maintain equilibrium between the two” [Rousseau 1987, p. 215]. In every case, the tribunate issues an authoritative expression of the sovereign power (the general will)—even against the people.

Dahlhaus's suggestion that the *critic* mediates between the general will and the will is suggestive, but it is not quite to the point. Critics can give an account of what the music ought to express, and they can give an account of what the people ought to listen for. They can even point out where the general will and the will of all come apart. In the case of musical tastes, this might involve pointing out the admirable and worthy characteristics of underappreciated music. It might involve criticizing performers for performing underappreciated music in such a way that prevents appreciation. It might involve criticizing audiences for being taken in by unworthy music. Eduard Hanslick's influential music criticism in late 19th Century Vienna did all of these things, and many critics continue to do the same today [Hanslick (1988)]. In every case, though, the role of the critic is continuous with that of an active audience member who enters into discussion with her family and friends about what is worth listening to, or what was good, bad, interesting, or indifferent about a performance or a work. Critics differ quantitatively with audience members, but not qualitatively. That is, critics have a larger audience, and they have, on the whole, more experience and more musical background than typical members of the musical public sphere. The authority critics have, here, is the authority of an expert, or more experienced friend offering *advice* rather than *mandating* how the music is heard.⁶

Critics are limited in this crucial respect, even in the case of a critic as influential as Hanslick. They cannot give *practical authoritative* expression to music. More specifically, they cannot give an authoritative expression of a particular work. Critics do not play the kind of role in music performance practice to determine how musical works *will* go analogous to judges' power to decide how the law will go in particular cases. Critics cannot preserve the law or the musical work, either for or against the people, though they can make an *argument* to the people and performers about how it ought to go.

This is not to say that critics cannot be enormously influential as advice-givers and educators. They can have and historically have had enormous influence on how artworks are viewed and understood, of course. But having influence or offering advice is not the same as issuing an authoritative decision concerning how the laws *are to be* preserved and developed. The distinction is analogous to that between a legal commentator and a judge. As influential as the former may be, only decisions of the latter are authoritative and give expression to the law. Only judges make law and obligate the audience in the very act of interpretation.

Characterized as members of the public sphere, legal critics and, I am arguing, music critics claim to know of no authority other than that of the better argument. After the “great divide” of modernity, the role of critics became one granted and played by the public – criticism was and continues to be fallible and taken to be “good till countermanded” by further, better reasons. Though critical practice has, of course, become organized and institutionalized, it is all merely well-informed lay judgment and so has the character of one voice among others in public while at the same time *guiding* discourse. Habermas is correct to note that “[t]his was precisely where the art critic differed from the judge” [Habermas (1991), p. 41]. Although the critic may be more knowledgeable and more experienced than lay members of the public sphere, those members were not to be “obligated by any judgment but their own” [Ibid.]. Again, the difference here between lay members of the audience and critics is a quantitative one, not a qualitative one. The intellectual authority gained by critics after the great divide was, in principle, just the same as the authority gained by the audience. The lay member of the audience could in principle argue on the same ground as the critic and come to reject any critic’s judgment. It may well be the case that the culture of critics makes it seem as if there is a distinction in kind between expert and lay reception and criticism. It may even seem as if critics, especially influential critics, lay down the law with regard to particular works. Even if it is the case that expert critics set the tone of how works are received, critical interpretations are immediately critically defeasible in a way judicial decisions are not. In the end, a critic is just one public voice among others.

The performer, on the other hand, is not merely one voice among others. The performer has direct control over how the work sounds, and so how an audience is to hear it in a particular context. That a musical performer is authoritative, at least in some sense, should neither be controversial nor surprising. It is common to speak of musical performance as authoritative in two senses. First, performers are often invested with a kind of metaphorical authority. Performers are taught to *take command* of a work and of their audience, and to show this command in their playing. In master classes, the virtuoso violinist Isaac Stern told his students to carry themselves and to play as if to say, “I am here. Shut up and listen.” The history of virtuoso performers, criticism of their playing, and accounts of their lives, is rife with metaphors of authority. Violinists of the mid-nineteenth century were regularly described as “Alexander of the violin” or “Caesar of the violin.” Musicologist Mai Kawabata writes of one violinist, Alexander Boucher who, taking

full advantage of his physical resemblance to Napoleon, went so far as to dress as the general for his concerts, striking various Napoleonic poses before and after performing. Kawabata goes on to give an account of how certain “heroic codes” affected a variety of elements of music performance practice – composition, the treatment of the bow, instrument, the conception of the relationship between soloist and orchestra, the soloist and the audience, and so on [Kawabata (2004)].

More important than these metaphors of authority, however, are several elements of the structure of performances that point to a more literal authority of the performer. That is, the performer presents the audience with a musical directive to hear works in particular ways. Roger Scruton argues that we “put ourselves in the hands of the music” when we listen, that we are “led by it through a series of gestures whose significance lies in their intimation of community” [Boghossian (2003), p. 54]. The way in which the works are presented, not only the particular “sensuous realization” of “way of sounding it” as Levinson would have it, but all of the performance choices mentioned above, are not under the audiences direct control.⁷ Nor should it be. The performer chooses what music to play and how to play it. The audience is to sit silently, for the most part, and is to follow along. They are asked to follow the musical lines that the performer draws connecting and distinguishing various parts internal to the work, they are asked to follow the connections between works. Elements of the music, and the correct way of following them, are brought out in any number of ways – through dynamic and timbral variance, through physical gestures of the conductor or of different players. Sometimes they are even asked to follow connections between elements in the “world of the music” and elements in the “world of the world” [Kivy (1997), p. 207] (Barenboim performing Wagner in Israel is just one particularly striking example). That is, when one listens to a performative interpretation, one follows its movement.⁸

There is no room for the expression of dissent on the part of the audience within the norms of concert-going – the audience cannot simply choose to hear another interpretation. They cannot directly affect the interpretation presented to them within the conventions of classical music performance practice. Whether or not audience members agree, they are obligated to listen to and follow the particular shape the performer gives to the movement of the music. Whether or not audience members agree with any particular interpretive choices, each performance becomes a fact of musical life with which they must engage. Audience members

could disrupt the performance by foot shuffling, coughing deliberately, groaning, singing, booing, throwing things, getting up and leaving. Disruptions like these are common enough to situate them within the conventions of performance, but they are not conventional behavior. It is tempting to characterize these examples of disruption as a sort of musico-civil disobedience. Of course, this characterization of such behavior highlights the authority that is being resisted, rather than denying it. While it would be revealing to explore examples of disturbance to explore the nature of audience obligation, the sanctions of resisting the performers' authority, and so on, but this is beyond the scope of this paper. It is enough here to notice the difference between the nature of the audience's direct intervention on the presentation of the musical work and the performer's. One might say, following through on the analogy to the tribunate, that the performer's interpretation becomes *law* for the audience.

Of course performers' authority over a work is not absolute, however assertive their claim might be in the concert hall. Any given night's performance will, in all likelihood, not be the final performance of this particular work. Though it may be deemed "definitive" by zealous critics, none of these critics would, as a result, recommend that every future performer perform in exactly the same way or recommend that listeners stop attending performances. Nor would such effusive critics recommend that performers stop performing the work. This is simply not the nature of modern performance practice. Audience members do not go to a concert definitively to *settle*, once and for all, questions about a work, but to listen to a particular account of it. That the deliberation of the musical public sphere does not end with a single performance changes the performance from a mere authoritarian assertion of how a work *is*, to an authoritative contribution to an ongoing debate about how the work *should be*. In short, even though performers are authoritative in the concert hall, we must never lose sight of the fact that it is a *critical public* for whom they perform. Even though performers are responsible to a critical public, we must never lose sight of the fact that they are also *authoritative*.

IV

It is precisely the tension between the authority of the performer and the critical participation of the audience in the shaping the question of how the work

ought to go, and indeed how the practice as a whole ought to go, that makes the relationship between performative and critical interpretation so productive in practice and so philosophically interesting. It points directly to what is at stake in the debate – namely, the question of which agents directly involved in musical practice have control over the unfolding of musical practice, and how that control can be exercised. Characterizing the debate in this way raises difficult questions in practical and political philosophy: whether the authority of the performer is compatible with, a function of, or in conflict with, the reflective participation of the audience; whether, or what kind of, participation of the audience has value; what are the sanctions of defying the norms of the to what extent, under what conditions, and toward what end (musical-) civil disobedience might be justified within performance practice. While a full justification of the participatory and deliberative conception of musical performance practice that my characterization here has suggested is beyond the scope of this paper, the framework I have provided is compatible with a variety of positions.⁹

Far from being merely allowing us to accommodate counterexamples, the characterizing the relationship between performative and critical interpretation in terms of authority forces us to notice that the context of performance is an intersubjective one deeply embedded in the realm of reasons. While acknowledging the performer's authority in performance, my account of performative interpretation also brings to the fore performer's broader role in critical public deliberation about music. This has two effects on our conception of the authority of performers. First, the scope of the authority of a performative interpretation is broadened. The narrow view of performative interpretation and performance insured that the impact of any given performance, and performances in general, would be limited to the case at hand. Performances were cut off from playing a normative, argumentative role beyond the sounding in the concert hall. Again, it is as though a judge issued a ruling (for the appellant, say) without a reasoned decision, leaving the audience the impossible task of filling out a larger justification.

Second, my account of the relevant facts of performance and performative interpretation brings the nature of performers' authority more in line with a modern conception of publicness. A position that leaves the authority of the performer intact, but conceptually cuts off a deliberative role for both the audience and performer, threatens to allow a form of premodern publicness to creep back into performance practice. On such a view, a performance is characterized as a

radically non-transparent presentation of the way the work goes. Not only could we find no reasons if we searched, it would be a conceptual mistake even to make the attempt. On the one hand, such a performative interpretation might be taken to be *more* authoritative than a modern public performative interpretation. The audience is to follow along, and not to question, the performer's decision is in this sense absolute. On the other hand, the authoritative decision has such a narrow scope, affecting only the present audience without critically engaging it, that its authority quickly melts away with the last echo of applause. This modern yet disengaged authority might then be taken to render the performer impotent.

To conclude, I want to point to one significant possibilities opened up by this account of performative interpretation. When performative interpretation is characterized as intentionally produced sound structure into which the performer has put some thought, the performer, while performing, is conceptually robbed of a critical or reflective role in musical practice. Understanding performative interpretation in terms of authority and participation clears the way for an account of critical performances that contribute to the understanding not only of individual musical works, but of music practice as whole. Performers and performances play a central role such diverse activities as showing how a work should go, drawing connections between various works, criticizing performance practices, or even setting the boundaries of the musical public itself. This, I believe, promises to give us more insight into the active and varied roles that performers and critics play in the modern musical public sphere.¹⁰

*Department of Philosophy
College of Charleston
66 George St. Charleston, SC 29424, USA
E-mail: neufeldja@cofc.edu*

Notes

¹ On performance, he writes, "Of course, we speak of a musician's particular way of playing a piece as an interpretation, but this is something entirely different and not a declaration of meaning" [Dickie (1992), p. 112].

² Neufeld (2009).

³ This is true for both the epistemological and ontological aspects of the question. The CI, background, and intentions are sufficient to differentiate the two performances. Whether or not the audience can or would tell the difference is an empirical question. But, conductors lead such public lives whose rough CIs and backgrounds are generally accessible, at least to the extent necessary to distinguish an ironic from a non-ironic performance in the case of Shostakovich.

⁴ I thank the blind reviewer at *Teorema* for raising this point.

⁵ These three interlocking conceptions of autonomy are enumerated by Jay Bernstein in Bernstein (1995), pp. 161-62.

⁶ For the distinction between the authority of giving advice and authority of a command, see Raz (1983).

⁷ And it is, in general, better that they are not. The conception of authority I am tracing here has affinities with Joseph Raz's "service conception" of authority, recently summarized and revised in Raz (2006).

⁸ This claim is in keeping with a venerable tradition in music that includes Rousseau himself. He claims in the "Letter on French Music" that when the listener "[gives] his soul over to impressions of music." [Rousseau (2009)].

⁹ I defend the value of a deliberative democratic conception of the relationship between performer, work, and audience in *Music in Public: How Performance Shapes Democracy* (under contract; Oxford University Press)

¹⁰ I have greatly benefited from discussions on earlier drafts of this paper with Lydia Goehr, Brian Soucek, Tiger Roholt, Hanne Appelqvist, Gregg Horowitz, William Day, the Columbia University Aesthetics Reading Group, and the audience of the American Philosophical Association's Pacific Division meeting.

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