

On Resisting Art1. *Introduction: Is Resisting Art Prima Facie Wrong?*

In 1986, Gerard Jan van Bladeren took a box cutter to Barnett Newman's *Who's Afraid of Red, Yellow, and Blue III* (1967–68) at the Stedelijk Museum in Amsterdam. Reportedly, van Bladeren was angry about the success of abstract art in general and Newman's work specifically.¹ On May 29, 1913, the audience to the premiere of *Rite of Spring* erupted in what has often been called a riot.² Exactly what happened, and in particular whether anyone was hurt, is unclear, but it seems certain that unhappy audience members took to their feet and raised their voices, frightening the dancers and musicians. Angered by the unusual choreography or the dissonant score, audience members disrupted the performance.

These actions were wrong, and they were wrong for rather straightforward reasons: we shouldn't destroy or damage works that don't belong to us (perhaps we shouldn't even destroy some of those that do, but that's a more contentious matter); we shouldn't prevent others from enjoying a performance; and we shouldn't put people in danger. All of these claims follow straightforwardly from widely accepted moral principles about the wrongness of property destruction, non-interference, and endangerment of others.

That is not to say that it would *always* be wrong to vandalize an artwork or to disrupt a performance. There might be other important considerations that count in favor of vandalism or disruption in particular situations. For example, it is plausible that the decapitation of the Cecil

¹ See Caroline Goldstein and Katie White, "What Makes Someone Attack a Work of Art?" *ArtNet News* (October 2, 2019): <https://news.artnet.com/art-world/9-acts-of-art-vandalism-1630771>. This case is discussed in Eric Anderson-Reece, "Who's Afraid of Corporate Culture: the Barnett Newman Controversy," *The Journal of Aesthetics and Art Criticism* 51.1 (1993): 49-57.

² See Ivan Hewitt, "Did *The Rite of Spring* Really Spark a Riot?" *BBC News* (May 29, 2013): <https://www.bbc.com/news/magazine-22691267>.

Rhodes bust in Capetown, South Africa in 2020 was justified as part of a project to protest white supremacy.³ At least some cases of vandalism could be morally permissible or even required.⁴ Similarly, there may be considerations that justify certain audience acts of disobedience or disruption of a performance. Civil rights activists led by William Trotter intentionally disrupted showings of the racist film *The Birth of a Nation* (Griffith, 1915) in an effort to prevent the movie from being shown.⁵ In such cases, disrupting a performance might well be morally permissible, even praiseworthy. There are also some interesting cases in which acts of vandalism may seem justified on *aesthetic* grounds, as when one artist vandalizes a work in order to produce a new artwork. Famous examples include Robert Rauschenberg's "Erased de Kooning Drawing" (1953) and Ai Weiwei's "Dropping a Han Dynasty Urn" (1995).⁶ And there are similar cases in which audiences disrupt artistic performances for aesthetic reasons. Jonathan Neufeld offers an interesting example:

... [I]n the 2000-2001 season at La Scala, Salvatore Licitra played Manrico in *Il Travatore*. In two places in the well-known third act cabaletta, "Di quella pira," tenors traditionally interpolate high C's for the written G's below high C in a bravado show of virtuosity. In deference to the score, and against the operatic performance tradition, Ricardo Muti instructed Licitra to follow the score. The decision was vigorously catcalled and booed when Licitra sang the less impressive, but actually specified G's.⁷

Neufeld does not argue that this audience catcalling was justified, but neither does he condemn it. He takes seriously the possibility that an audience's aesthetic reasons might be

³ "Cecil Rhodes Statue in Capetown Decapitated," *The Guardian* (July 15, 2020):

<https://www.theguardian.com/world/2020/jul/15/cecil-rhodes-statue-in-cape-town-decapitated-south-africa>

⁴ For a discussion of related issues, see Helen Frowe, "The Duty to Remove Statues of Wrongdoers." *Journal of Practical Ethics* 7.3 (2019): 1-31.

⁵ "Race Riot at Theater," *The Washington Post* (April 18, 1915): 2.

⁶ For a discussion, see Sondra Bacharach, "Vandalism," in James Harold (ed.), *The Oxford Handbook of Ethics and Art* (Oxford: forthcoming).

⁷ Jonathan Neufeld discusses several examples in his "Aesthetic Disobedience," *The Journal of Aesthetics and Art Criticism* 73.2 (2015): 115-125.

important enough to outweigh the *prima facie* wrong of disrupting a performance. So aesthetic considerations, as well as moral ones, might also be taken to justify acts that initially seem to be wrong.⁸

Thinking about vandalism and performance disruption raises two important questions: (1) How far does the *prima facie* wrongness of audience resistance extend? Should other, milder forms of audience resistance also be faulted? (2) What considerations might justify such acts of audience resistance? In particular, what is the role of aesthetic considerations in different kinds of audience resistance?

Begin with the first question: what do other, less flagrant cases of audience resistance look like, and why do audiences undertake them? These are cases in which the audience resists an *interpretation* of an artwork, rather than damaging the work itself or disrupting a performance. The paper has seven parts. Parts two, three, and four give accounts and illustrations of three different kinds of audience resistance. The aim is to show the distinctions among and connections between these different kinds. The fifth part takes up the considerations that suggest that some or all of the foregoing types of resistance are *prima facie* wrong to engage in. The sixth part takes up considerations that suggest that some of the foregoing types of resistance have positive value, and thus are *prima facie* permissible or even morally good to engage in. The most important consideration is that many of these kinds of resistance are valuable insofar as they involve valuable creative activity. The paper concludes, in part seven, that evaluating audience resistance requires us to consider not only the interests of the artists, but also value of the creative activity of audiences.

⁸ How this might be the case is discussed in Section 6 below.

Because the paper examines audience resistance to certain interpretations of artworks and fictional worlds, some preliminary remarks about interpretation are in order. I will talk of *orthodox* and *heterodox* interpretations. By *orthodox* I mean those interpretations of an artwork that are understood to be plausible, comprehensive, internally consistent, and complete; by *heterodox*, I mean any interpretation that fails to be orthodox.⁹ In other words, orthodox interpretations are interpretations that offer consistent, complete, informative explanations that are supported by the relevant evidence from the work. This is not to say that the interpretation needs to hold that the *artwork itself* is coherent or unified; the interpretation can say that the artwork is neither of those things. But the interpretation should not contradict itself, and it should not ignore salient aspects of the work in order to support an interpretation. This account leaves open all kinds of important questions concerning what is meant by plausibility, comprehensiveness, internal consistency, and completeness. For example, anti-intentionalists will argue that an interpretation cannot be plausible if it relies on evidence from private communications of the artist about their aims; intentionalists will claim that such evidence strengthens the plausibility of an interpretation. There may be only one orthodox interpretation of a given work, or there may be many. The distinction is compatible with interpretive monism as well as interpretive pluralism (though not with an unlimited interpretative relativism). The

⁹ This distinction is based on Matthew Kieran's account of "legitimate" and "illegitimate" interpretations in his "In Defence of Critical Pluralism," *The British Journal of Aesthetics* 36.3 (1996): 239-251. To avoid confusion with legal questions, I do not use "legitimate" and "illegitimate." For a discussion of the larger issues here, see Robert Stecker, *Interpretation and Construction: Art, Speech, and the Law* (Malden, MA: Wiley-Blackwell, 2003). I will treat the distinction between orthodox and heterodox interpretations as a difference in kind, as Kieran does, but note that it might turn out to be a difference in degree: while consistency is a binary concept, other features, such as plausibility, might turn out to be a matter of degree. Nothing in the discussion to follow turns on this question. Thanks to an anonymous referee for pointing this out.

distinction between orthodox and heterodox interpretations therefore leaves unsettled a number of difficult questions about artistic interpretation.

Critics disagree about whether Henry James' *The Turn of the Screw* is a ghost story, a tale of a governess who hallucinates ghosts, or whether it is (or can be read as) both.¹⁰ All of these interpretations can be considered orthodox.¹¹ But if someone were to interpret the novella as a story about Douglas, the narrator in the introductory frame story, inventing the whole inner story in order to win a bet with one of the other story-tellers, Griffin, then this interpretation would be heterodox. No bet is referred to in the text, and Douglas is never portrayed as anything other than sincere. (And we never return to the frame story at the end, which would provide a natural resolution to the story of such a wager.) For the purposes of this discussion, we simply need to assume that most artworks have an orthodox interpretation or a set of orthodox interpretations, and note that audiences sometimes take up and defend heterodox interpretations.

A couple of other preliminary points are worth noting. Sometimes these heterodox interpretations are not interpretations of an individual work of art, but rather of the fictional characters in that world, or of some other aspect of the fictional world, which an artwork prompts the reader to imagine. Audiences can take a profound interest in the fictional characters and fictional world described by a work of fiction beyond the events and characters

¹⁰ See Peter G. Beidler, "A Critical History of *The Turn of the Screw*," in *Henry James: The Turn of the Screw: Complete, Authoritative Text with Biographical, Historical, and Cultural Contexts, Critical History, and Essays from Contemporary Critical Perspectives* 3rd ed., edited by Peter G. Beidler, New York: Bedford/St. Martin's (2010), pp. 235-270.

¹¹ An intentionalist or a critical monist might argue that only one of these (for the intentionalist, it would be the "ghost story" interpretation) is orthodox.

described in the fiction.¹² This is particularly true with serial artworks, in which the same characters or events are revisited in multiple works.¹³ So in at least some cases, the resistance targets something beyond the interpretation of a specific artwork: for example, audience members may imagine backstories for characters that are not described or even implied in the work, but which do not directly contradict anything that the work does make fictional. In such cases, the resistance would not be to an artwork but to a fictional world or character associated with that work.

The questions I want to ask here are: what can we say about these acts of resistance? Are they ever bad to do? Are they ever good to engage in? If so, why? In asking these questions, I do not mean to ask about whether such actions are *legally* permissible. I'm interested in whether audiences might be doing something wrong in these cases, but not in whether they are doing something illegal, or that should be illegal.

Let us sort acts of audience resistance to orthodox interpretations into three categories:

Petitioning. Audience members pressure the artist (or artists) to change an artwork (or some members in a series of artworks) so as to conform to their preferred heterodox interpretation.

Altering. Audience members alter instances of artworks¹⁴ so that those artworks better conform to their preferred heterodox interpretation.

¹² For a discussion, see James Harold, "The Value of Fictional Worlds (or, Why *The Lord of the Rings* is Worth Reading)," *Contemporary Aesthetics* 8 (2010):

<http://www.contempaesthetics.org/newvolume/pages/article.php?articleID=584>.

¹³ See Henry John Pratt, "Why Serials are Killer," *The Journal of Aesthetics and Art Criticism* 71.3 (2013): 267-270.

¹⁴ Altering, as I shall understand it here, applies only to instances of allographic works, such as literary texts, video recordings, song recordings, and the like. Instances of multiply instantiated autographic works, like prints, are not discussed here, as the alteration of a genuine print would ordinarily count as vandalism. See Nelson Goodman, *Languages of Art: An Approach to the Theory of Symbols* (New York: Bobbs-Merrill, 1976), Chapter III.

Adding. Audience members create original artworks that are intended to be incorporated into an artist's already existing series of works or fictional world, where those new artworks conform to their preferred heterodox interpretation.

Let's look at each of these types of resistance more closely.

2. *Petitioning*

Petitioning is an attempt to transform a heterodox interpretation into an orthodox one. Assuming the artist is still living, those who prefer a heterodox interpretation can reach out to the artist and ask them to produce a new work (or a new installment of an ongoing work, or a revision of an existing work) that supports their interpretation. Petitioning can be done for any number of reasons - moral, aesthetic, and otherwise. Critically, though, petitioning enlists the *artist* to make the heterodox interpretation orthodox. The artist (or their representatives) normally has the formal authority to change what is fictional, and so to provide the necessary support to make the preferred audience interpretation orthodox or not.¹⁵

Stephen King's novel *Misery* (1987) tells the story of an obsessive fan who forces (through kidnapping, drugs, and torture) an author to write a new book that brings a beloved character back to life. Real-life cases of fans who petition artists to make such changes, though normally lacking these elements of physical coercion and other violence, are commonplace.¹⁶ Petitioning is particularly popular with serially produced art. When a work (or series of works) is published in periodic installments, audiences form opinions about how the story should go. The

¹⁵ See Derkson and Hick (2018); also Darren Hudson Hick, *Artistic License: The Philosophical Problems of Copyright and Appropriation* (Chicago, IL: The University of Chicago Press, 2017), Chapter 4.

¹⁶ For some examples, see Darren Hudson Hick and Craig Derkson, "Righteous Art Anger," *The Journal of Aesthetics and Art Criticism* 70.4 (2012): 373-382. Thanks to an anonymous referee for suggesting this article.

break between installments gives audiences time and opportunity to petition the artist to have the story go a particular way. Famously, many readers of *Little Women* wrote to Louisa May Alcott and implored her to have Jo and Laurie marry at the end; she resisted. Arthur Conan Doyle killed off Sherlock Holmes so that he could turn his attention to other writing, but fans pressured him to resurrect the character, and he did so.

Petitioning can be morally salient, for good or ill. Some *Star Wars* fans petitioned Disney to remove *The Last Jedi* (2017) from the official “canon” of *Star Wars* films because they considered it too feminist and “politically correct.”¹⁷ Fans of the television show *Doctor Who* successfully petitioned the BBC to cast first a woman, and then a person of color, in the lead role. The success of these latter petitions made the heterodox fan interpretation that the character of The Doctor, who had for sixty years only been played by white men, had no fixed race or gender, orthodox.

Petitioning involves communication between audience and artist. So, it can only be successful if the artist cooperates. As a result, many people choose other forms of resistance that do not depend on the artist’s cooperation.

3. *Altering*

An alternative to petitioning is for the audience to make the desired changes themselves. Rather than asking the artist to change the work, an audience member (or a group thereof) can

¹⁷ Some fans who sign and circulate such petitions are not making any serious attempt to communicate with the artist, but merely pulling a stunt. However, I think that there is good reason to suppose that many other fans are dead serious about their intentions to actually change artist’s behavior. For one thing, there are many successful campaigns of this kind – many petitions that actually persuaded creators to change an ongoing story. Aside from the examples mentioned in the main text, consider the high-profile success of the audience campaign to “release the Snyder cut” of *Justice League* (2017). Thanks to an anonymous referee for raising this concern.

alter an instance of a work to conform with a preferred interpretation and then share that version with others. One famous case is Nahum Tate's 1681 revision of Shakespeare's *King Lear*. Tate believed that *Lear's* ending was unjust to its characters, particularly the virtuous Cordelia, whose fate he thought was undeserved. He took it upon himself to revise the play, keeping the vast majority of Shakespeare's original dialogue, but changing the ending substantially. Among other key changes, Lear and Cordelia live at the end, and Edgar and Cordelia are happily wed. Tate believed (and some others agreed with him – his version was quite popular for a time) that his version improved on Shakespeare's original by providing an ending that better served his sense of justice.

A more recent example is *The Phantom Edit*, a homemade version of George Lucas' film *The Phantom Menace* (1999).¹⁸ A fan of the *Star Wars* movies who also works as a film editor, Mike J. Nichols, was disappointed in Lucas' film, finding it juvenile and repetitive, while still finding that it contained much of what he loved about the *Star Wars* series. Using home editing equipment, Nichols created a version of the film in which Anakin Skywalker, the protagonist, wins the final battle through his intentional choices, rather than through blind luck. This supported his interpretation that Anakin's character arc should not have been determined by chance, but by specific choices that the character has made.

After *The Phantom Edit*, dozens of other fans made their own versions of the film, and of other films. Some of these editors were inspired by moral considerations, such as the desire to remove the offensive ethnic and racial stereotypes (Jewish, Asian, and Black) in *The Phantom Menace* that specific alien species' characterizations evoked. These edits not only involved cutting material, but also changing dialogue *via* new subtitles and overdubs, in order to remove

¹⁸ See my "*The Phantom Edit*," in Darren Hudson Hick (ed.), *Case Studies in Contemporary Aesthetics* (New York: Bloomsbury Academic, forthcoming) for a more detailed discussion.

racist and anti-Semitic elements from the film. And of course a single edit may be motivated by both moral and aesthetic considerations: it may try to both improve the pacing, and remove an anti-Semitic characterization.

4. *Adding*

As an alternative to altering instances of existing works, fans can instead create a new work and treat it as though it were a proper member of a set of works describing a particular fictional world (sometimes called “fan canon” or “fanon”). Adding includes the production of what is commonly known as fan art: pictures, songs, videos, stories, and other art made by fans of a particular work or set of works, where this new work is set in the same fictional world as the original. Sometimes fan art tells entirely new stories with new characters. Sometimes it effectively changes the meanings of events already made fictional or the nature of characters that had previously existed. In such cases, the new work serves to promote a particular heterodox interpretation.

One salient example of this phenomenon is the genre of slash fiction. Slash fiction is a type of fan fiction, made popular in the past fifty years or so, in which pre-established characters, who are portrayed as heterosexual in the original work, are shown to be bisexual or gay. Among the earliest examples of “slashfic” is Jennifer Gutridge’s story *The Ring of Soshern*, which portrays Captain Kirk and Commander Spock (from television’s *Star Trek*) in a same-sex relationship. Both of these characters are portrayed as exclusively opposite-sex attracted in the original television show and films. However, fans have found hints of same-sex attraction in specific scenes and bits of dialogue between the two characters, particularly in one scene from the first *Star Trek* film (Wise, 1979), in which Kirk holds Spock’s hand and Spock speaks of a “simple feeling” between the two of them. While a complete look at the whole of the *Star Trek*

fictional world does not support such an interpretation, there are enough moments and suggestions to allow fans to make imaginative additions to the fictional world that would make such a heterodox interpretation seem plausible.

The motivation for slashfic, one might say, is at least partly political. Queer fans who do not see themselves in popular media can create their own versions of these characters, and thus their own fictional counterparts – such representation can play a morally significant role in acceptance of one’s sexuality. There are other cases that are morally significant as well. Victor LaVelle’s 2016 novella *The Ballad of Black Tom* retells H.P. Lovecraft’s short story “The Horror at Red Hook,” completely changing the nature of the threat in the original story so as to transform the xenophobic and anti-immigrant sentiments of the original story into evidence of a character’s (the narrator of the original story) losing their grip on reality. LaVelle’s story inverts Lovecraft’s original. The protagonist is drawn into evil not because of his racial otherness (as the nameless immigrants were in the original) but because of the way he is treated by white authorities.

Not all fan art is produced for moral or aesthetic reasons – much of it is just made for fun. But making fan art can be a tool for those audience members who wish to make public their heterodox interpretations and invite others to imagine things the way that they do.

5. *Considerations against audience resistance*

There are reasons to think that at least some of these kinds of audience resistance are themselves *prima facie* wrong. Even if *adding* is not as serious a matter as, say, vandalism, we might still want to pause before engaging in these activities out of concern for the integrity of the original works. Here I consider three main objections to these kinds of audience resistance: first, that some of these acts of resistance infringe on the rights of the artist; second, that acts of

resistance supporting heterodox interpretations are simply erroneous; and third, that some acts of resistance are *prima facie* wrong by virtue of promoting a morally harmful interpretation. Philosophers (with exceptions, noted below) have had relatively little to say about cases like these, but they are often discussed in the popular press. Many journalists, art critics, and others have worried about the increase in fan activity.¹⁹

5a. *Infringing on the rights of the artist*

In their paper, "Righteous Art Anger," Darren Hudson Hick and Craig Derkson consider a variety of cases in which audience members find themselves angry about decisions that artists make about their creations. One of their examples is Arthur Conan Doyle's decision to kill off the character Sherlock Holmes. Some readers felt that they had been wronged by Doyle's decision to kill the character, and they were furious. Hick and Derkson argue that such anger, while understandable, is not generally *justified*. Audiences do not have moral ownership over works created by others (or their associated characters and other fictional elements) – artists do. They argue that any interest that audience members have in such artworks cannot be stronger than the interest that artists themselves have.

In particular, when audience petitioning, adding, or altering contradicts the vision of the artist, the artist seems to have reason to object to the activity. E.L. James wrote an erotic fan fiction story with elements of BDSM involving the lead characters from the *Twilight* books, which he called *Master of the Universe*. Stephanie Meyer, author of the *Twilight* series, did not take legal steps to prevent its publication, but she did express her displeasure, calling the work

¹⁹ The most influential critic here is probably Emily Nussbaum, whose description of the "bad fan" has been used widely. Most of her writings are included in her book *I Like to Watch: Arguing My Way through the TV Revolution* (New York: Random House, 2019). Other critics focus on the phenomenon of "toxic fandom" which includes stalking and harassment but also the kinds of lesser audience resistance discussed here. See, for example, Michael Schulman, "Superfans: A Love Story," *The New Yorker* (September 16, 2019). <https://www.newyorker.com/magazine/2019/09/16/superfans-a-love-story>

“smutty.”²⁰ Meyers is a practicing Mormon and avoided any explicit discussions of sex in her own writings. James changed the characters’ names and identities, and turned the story into *Fifty Shades of Grey*. Meyers, we might say, has an interest in protecting a vision of her own characters and ensuring that they were not portrayed in an explicitly sexualized way, even in works written by others.

This kind of concern applies differently to the different forms of audience resistance described above. Petitioning raises special problems. When an audience member starts a public campaign to persuade an artist to have a story conclude in a particular way, this petitioning can pose a challenge to the artist’s authority in the process of art-making. Audiences who dictate to authors how a story should go are attempting to force a *collaboration* with the artist on a new version of the artist’s work or of the artist’s fictional world. And this is not how artistic collaboration works. According to Sondra Bacharach and Deborah Tollefsen, collaborative art-making requires a voluntary attitude of cooperation and negotiation.²¹ Creating together means being part of a team, and sharing joint commitments. But the resisting fan is not in a place to form shared commitments with the artist. Petitioning can undermine or defy the norms that make collaborative art-making possible.

Of course, there are special cases in which audiences are explicitly invited to join in the creation of fictional works. Roy Cook points out as an example Marvel’s No-Prizes, in which comics readers are invited to submit “solutions” to inconsistencies and continuity errors in

²⁰ See Christina Mulligan, “The Most Scandalous Part of ‘Fifty Shades of Grey’ Isn’t the Sex and Bondage,” *The Washington Post* (February 11, 2015): <https://www.washingtonpost.com/posteverything/wp/2015/02/11/the-most-scandalous-part-of-fifty-shades-of-grey-isnt-the-sex-and-bondage/>

²¹ Sondra Bacharach and Deborah Tollefsen, “We Did It!: From Mere Contributors to Coauthors,” *The Journal of Aesthetics and Art Criticism* 68 (2010): 23-32.

comic stories.²² Readers' ideas were often incorporated into later fictions and made "canon." So collaboration between fans and artists is certainly possible.

To attempt to *force* a living artist, however, into a collaborative creative partnership seems like an attempt at coercion, and so a *prima facie* moral wrong. Artistic collaboration must be mutual, and attempts to force such collaboration would be morally inappropriate – even if such forced collaboration might produce something morally better, aesthetically better, or both.

However, this concern might not be all that serious. After all, a petition is only coercive if fans wield sufficient power over the artist's decisions. As we have seen, while Arthur Conan Doyle ultimately capitulated to fan pressure, Louisa May Alcott did not. And even when artists do feel great pressure, usually economic pressure, to acquiesce to audience demands, it is hard to see that this kind of pressure is any worse than the kinds of pressures that work on artists every day.²³ Artists who wish to be successful in communicating their work to a wide audience or who wish to make a living from making art will feel economic and other kinds of pressure to make all kinds of compromises. If audience petitioning is coercive, then it is only one kind of coercion that artists face, and likely not the worst.

Altering and adding pose a different threat to the artist's rights than petitioning does. Altering and adding bypass the artist entirely, threatening the artist's ability to control how audiences understand and engage with their works. When alternative versions of works or brand new works in the same fictional world are widely circulated and enjoyed, they can change the conversation around an artwork in ways of which artists might not expect or approve, as in the *Twilight* vs. *Master of the Universe* case. What we want to know is whether

²² Roy Cook, "Canonicity and Normativity in Massive, Serialized, Collaborative Fiction," *The Journal of Aesthetics and Art Criticism* 71.3 (2013): 271-276.

²³ For a critical discussion of these pressures, see Adrian Piper, "Critical Hegemony and Aesthetic Acculturation," *Noûs* 19.1 (1985): 29-40.

artists have a *right* to control how their work is understood and engaged with, and how far that right extends.

Consider the Lovecraft case discussed above. By retelling “The Horror at Redhook” as a text that condemns the xenophobic ideas embedded in it, LaVelle undermines Lovecraft’s own expressive vision. It seems likely that Lovecraft would disapprove of LaVelle’s retelling of his story. This seems to be the case even though LaVelle’s version is almost certainly morally preferable to Lovecraft’s original. How strong is the artists’ claim to preserve their expressive vision for their works?

Karen Gover has argued that the interests of artists have limits.²⁴ She argues that the “intimate bond” that is often claimed to exist between artist and art is mysterious and counter-intuitive. In ordinary cases, if I own something that someone else made, I have the right to alter it. Ownership has rights attached too, and audiences can be artists. So the interests of artists must be balanced against the interests of audiences, including their own expressive values.

Finally, there is the question of whether these interests diminish after death. Lovecraft died in 1937; no one actively protects his interests. In copyright law, the legal rights of artists and their estate over their work outlives them, but not indefinitely. Should we say the same about artist’s *moral* rights? I think there are at least two considerations that do seem relevant. First, the passage of time matters, as it does with copyright. The idea that one should not write new versions of Homer’s *Iliad* and *Odyssey* because doing so would infringe on Homer’s rights is clearly absurd.²⁵ It does seem that as time passes, the interests of the artists diminish and the importance of allowing audiences to engage with the work in new ways increases. The second

²⁴ See Karen Gover, “Artistic Freedom and Moral Rights in Contemporary Art: The MASS MoCA Controversy,” *The Journal of Aesthetics and Art Criticism* 69.4 (2011): 355-365, and her *Art and Authority: Moral Rights and Meaning in Contemporary Visual Art* (Oxford University Press, 2018).

²⁵ There are so many of these it is practically its own genre.

consideration is whether the artist's descendants or collaborators are actively working to protect the artist's legacy. This is not the case for Lovecraft, but in other cases, we do this. J.R.R.

Tolkien's estate has actively worked to protect and extend his father's vision. He has edited and completed many texts that his father left unpublished; he has condemned adaptations and text changes that others have made. J.R.R. Tolkien's son Christopher, spent much of his own professional life championing and protecting his father's work, editing and publishing volumes of unfinished manuscripts. If, by contrast, Christopher Tolkien had taken no interest in his father's work and left his notebooks unedited and unpublished, perhaps instead sharing them with scholars, then the significance of J.R.R. Tolkien's rights as an author would be reduced.

I do not think it is easy to say just how far the moral rights of artists extend, whether living or dead, but it does seem clear that these rights are not absolute, and that there are other considerations that matter, and that these other considerations that might in some cases override the interests of the author.

5b. Heterodox interpretations as epistemic errors.

The next worry I want to raise is quite different. One might worry about heterodox interpretations not because they are morally troubling, but because heterodox interpretations are themselves erroneous. If the conditions that make an interpretation orthodox are the limits on how artworks should be understood, it would be an error to violate those conditions. This is true even if, as anti-intentionalists maintain, the artist's intentions do not dictate how their audiences should interpret or respond to their work. Lovecraft's fictional world is correctly understood as one in which foreigners are dangerous, and non-European culture is corrupt. And the correct understanding of *Star Trek* has it that both Kirk and Spock are heterosexual.

However, there is no reason to think that this particular epistemic wrong has any *normative* import. If someone tells me that "The Ring of Soshern" is flawed in the sense that it

doesn't give a plausible interpretation of the characters as depicted in the original artwork, I'm likely to ask: so what? Resisting audiences who ignore essential elements of a work or otherwise misunderstand it have not harmed anyone or anything, and it is hard to see how they have wronged anyone either, except in the sense already discussed. In fact, there is a long tradition of enjoying artworks in ways that are surprising or backwards: think of the good-bad movie, like Wiseau's 2003 *The Room*, that is enjoyed as a comedy when it is probably better understood as a failed drama.²⁶ One of the freedoms that we are allowed in the enjoyment of art is the freedom to choose aims other than accuracy.

5c. *Promoting immoral interpretations*

The third objection to audience resistance has a narrower scope: only the heterodox interpretations that make the work morally worse than the orthodox interpretation are morally flawed. The campaign to "de-feminize" *Star Wars*, for example, would be morally objectionable, while those edits that attempt to remove anti-Semitic stereotypes from the films would not be. Victor LaVelle's retelling of Lovecraft's story is morally better, not worse, than the original. In other words, the concern here would be with those acts of audience resistance that are premised on heterodox interpretations that are morally worse in some significant way than the orthodox interpretation. Only morally bad interpretations (those worse than the orthodox interpretations) are thrown in doubt.

The difficulty with this objection is a familiar one. It is not easy to say why acts of imaginative engagement are morally salient in the first place.²⁷ Acts of imaginative engagement by themselves don't seem to affect anyone: they don't typically cause harm, or violate rights, or

²⁶ Matt Strohl offers a vigorous defense of enjoying such works in these perverse ways in his *Why It's OK to Love Bad Movies* (New York: Routledge, 2022).

²⁷ See Brandon Cooke, "Ethics and Fictive Imagining," *Journal of Aesthetics and Art Criticism* 72 (2014): 317-327.

(in the ordinary case) affect others at all. Even the most misogynistic versions of *Star Wars* might be plausibly seen as a symptom of the flawed moral character of their creators, but not as an object that is in itself wrong.

The response to this worry is to claim that artistic engagement can and will make their mark on a person's character. What we imagine can spill over into our actual beliefs, desires, and prejudices.²⁸ What we imagine is part of who we are: our imaginings are not walled off from our "true" selves. In subtle ways, and over time, mere acts of imagining can alter our moral traits and dispositions, reinforcing and strengthening both conscious prejudice and unconscious bias. These changes may then show themselves in ways both subtle and otherwise.²⁹

This account, however, depends on certain empirical claims being established – we cannot know *a priori* whether and to what extent what we imagine might have lasting impacts on what kind of people we become. And these claims have not yet been established, even if there are some studies that suggest that such effects are plausible.³⁰ Much more work would need to be done. Further, effects of this type, when they exist, tend to be gradual and cumulative. It is highly unlikely that one exposure to a sexist re-edit of a film, no matter how morally reprehensible, would permanently alter one's character.³¹ However, it is possible that

²⁸ See Gregory Currie, "The Moral Psychology of Fiction," in *Art and Its Messages: Meaning, Morality, and Society*, edited by Stephen Davies (University Park, PA: The Pennsylvania State University Press, 1995), pp. 49-58.

²⁹ See Kris Goffin and Stacie Friend, "Learning Implicit Biases from Fiction," *The Journal of Aesthetics and Art Criticism* 80.2 (2022): 129-139. For a discussion of how such processes can work in response to pornography, see A.W. Eaton, "A Sensible Antiporn Feminism," *Ethics* 117 (2007): 674-715. I attempted to build on Eaton's account and apply it to artworks in my *Dangerous Art: On Moral Criticisms of Artworks* (Oxford, 2020), Chapter 2.

³⁰ See, for example, Susan Hurley, "Imitation, Media Violence, and Freedom of Speech," *Philosophical Studies* 117 (2004): 165-218, as well as the studies cited in my (2020) and Goffin and Friend (2022).

³¹ For a more detailed discussion of how this might happen, see Eaton (2007): esp. 685-689.

repeated exposure might gradually bring about some morally significant changes.³² Perhaps someone who habitually re-edits *The Last Jedi* over and over for a period of years trying to remove any traces of feminist meaning, obsessing over the perceived marginalization of white male characters, might eventually start to behave differently, more prone to anger and violence against perceived enemies. If such effects could be shown to be probable outcomes of certain kinds of resistance, that would firmly establish their moral salience.

We should worry about heterodox interpretations that are more misogynistic, racist, or otherwise immoral than the orthodox interpretations of those artworks insofar as doing so intensifies these dangerous and immoral attitudes. On the other hand, we should also commend the heterodox interpretations that create space for doing good, as in the LaValle case.³³

6. *Considerations in favor of audience resistance*

One consideration in favor of audience resistance has just been noted: when audiences create heterodox interpretations that are morally better than the heterodox interpretations, that fact offers some justification for the practice. Those who have attempted to promote morally *improved* heterodox readings have hoped that those interpretations would have a positive effect. For example, bell hooks' interest in the oppositional gaze grows out of her concern about the potential effects of racist and sexist portrayals of Black female characters on society at large:

Since movie culture is one of the primary sites for the reproduction and perpetuation of white supremacist aesthetics, demanding a change in what we see on the screen—demanding progressive images—is one way to transform the culture we live in. As long as no one makes this demand, we are not just held captive by the imagistic hegemony of the collective white supremacist capitalist

³² For an interesting example, see Neil Vidmar and Milton Rokeach, "Archie Bunker's Bigotry: A Study in Selective Perception and Exposure," *Journal of Communication* 24.1 (1974): 36-47.

³³ This is a point that is Derksen and Hick also make in "Righteous Art Anger" (2018).

patriarchal imagination, we will not have eyes to see the liberatory visions progressive filmmakers offer us.³⁴

However, there is another kind of consideration that is perhaps more important. When audiences engage in these acts of resistance, they are often engaged in skilled creative activity. When engaging in addition and alteration, audience members are clearly involved in art-making. Many of the examples discussed so far involve audiences creating new works – fan fiction, fan art, etc. – or using their skills to alter existing works by rewriting or re-editing them. If someone paints a picture, or writes a story, or writes and produces an original episode of an existing television show (as has been done dozens of times by *Star Trek* fans), these clearly count as art-making activities, even if those activities are legally dubious.

One form of audience resistance, however, that does not seem to be particularly creative is petitioning. When the audience members pressure the artist to change the work, rather than making these changes on their own, they take a more passive role in the creative process. This of course does not mean that there is no value at all in petitioning – petitioning can only happen once a fan has a heterodox interpretation in mind, and the imaginative act of coming up with heterodox interpretations may have at least some value. However, petitioning seems to lack the more substantive creative value of altering and adding.

But how should we characterize the value of the creative activity inherent in adding and altering, and how can this value be weighed against the considerations discussed in the previous section? One possibility is that creative aesthetic activity is *morally* valuable. Another is that it is *aesthetically* valuable.³⁵ The first possibility would need to show that such creative

³⁴ bell hooks, “Artistic Integrity: Race and Accountability,” in her *Reel to Reel* (New York: Taylor and Francis, 2008), pp. 69-76, at p. 76.

³⁵ It might, of course, be valuable in some other non-moral respect, such as prudentially. Such a possibility raises much the same sorts of questions as if it were valuable aesthetically.

activity is deeply connected to something of moral importance, like developing one's autonomous agency, or promoting general happiness, or improving moral character.³⁶ That is, creative activity on the part of the audience would be valuable morally for much the same reasons that we say that artists have moral rights with respect to their creations. Indeed, as noted above in the cases of adding and altering, it seems clear that the audience members just *are* acting as artists.

On this view, we have a potential conflict between two commensurate moral concerns: one about protecting the interests of the original artist, and the other about promoting the valuable aesthetic activity of the audience. Both are important for roughly the same reasons: we have a moral interest in supporting others in their creative activities. The challenge on this view will be to balance these competing considerations. The original artist may very well desire that their original vision not be corrupted in the public understanding by alternative versions. (Recall Stephanie Meyer's objection to E.L. James' sexualizing her *Twilight* characters.) But we should want to balance our desire to protect the expressions of individual artists with our desire to promote new artistic expressions on behalf of audience members.

The alternative view of the value of creative activity holds that it is valuable *aesthetically*, where that aesthetic value is opposed to the moral value that comes with the ownership of the artist over their original work. This raises the question of whether moral value always trumps aesthetic value, a view that has been called "the overridingness thesis."³⁷ Michael Slote has

³⁶ An account like C. Thi Nguyen's in his *Games: Agency as Art* (Oxford 2020) might support the autonomy approach, though Nguyen notes some dangers as well. Mohan Matten's hedonistic approach to aesthetic value might support the happiness approach; see his "The Pleasure of Art," *Australasian Philosophical Review* 1 (2017): 6-28. The "virtue aesthetics" literature supports the third route. See, for example, Peter Goldie, "Virtues of Art and Human Well-Being," *Aristotelian Society Supplementary Volume* 82 (2008): 179-195.

³⁷ The term originates with Philippa Foot in "Are Moral Considerations Overriding?," in her *Virtues and Vices and Other Essays in Moral Philosophy* (Oxford: Blackwell, 1978), pp. 181-188. The literature on this

argued, building on Bernard Williams' discussion of Gauguin's decision to abandon his family to paint in Tahiti³⁸, that artistic success sometimes justifies taking actions that are morally wrong. An action can be morally wrong, but nonetheless right to do for aesthetic reasons. Susan Wolf has argued for much the same position, that "we have reason to want people to live lives that are not morally perfect" in order to allow them to develop non-moral excellences, such as artistic excellence.³⁹ Both Wolf and Slote claim that in at least some circumstances, we should be free to put aesthetic value above moral value.

However, even if we accept such arguments, the matter is far from settled. The view that Wolf and Slote (and Williams and Foot and many others) defend is that moral considerations do *not always* override non-moral ones. The precise circumstances in which it may be acceptable, all things considered, to choose aesthetics over ethics are not at all clear. One may well accept that while it is occasionally justifiable to break certain moral norms in order to create great artistic works, it is still wrong for fans to produce *The Phantom Edit* and *The Ring of Shoshern*, because they simply do not rise to that level, aesthetically speaking. Weiwei's destruction of a valuable Han dynasty urn is only justifiable (if it is justifiable at all) if his performance artwork "Dropping a Han Dynasty Urn" (1995) is sufficiently aesthetically valuable. In other words, it seems to matter just how aesthetically good the creative output of audiences is.

However, I think that the quality of the work that audiences produce is not the only relevant consideration. There is also the value of audience creative activity itself, in imagining

topic is large, and includes Michael Slote, "Admirable Immorality," in his *Goods and Vices* (Oxford: Clarendon, 1983), pp. 77-107; Marcia Baron, "On Admirable Immorality," *Ethics* 96.3 (1986): 557-66; and Marcia M. Eaton, "Integrating the Aesthetic and the Moral," *Philosophical Studies* 57.3 (1992): 219-240.

³⁸ Bernard Williams, "Moral Luck," in his *Moral Luck* (Cambridge, 1981), pp. 20-39. It's worth noting that Williams' version of Gauguin is fictionalized; the historical Gauguin is even more troubling figure from a moral point of view. For a discussion, see Ted Nannicelli, *Artistic Creation and Ethical Criticism* (Oxford, 2020), Chapter 8, pp. 213-242.

³⁹ Susan Wolf, "Moral Saints," *The Journal of Philosophy* 79 (1982): 419-439, at 438.

heterodox interpretations and realizing them in some medium or other. There is the value of shared communities exchanging ideas about these works. Even when the *works* that audiences produce are of relatively low aesthetic value, the *production* of such works and the conversations they engender can have value. Such activities may be considered to be what Dominic McIver Lopes has called an “aesthetic achievement.”⁴⁰ Lopes argues that the actions of editors, collectors, and promoters of art all engage in activities that involve aesthetic coordination, judgment, and planning, even when such activities do not result in the production of a new artwork. Jonathan Neufeld seems to be pointing at something similar when he notes that audiences that disrupt performances for aesthetic reasons may play a role in challenging the norms of the artworld – an activity that itself has value insofar as a set of entrenched, unchanging norms in the artworld is bad for art-making. Even if the audience at La Scala was wrong to think that the high Cs were aesthetically superior to the written Gs, we can recognize the activity of audiences realizing their agency and playing an active role in how art is made and understood. Fan art, even if it is aesthetically poor, can be valuable because the activity that produced it is worthwhile.

Both approaches – understanding the value of creativity in moral terms or in aesthetic terms – ask us to balance the interests of artists against the value of allowing audiences to express themselves creatively. This discussion is still a long way from specifying specific conditions under which audiences are justified in resisting artworks. But it does give us a rough framework and some general principles: questions of interpretative accuracy do not matter; petitioning lacks the creative value that we find in addition or alteration; the interests of the artists do matter, as well as the moral qualities of the orthodox and heterodox interpretations in

⁴⁰ See his *Being for Beauty: Aesthetic Appreciation and Value* (Oxford 2018).

play; finally, the aesthetic value of the works and activities produced by audiences is significantly valuable (either morally or aesthetically) and may be a good reason to allow it, even against the original artist's wishes.

7. Conclusions

There seems to be no general reason for thinking that these forms of audience resistance – petitioning, altering, and adding – are wrong (though all heterodox interpretations might involve epistemic errors in interpretation), but some acts of audience resistance do rightly raise moral concerns, when such acts infringe on the legitimate interests of the artist or if they plausibly contribute to the development of deleterious changes in audience moral character and behavior. In many cases, however, it may be the *orthodox* interpretation of an artwork that is more likely to lead to negative moral effects. In such cases, adding or altering could be morally preferable to merely accepting the orthodox interpretation.

It is possible, therefore, that some additions, alterations, and petitions may be good all things considered: the good of rejecting the racist elements in an artwork might outweigh any moral considerations about coordinating with the racist who made it. (At least, we cannot rule out this possibility.) What's more, the value of any given act of resistance can vary widely, depending on factors including: whether the author is living, the moral qualities of the heterodox interpretation, the artists' circumstances that might make certain acts of petitioning more or less coercive, and, most important, the creative and aesthetic value of the audience's actions.

What I hope to have shown here, however, is that these acts of audience resistance are not like like vandalism or disrupting a performance. Vandalism and public disruption are appropriately considered to be *prima facie* wrong; other forms of audience resistance should not

be. Other forms of audience resistance, like adding and altering, may even be considered *prima facie* good, because of their value in realizing creative activity on the part of the audience.⁴¹

⁴¹ This paper has undergone many changes since the first draft was submitted to this *Journal*. It has been greatly improved by the thoughtful comments of anonymous referees, which were too numerous to note individually, and by the guidance and suggestions of the *Journal's* editors. Of course, all of the paper's shortcomings are mine, but whatever virtues it has should be credited in part to these others.