

Against the Property Theory of Musical Works

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ABSTRACT: The property theory of musical works is the view that identifies works of music with properties as universals. The purpose of this paper is to distinguish different versions of the property theory and argue that none of them can satisfy certain demands we expect from a successful theory of musical works. I conclude that although properties as universals are familiar and useful in other domains, we cannot rely on them to explain the ontological nature of musical works.

One interesting question about the ontology of musical works is what is commonly known as the categorial question—that is, which ontological category do musical works belong to?¹ There are several answers to this question. Some believe that musical works are abstract types², while others think they are concrete objects or events of some sort³. Still, others believe that they don't belong to any pre-established categories and are thus *sui generis* objects.⁴ Recently, another

¹ It is important to note that the focus of my discussion below is on compositions of Western classical music. This is not only because most authors writing on this topic almost exclusively discuss this particular subgroup of musical works, but also, and more importantly, because the property theorists, the target of my arguments here, either explicitly or implicitly restrict their attention to such pieces.

² See, for example, Levinson (1980), Howell (2002), Dodd (2007), Walters (2013), and Irmak (2023).

³ See Caplan and Matheson (2006).

⁴ See Rohrbaugh (2003).

alternative has been proposed as an answer to the categorial question. According to this alternative, works of music are properties conceived as universals (Letts 2018, Fisher 2023). Following Philip Letts, I refer to this view as the property theory of musical works or simply the property theory (Letts 2018, 57). The property theory identifies musical works with a particular kind of universal, making it a form of musical universalism. As a result, the property theory enjoys various advantages typically associated with musical universalism. One of the most significant advantages of musical universalism is its ability to explain the repeatability of musical works. In other words, it can explain how the same work can have multiple instances at the same time in different places. For instance, the type theory, which is another form of musical universalism, explains the repeatability of musical works by employing the type/token distinction.⁵ Similarly, according to the property theory, the same musical work, conceived as a property, can have different performances as its instances. While both the type and property theories offer this advantage, proponents of the property theory argue that their view is more preferable due to its ontological parsimony, among other reasons, when compared to the type theory (Letts 2018, 60; Fisher 2023, 1253). Letts, for instance, argues that types should be reduced to properties. Therefore, even though Letts seems to agree with type realists and accepts that works of music are better understood as types, he crucially argues, disagreeing with most type realists, that types are nothing but properties (Letts 2018). A. R. J. Fisher, on the other hand, argues that each musical work is identical with a (structural) property that cannot be identified with a relevant type. Fisher further claims that there are, strictly speaking, no types (Fisher 2023, 1252). Although the differences between these positions with respect to their proposed relation between types and properties are interesting, I set them aside for the present purposes of our

⁵ See, however, Davies (2023).

discussion. My aim is to demonstrate that musical works cannot be identified with properties. I argue that the theoretical roles properties play in our theorizing are not consistent with how we think, talk, and act with respect to works of music. Therefore, my arguments primarily target the property theory of musical works. It is worth noting that if Letts is correct and types are indeed identical to their corresponding properties, the same arguments would also be applicable to the relevant type theory. However, I will defer this discussion for another occasion, as it pertains to the distinction, if any, between two ontological categories: types and properties. Thus, the main focus of the subsequent discussion will center around the question of whether musical works are properties conceived as universals.

Throughout this discussion, I assume that our linguistic and non-linguistic practices regarding musical works and musical practice, in general, serve as our main guides for constructing a successful ontology of musical work. However, this does not mean that theoretical virtues and/or our intuitions play no role in this debate; they do. The hope is to find some sort of balance here between these methodological criteria, especially when they lead to conflicting judgments.⁶

In what follows, I will first explain the property theory. Depending on one's views on the nature of properties, their theory of musical works will inevitably differ. Therefore, it is crucial not only to carefully distinguish between various versions of the property theory but also to identify and handle common elements of these views with equal care. This is important for both

⁶ Although the metaontological position I adopt here aligns closely with what is often called descriptivism in metaphysics, I prefer to remain neutral regarding particular disagreements within the metaontological debates on the ontology of art. For a discussion of metaontological questions regarding the ontology of art, see Thomasson (2005), Kania (2008), Dodd (2013), Davies (2017), and more recently Mikalonyte (2022).

theoretical and practical reasons, with the theoretical reasons being clarified by the end of this paper. Practical reasons, on the other hand, relate to the dialectic of arguments presented below. Due to the wide range of views on the nature of properties as universals, it is not possible to comment on every variant of the property theory. After presenting the property theory in the first section, I proceed to address more specific issues associated with different versions of the property theory.

1. The Property Theory of Musical Works

According to the property theory, musical works are properties. While there are alternative ways to construe properties, such as sets or tropes, I will follow Letts (2018) and Fisher (2023) and take properties to be a kind of universals.⁷ Accordingly, in what follows, I will distinguish two kinds of property theories based on two competing views about the nature of properties. The first group of views can be broadly classified as Platonist or the transcendental view of properties and thus of musical works. On this view, properties do not depend on their instances for their existence, and therefore there may be uninstantiated properties. As a consequence, according to the Platonist property theory, musical works exist independently of their occurrences/performances. The second group consists of the Aristotelian or immanent view of properties. According to the Aristotelian conception, the existence of a property depends on its first instantiation. There are no uninstantiated properties. The Aristotelian property theory claims that works of music are immanent properties, and therefore, the work comes into existence when the corresponding property is first instantiated. A further consequence of this view is that a work of music is wholly present in all of its performances.

⁷ See Orilia and Paoletti (2022) for a comprehensive overview of the metaphysics of properties.

It should be noted at this point that there is a dialectical complication, as there are various candidates for the transcendental or immanent property with which the work can be identified. For a work of music, this property could be a simple or complex property. A simple property is unanalyzable in terms of other properties and has no internal structure, whereas a complex property has an internal structure and is analyzable into its constituting parts. Due to the various possible property theories that arise from these distinctions, the following section will examine both Platonist and Aristotelian property theories with this further distinction in mind.

2. Musical Works as Properties: A Mismatch?

The obvious worry about the property theory in any of its forms is rooted in the idea that properties are of particulars, that they are features of things, that they explain similarities between distinct particular objects. Musical works, on the other hand, are not merely features of particular performances. Julian Dodd voices this worry quite clearly:

Properties are categorially unsuited to be musical works. In *This House, On This Morning* is not a mere feature of a performance of it: a respect in which performances or playings can be alike or differ. It is, by contrast . . . a thing in its own right (Dodd 2007, 17).

Dodd goes on to offer some linguistic evidence that suggests that the way in which we refer to works of music is not consistent with how we refer to properties. However, this is quite controversial since it is unclear whether we can properly distinguish properties and individual entities by appealing to different sorts of terms and the roles these terms play in sentence structures.⁸ Dodd seems to claim that properties, as an ontological category, are not suitable for

⁸ See, for instance, Letts (2018, 61-63).

the roles musical works play in our musical practice and language. For what it is worth, I share Dodd's concern. In fact, the arguments I provide below can be viewed as expanding on the intuition behind his objection against the property theory.

It is difficult to offer a comprehensive critical analysis of the property theory without first clarifying the kind of property with which a musical work is identified. In the discussion that follows, I first examine the Platonist property theory, considering its different versions, before moving on to the Aristotelian property theory. I present various arguments against each form of the property theory. However, some of these arguments will inevitably rely on similar ideas. To avoid unnecessary repetition, I will simply mention the same basic idea with minor adjustments, if necessary.

2.1 Platonist Property Theory

The property theory in its Platonist form takes musical works as transcendental properties. Thus, according to this view, a musical work *W* is nothing but the property *being W* such that i) it has no unique spatiotemporal location, ii) its existence does not depend on its instantiation, and iii) it is, strictly speaking, distinct from any of its particular instances. The property with which a musical work *W* is identified may be considered a simple property *being W*. Alternatively, a Platonist property theorist might argue that *being W* is a complex (disjunctive, conjunctive, or structural) property. However, regardless of which view is held, it appears that none of the available views satisfies certain crucial demands that any successful ontological account of musical works should fulfill. In the discussion below, I will present two such demands. The first demand applies only to the simple property view of musical works, whereas the second, which I believe is more significant and potentially decisive, applies to both simple and complex property views.

Let me begin with the worry about the simple property view. One expectation we have for an ontological account of musical works is that it provides some set of conditions that must be satisfied for a sound event to count as a performance of the work. These conditions do not necessarily have to be precise, but even a theory that can only offer vague or imprecise conditions of success may still satisfy this demand to some degree by saying something informative, albeit imprecise, about when or if a sound event can be considered a performance of a piece of music. The problem is that the simple property view cannot satisfy this demand, even in its weakest form. The simple property of *being W* does not seem to provide informative conditions of success for a sound event to instantiate the property. Whatever conditions are imposed on the world by the property to count as a performance of the work, such as instantiating a certain sound structure, can always be construed as a complex property that a particular sound event must instantiate to be an instance of the simple property of *being W*. If that is correct, however, the obvious question is why not identify the work with this complex property in the first place.

The second worry is based on the well-established idea that the relation between a musical work and its performances is flexible in at least two ways. The first type of flexibility arises because a score of a musical piece allows for various interpretations. Thus, it is possible that no two performances of a work are sonically identical to each other, yet each might be considered a proper or correct performance of the work.⁹ The relation between a musical work and its performances is flexible yet another way. This flexibility arises because not every instruction provided by the composer and indicated in the score is equally important or essential to the identity of a musical work. As a result, a work of music can have performances that fail to fully

⁹ I thank an anonymous referee for raising this point of clarification.

correspond to the sound structure the composer recorded with its score. This failure can be due to a mistake during a performance or an intentional decision, such as an interpretation that deviates from the original work in certain ways. This flexibility is necessary because the artistic practice undoubtedly allows some room for a discrepancy between what is indicated in the score and what is actually performed. Therefore, any theory of musical works that is to be successful must accommodate both sorts of flexibility in what the work or its score requires for a correct performance and what actually ends up being performed. If the property theory of musical works is to have any chance of success, it must account for both sorts of flexibility. I should note here that the objections I discuss below are based on the second kind of flexibility (i.e., discrepancies between the score and performances of a work). However one may account for the second sort of flexibility, it seems quite clear that the satisfaction of this demand requires some sort of normativity playing an important role in our account of what musical works are. One possible way to accommodate this flexibility is by allowing for both properly *and* improperly formed instances of the work. Type theorists, for instance, often take musical works to be norm-types, entities that accept both properly and improperly formed tokens.¹⁰ However, it is difficult to see how such an account can be given if musical works are identical with properties. The problem is that properties do not seem to be the kind of entities that can accept both properly *and* improperly formed instances: either a particular entity instantiates the property or not. If the entity instantiates a property, then the property is instantiated; if not, then it is not instantiated leaving no room for the kind of normativity or flexibility that we require. This is clear for simple properties such as *being red* or *being negatively charged*, which cannot be characterized or analyzed in terms of further properties, or have no internal structure or constitutive parts. Once a

¹⁰ See, for instance, Levinson (1980), Dodd (2007).

simple property is instantiated, there is no further metaphysical or empirical question about whether its instantiation is properly or improperly formed.

Although this worry applies to both versions of Platonist property theory, the complex property view seems particularly vulnerable to an objection based on this demand. For example, consider a possible version of this view that identifies a work of music with a complex conjunctive property, where each conjunct is some kind of sonic property. If the work *W* is nothing but this complex property *being W*, then any sound event that fails to instantiate even a single conjunct fails to be an instance of the work in question. This problem cannot be avoided even if the Platonist chooses a complex structural property, where the sonic properties in question somehow constitute the structural property *being W*. Let us not worry about the nature of this constitution relation. Regardless of how we take the structural property to be constituted by its simple components, any sound event that fails to match perfectly with this structural property will not count as an instance of the work. However, one might attempt to relax this requirement by allowing for a partial instantiation of a structural property. This does not necessarily entail accepting the controversial idea that the instantiation relation admits of degrees. Instead, as Fischer does with his Aristotelian theory of musical works, a partial instantiation of a structural property may be understood in terms of an overlap with its constituting parts.¹¹ This may allow some room for the kind of flexibility required for works and their performances; however, it forces the Platonist property theorist to commit not only to controversial entities such as structural properties but also to the similarly controversial relation of partial instantiation of a structural property.

¹¹ I discuss Fisher's view in detail below.

One might alternatively argue that disjunctive properties are better suited to handle the problem of normativity. However, it is clear that identifying a musical work with a disjunctive property, where each disjunct is some sonic property, is not viable. This is because even a sound event that instantiates just one disjunct would be considered a performance of the musical work. What we need is, perhaps, a more complicated disjunctive form where each disjunct is a complex conjunctive property. Among these disjuncts would be the sound structure intended by the composer, with each disjunct being slightly distinct from the others. This would allow for performances that deviate slightly from the intended sonic structure of the work, as the sonic structure of the performance itself would also be one of the disjuncts of the compound property that is the work. One immediate worry with this account of musical works is that it fails to distinguish between correct and incorrect performances of the work, as all instances of the complex disjunctive property would be considered proper or correct instances of the musical work. In other words, on this view, the requirement for flexibility is met not by incorporating a form of normativity into the account, but by including all potential deviations from the composer's intended sonic structure as (proper) parts of the work. Furthermore, according to this version of the complex property view, the musical work would be identified with an excessively lengthy and unnecessarily complex property in order to accommodate all possible deviations from the intended sonic structure. This seems to contradict the typical understanding of what musical Platonists believe composers are doing when they evaluatively choose or select sounds in such a way that forms some kind of sonic unity. If this view is correct, then the sonic structure that the composer ultimately decides as the structure of the work would become just one of the many finite parts of their composition. There may be additional issues with this view, but the

discussion so far demonstrates that the disjunctive property theory also falls short in meeting the requirement of normativity.

There are two further attempts that one might consider to address the demand for flexibility. The first attempt requires accepting the existence of vague properties. One might argue that musical works, as properties, are vague entities. That is, there are some borderline cases where it is not determinate whether a particular sound event instantiates the property of *being W*. This indeterminacy is not due to our language but to the very nature of the vague property *being W*. It may indeed be true that for certain sound events, or rather, performance attempts of a work, it may not be determinately true or false that the event is a performance of the work or that the attempt is successful. Although this view provides some degree of flexibility between the work and its performances, it does not solve the property theorist's problem as the type of flexibility we are seeking is of a different nature. Even for sound events that somewhat fail to adhere to the instructions specified in a score of a particular work, it can still be determinately true that the event counts as an improper performance of the work. Therefore, construing musical works as vague properties does not allow for a distinction between proper and improper performances of works.

Alternatively, one might argue that the instantiation relation is not an all-or-nothing relation; it admits of degrees.¹² Therefore, on this view, it is possible to say that a particular sound event instantiates the property of *being W* but only to a degree. Correct performances of the work *W* would then fully instantiate the property of *being W*, while incorrect or improper performances would only instantiate the property to a specific degree. Admittedly, this attempt could indeed accommodate the kind of flexibility we demand from ontological theories of musical works.

¹² I thank an anonymous referee for pressing me on this point.

However, it is not entirely clear how such an account of degrees of instantiation can be provided, especially if one takes the instantiation relation to be primitive and thus unanalyzable in terms of, say, identity.¹³ Once again, it seems that the property theory in its Platonist form requires further non-trivial and quite controversial metaphysical commitments in order to accommodate those instances of works of music that deviate (either intentionally or unintentionally) from the demands made by the composer and specified in the score.

It appears that the Platonist property theory of musical works either fails to meet the demand for flexibility or does so only at the expense of non-trivial theoretical costs. Some of these theoretical costs reappear below for the Aristotelian version of the property theory, to which I turn next.

2.2. Aristotelian Property Theory

Aristotelian property theory identifies musical works with immanent properties.¹⁴ According to this view, a work of music *W* is identical to the immanent property *being W*, and therefore exists wholly in its performances, wherever and whenever they occur, and is located in space and time. The immanent property with which the work is identified may be either a simple or a complex property. The former faces the same problems as its Platonic counterpart, which I discussed in the previous section. Hence, I will focus on the latter, namely the complex immanent property view. A. J. R. Fisher has recently elaborated and defended such a version, arguing that what he calls Musical Aristotelianism is a genuine competitor against its type realist and perhaps also

¹³ See, for instance, Baxter (2001) for an analysis of instantiation in terms of partial identity of a particular and a universal.

¹⁴ Fisher often uses the term ‘universal’ instead of ‘property’. In order to avoid any confusion in this section, I will use the terms ‘universal’ and ‘property’ interchangeably.

nominalist rivals (Fisher, 2023). According to Fisher's view, musical works are structural properties, and thus the metaphysical profile of musical works coincides with that of immanent structural properties. Fisher's preferred view of structural properties is similar to David Armstrong's account, but there are two key differences. Firstly, unlike Armstrong's theory, Fisher's structural properties are such that not only do the particulars composing the complex particular stand in certain relations with each other, but also the simpler properties constituting the structural property:

S is a structural universal of kind K iff (1) S is instantiated by mereological sum s, (2) s has (proper) parts a, b, c, ..., n that instantiate properties P₁, P₂, P₃, ..., P_n respectively, (3) a, b, c, ..., n, stand in some external relation R or relations R₁, R₂, ..., R_n to each other, and (4) P₁, P₂, P₃, ..., P_n stand in some relation R* or relations R*₁, R*₂, ..., R*_n to each other (Fisher 2023, 1257).

This difference is reflected in condition 4 above, and it is this modification that allows Fisher's account to accommodate the concept of what he calls "musical relations" that exist between simpler sound properties (Fisher 2023, 1257). The second difference, which is more important for our discussion below, concerns the relationships between the constituents of a structural property and the structural property itself. In typical examples of Armstrongian structural properties, both the simple properties and the relationships that exist between them are essential to the structural property and its instantiations. Take, for instance, the property *being a methane molecule*:

It has parts like being carbon, being hydrogen, and being bonded to. These universals must be instantiated in the right way and there must be no other universals involved. The constituents of being a methane molecule are essential parts of the structural universal. If

one of the being bonded to relations did not hold between a particular hydrogen atom and the carbon atom, we would not have being a methane molecule (Fisher 2023, 1259).

This essentialist version of structural properties fails to capture one of the most important intuitions we have about musical practice. This is, once again, the idea that there are, or could be, deviations in performances of musical works from what is prescribed in its score. Therefore, there are, or may be, performances of a musical work *W* that fail to instantiate the structural property *being W*. In order to solve this problem, Fisher argues that unlike examples of structural properties in chemistry or physics, for works of music (and perhaps other cultural or social entities), we cannot accept the kind of essentialism present in Armstrong's account. Rather, there is, according to Fisher, an element of normativity embedded in the Aristotelian property theory of musical works (Fisher 2023, 1259). This normativity can be captured by the theory via the introduction of what Fisher calls "partial instantiations" of structural properties:

A partial instantiation of a complex universal is to be understood in terms of overlap of the full instantiation of its simpler universals (Fisher 2023, 1259).

Fisher notes that he does not claim that the instantiation relation admits of a degree, seemingly avoiding the problem of normativity that Platonist property theory faces, as I discussed in the previous section. Rather, for a sound event to be a performance of a musical work, it suffices if there is some degree of overlap between the structural property of the work and the structural property that is instantiated by the sound event (Fisher 2023, 1260). One consequence of this flexibility is that two performances of the same work need not be wholly identical in terms of the structural property they instantiate; instead, mere partial identity between their structural properties guarantees that they are performances of the same work (Fisher 2023, 1260). Although it is difficult for most ontological theories of musical works to account for the

normativity and flexibility required by musical practice, Fisher's Aristotelianism faces problems that are unique to its nature. I will discuss one such problem here and move on to different yet related issues that, taken together, will demonstrate why his version of the property theory, however well-argued for, fails as well. To see this, consider a work of music that is very difficult, if not impossible, to perform. Let us assume that the nature of the difficulty does not concern the logical structure of the work but has to do with some contingent biological facts about humans. Let us further assume that there have been various genuine attempts to perform the work as indicated by its score. Fisher might argue that since there is no actual performance of the work, the work itself, at least as prescribed by its composer, does not exist. Instead, there are performances that instantiate a numerically different structural property that would otherwise overlap with a merely possible structural property corresponding to the intended work by the composer. Alternatively, Fisher might claim that the actual work is the one instantiated by the first genuine attempt, and thus the work itself (and not merely its performances) does not have some of the musical properties that its composer originally intended. Both responses seem troubling. On the first line of response, it appears that Fisher is committing to the claim that the artist failed to compose a work of music. This is especially problematic if we assume that the composer did not intend their creation to be an example of an "impossible work" and just failed to take into account the musical abilities of human performers. The second response is also problematic because, if true, it seems to follow that the artist ended up composing a work of music that is different from the one they actually intended. One might argue that this is not a problem, as artists sometimes fail to realize their intentions. However, in this case, it is not simply a matter of unrealized artistic intentions. This is because, according to this line of response, the work itself does not have the intended sound structure by the composer. Instead,

the sound structure instantiated in the first attempted performance becomes the sound structure of the work itself. Thus, this first attempted performance qualifies as a correct performance of the work. Assuming that the composer insists on the sound structure they intended their work to have, this conclusion would contradict not only their own judgment of their work and the conditions for its correct performances but also the judgment of those who have access to the original score. In other words, according to this line of response, what would typically be considered an incorrect performance of a work becomes the correct performance of a work that has a sound structure numerically different from the one intended by its composer.

There are further problems with Musical Aristotelianism that are related to the issue discussed above. When motivating his own property theory of musical works, Fisher argues that Aristotelian property theory accounts for the intuition that musical works are artifacts, that they are created at a particular time by their composers. According to his theory, musical works as immanent structural properties come into existence at the time of their first instance. For example, Beethoven's *Ninth Symphony* was created by Beethoven and came into existence whenever and wherever it was first performed (1249-1250). Although Fisher is correct to point out that his view is consistent with the intuition that musical works are created entities, his theory misidentifies the author of the work and the timing of its creation. First, Fisher claims that Beethoven brought the *Ninth Symphony* into existence (1249). However, this claim is difficult to justify, because on his view, the symphony as an immanent property did not come into existence when Beethoven completed its score, but when it was actually performed for the first time. Therefore, the work was brought into existence when the orchestra performed it in its entirety. If that is true, then a work of music is not brought into existence by the composer, but by the

orchestra that performed the work for the first time.¹⁵ Fisher might attempt to avoid this problem by claiming that the proper authorship ascription of the work as an immanent property is not to be attributed to those who actually bring it into existence, but to those who are in some appropriate way causally connected to the existence of the first performance. Perhaps this could be done by claiming that the appropriate causal connection takes place between the completion of the score and its first performance. However, this would still fail to provide a straightforward account of the proper authorship ascriptions, and Fisher owes us an explanation for the fact that Beethoven is the creator of the *Ninth Symphony*.¹⁶

Beethoven completed the *Ninth Symphony* in February 1824, but it was not premiered until May 7, 1824. According to Fisher's view, the work was brought into existence when it was first performed. Therefore, his answer to the question of when the *Ninth Symphony* was created is May 7, 1824. However, this seems wrong. To see this clearly, imagine a composer who completed one of their pieces at a very early stage of their career but never had a chance to get it performed. Further, imagine that years later, after the death of the composer, the original score of

¹⁵ Beethoven conducted the first performance of *Ninth Symphony* himself in Vienna on May 7, 1824, and therefore he was part of the orchestra who brought the performance into existence. Admittedly this complicates the point being made here, however, it is very easy to find examples where the composer did not involve, at least not in this particular way, in the actual first performance of their work.

¹⁶ I am assuming, together with Fischer, that Beethoven is the sole creator of the *Ninth Symphony*. However, see Mikalonyte (2024) for a view where Beethoven and the first performers are considered co-creators of the *Ninth Symphony*.

this work was discovered and premiered.¹⁷ Intuitively, the work was created when the artist completed their composition, not when it was first performed, which could be many years, and perhaps even a century, after the death of the composer. However, on Aristotelian property theory, the score is not an instance of the structural property and thus the work. Therefore, it commits to the claim that the work is created after the death of its composer. Fisher discusses a similar problem when responding to a possible issue concerning unperformed works of music (1259). Note, however, that the problem here is not about those works of music that have never been performed and thus do not exist according to Fisher's view. Rather, the problem is about the time of creation of musical works. It seems clear, once again, that Aristotelian property theory, while explaining the intuition that works of music are created, fails to provide an intuitive response to the question of when or by whom musical works are created.

Perhaps the most important problem with Aristotelian property theory has to do with the intuition that a performance is in some significant sense *of* a musical work. Wesley Cray and Carl Matheson calls this the *of-ness* constraint:

Another constraint figures significantly, at least for some theorists—that manifestations are, as mentioned before, literally *of* compositions (Cray and Matheson 2017, 12).

Musical materialism, which holds that musical works are concrete entities composed of their performances, fails to capture this intuition because the relation between a work and its performance is the wrong kind of relation, according to Fisher. That is, a performance, according

¹⁷ For example, Mozart's earliest symphony, which he wrote when he was nine years old, was discovered more than two centuries after its completion. After proper authentication, it was performed for the first time in 1983 (Schonberg 1983).

to musical materialism, is a part of or coinciding with the work, and simply not of the work. Fisher agrees with Cray and Matheson that any successful account of musical works should respect this intuition and the associated constraint (Fisher 2023, 1248). In fact, Fisher believes that the objection against musical materialism based on the of-ness constraint is decisive (Fisher 2023, 1248). However, it is questionable whether Fisher's own view can satisfy the of-ness constraint. To see this, let us return to a typical type realist view and see how it satisfies the constraint. For the type realist, there is a straightforward sense in which a performance is of a work. On the type realist view, a musical work *W* is nothing but an abstract type *W* that has performances as its instances or tokens. Therefore, a performance of a work is an instance or a token of the type *W*. In contrast, according to Aristotelian property theory, a musical work *W* is identical to an immanent property of *being W*. A performance of the work *W* is nothing but an instance of the property *being W*. However, on the Aristotelian view, property instances are just properties themselves. This is because the Aristotelian "universals are immanent, i.e., they exist 'in' their instances, are wholly present in their instances, and do not subsist eternally in some other realm" (Fisher 2023, 1245). Since (1) a musical work *W* is nothing but the property of *being W*, (2) an instance of the property of *being W* is the property itself, and (3) a performance of *W* is nothing but an instance of the property of *being W*, there is no difference between a performance of *W* and the work *W* itself, or between a property *being a performance of W* and *being W*. This means that Aristotelian property theory fails to maintain the distinction between a performance and a work and thus violates, albeit in a different manner than the musical materialist, the of-ness constraint.

Fisher might argue that this objection is too quick. In fact, in response to a similar objection raised by Puy (2020, 189), Fisher argues that a musical work *W* exists in a performance "in

virtue of being a constituent in it” and, therefore, the distinction between a work and its performance is preserved (Fisher 2023, 1249). However, if a performance is merely an instance of the work and hence an instance of the structural immanent property, it is difficult to see how the latter can be a constituent in the former. In order to understand how Fisher justifies this claim, we need to delve deeper into his theory, which relies heavily on David Armstrong’s account of structural universals and states of affairs. According to Fisher, immanent structural properties are analyzed in terms of Armstrongian states of affairs. States of affairs, on this view, are nothing but “particular’s having a property or two or more particulars standing in some relation” (Armstrong 1997, 113). Since our focus here is on non-relational properties, I will leave aside relational properties and corresponding states of affairs. For a particular *a* and a property *being F*, if *a* has the property of *being F*, then there is the state of affairs of *a’s being F*. States of affairs are particulars, but they somehow contain universals (Fisher 2023, 1249). At this point, it is important to exercise more care because Armstrong employs two different concepts of ‘particular’ here. The first conception, the thin particular as Armstrong calls it, appears in the definition of state of affairs. It refers to a thing that is abstracted from all of its properties and relations (Armstrong 1997, 113). The second concept, the thick particular, refers to a thing taken as possessing all of its properties and relations, and it corresponds to state of affairs. Therefore, the state of affairs *a’s being F* is a thick particular, where the object *a* conceived as a thin particular instantiates the immanent property *being F*. In turn, the immanent property *being F* is analyzed in terms of state of affairs. However, this does not mean that the property itself as a state of affairs belongs to the category of particulars. Armstrong also introduces the type/token or universal/particular distinction for states of affairs (Armstrong 1997, 117). Thus, *a’s being F* is a particular state of affairs, but when we abstract it from the thin particular, we derive *something’s*

being F, which provides us with a state of affairs *type* (116). With this distinction in mind, we can now see that a property *being F* is a state of affairs type where “_’s *being F* with the thin particular excised” (Fisher 2018, 1249). Relying on Armstrong’s ontology of immanent universals, Fisher provides the following analysis of musical works and their performances:

Every performance of Beethoven’s *Second Symphony* is a mereological sum of particulars (say, instruments or people playing instruments) that stand in some kind of spatial order and instantiate sound-properties across time in the right way according to principles governing the relevant musical relations between sound properties. If the corresponding conjunction of states of affairs obtains, we get the structural universal that is composed of these simpler universals (for the structural universal just is the relevant conjunction of states of affairs). The musical work is the structural universal (...). Thus *x* is a performance of work *W* iff *x* instantiates the structural universal of *being W*. To be clear, the structural universal is of a complex particular, but the structural universal is analyzed in terms of a conjunction of states of affairs, where some of the constituents are relational states of affairs that contain musical relations. (Fisher 2023, 1258).

On Fisher’s view, then, a performance *P* of a musical work *W* is the thick particular *x*’s *being W*, where *x* is a mereological sum of certain particulars instantiating various properties.¹⁸ The musical work itself is the structural immanent universal *being W*, which is nothing but a state of affairs type analyzed as a conjunction of simpler state of affairs types. In this way, the musical work, *being W*, exists in the performance *P* as its constituent, preserving the distinction between the work and its performance –or at least, this is what Fisher claims. However, I argue

¹⁸ It follows from this analysis that musical performances are states of affairs. If one considers performances to be events, as most people do, then Fisher suggests analyzing them in terms of states of affairs (Fisher 2023, 1258).

that depending on the operating notion of type, either the distinction between a work and its performance collapses, and thus Fisher's account fails to satisfy the of-ness constraint, or it smuggles the type ontology back into the theory, and thus fails to provide a pure property theory of musical works. Let me begin by pointing out that the use of the notion of type should already make us suspicious of the account given above. While it is true that Armstrong introduced the distinction between types and tokens into his account of universals as states of affairs types, Fisher is explicit in using the distinction in his own version of the theory. If we assume that the distinction between state of affairs types and their tokens is in fact a distinction between a universal and a particular, then we should also assume that state of affair types in question must be immanent universals; that is, they exist 'in' their instances, are wholly present in their instances, and do not subsist eternally in some other realm (Fisher 2023, 1245). Therefore, the state of affair type *something's being W* must be wholly present in each and every instance of it. What is an instance of the immanent universal *something's being W* if not *x's being W*, where *x* is some complex (thin) particular? If that is true, however, the instance of the state of affair type (i.e., the musical work) is nothing but its performance, *x's being W*. Since property instances of immanent universals are nothing but properties themselves, we reach the conclusion that the distinction between a performance and a work disappears once again. Alternatively, we might take the type talk seriously and think of state of affairs types not as immanent universals but types as they are conceived by type realists. If *something's being W* is a type and *x's being W* is its token, we preserve the distinction between the work (*something's being W*) and its performance (*x's being W*). However, the cost of doing so is so grave that it is in complete contradiction with Fisher's overall project. It seems that Fisher's account cannot accommodate

the distinction between a musical work and its performance, at least not without abandoning the core motivation behind his theory.

3. Conclusion

I consider the property theory of musical works, both in its Platonist and Aristotelian versions, to be an attempt to understand the nature of certain social entities, such as musical works, in terms of ontological categories or theories that are familiar and/or that have proven useful in other domains.¹⁹ I believe that the theoretical attitude underlying this attempt is well-grounded and quite strong, and perhaps rightly so. This is why, at least in musical ontology, novel ontological categories or *sui generis* entities introduced in order to understand the nature of musical works raise more eyebrows than those that appeal to more traditional ontological categories, even in cases where the former seems capable of explaining more than the latter. For example, consider Guy Rohrbaugh's (2003) recent theory of artworks as historical individuals which was met with criticism along these lines.²⁰ While the property theory is not or would not be received with the same kind of skepticism, we should still be skeptical of its success in explaining the nature of musical works. There are, of course, different forms of the property theory of musical works. I distinguish between two versions, Platonist and Aristotelian, based on two competing theories of the nature of properties. I argue that both versions have significant problems in terms of their consistency with how we think, talk, and act about musical works. Some of these problems are of

¹⁹ I use the term 'social entity' here to emphasize the fact that these objects partly depend on human individuals and/or societies. The arguments of this paper do not rely on any particular view about the exact nature of this dependence. For further discussion, see Irmak (2021a, 2021b).

²⁰ See, for instance, Dodd (2007, 166).

a general nature and thus apply to any property theory, while others are specific to a particular property theory depending on one's further metaphysical commitments about the nature of properties. I provide a number of arguments against each version, some of which are stronger than others. Although one might not find any one of the arguments decisive against the property theory, I hope to have made a strong enough case against the view in both its general and particular forms. If the arguments above are correct, then we cannot rely on properties, despite their familiarity and usefulness in other domains, to explain the nature of musical works.

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