

Book Reviews

DUTTON, DENIS. *The Art Instinct: Beauty, Pleasure, and Human Evolution*. New York: Bloomsbury, 2009, vii + 269 pp., \$25.00 cloth.

Denis Dutton's *The Art Instinct: Beauty, Pleasure, and Human Evolution* is not the first recent work to recognize our need for a new theory of art. But the theory it presents is probably the most ambitious and far-reaching, seeking to connect our cravings for art and our repeatedly astonishing—"unimaginable" is his word—successes in artistic production, appreciation, and theorization on the one hand, with physical survival as a species, personal success on the individual level, and evolutionary theory (both biology and psychology) on the other.

In doing this, of course, Dutton takes on a number of Herculean tasks. He sorts out any number of familiar problems in aesthetics, often case based, such as the comparison of art and language, why plots exist, intention in the arts, communication and expression in arts and language, the role of freedom in art, the nature and importance of representation and of craft, kitsch, forgery, and plagiarism, theory of conspicuous waste and consumption, and irony. He attempts to wean us from our seemingly insatiable fascination with modernism and Duchamp's *Fountain*.

He attacks our unswerving devotion to cultural constructionism. It is not so much that cultural constructionism is wrong, for cultural variation is irrefutable (he provides any number of examples from all sorts of cultures, chapter 4 and *passim*). But the social constructions, he argues, are theoretically subordinate to and historically derivative of larger, and far far deeper, similarities, and it is these similarities, amounting to dimensions of human nature, to which theory of art must attend. From the standpoint of an appropriate level of abstraction, twelve cluster criteria can be identified that define art as a universal, cross-cultural category (pp. 51–52). He concludes that "at the heart of [social constructionism and many modernist] arguments lies a fatal non sequitur: while it is true that culture sanctions and ha-

bituates a wide variety of aesthetic tastes, it does not follow that culture can give us a taste for just anything at all" (p. 205). "Human nature, so evolutionary aesthetics insists, sets limits on what culture and the arts can accomplish with the human personality and its tastes. Contingent facts about human nature ensure not only that some things in the arts will be difficult to appreciate but that appreciation of them may be impossible" (p. 206).

He sketches a new theory of mind (including continuing the monstrous job of sorting out conscious dimensions from unconscious) that is based on sexual selection (pp. 150–151) and in which art and aesthetic preferences have essential and fundamental roles: "From the Greeks through the Enlightenment and on into the computer age, every prevailing analogy for the mind has captured some important aspect or function. But none even begins to explain the mind as the creative, exuberant, imaginative, romantic, wasteful, storytelling, witty, loquacious, poetic, ideology-inventing organ it also is. Darwin's *Descent of Man*, by regarding the mind as a sexual ornament, presents us with a first step toward explaining those features of the human personality that we find most charming, captivating, and seductive. Adding sexual selection to natural selection, we begin at last to see the possibility for a complete theory of the origin of the arts" (pp. 151–152).

His project demands that he wrest the philosophy of art from the strangleholds of Plato and Kant, though he retains, and makes much of, Kant's "disinterestedness" as what he terms "special focus." This is Characteristic 7 on the list of twelve: "Works of art and artistic performances tend to be bracketed off from ordinary life, made a separate and dramatic focus of experience" (pp. 55–56).

Along the way, he corrects a number of persistent errors in interpretation (of Veblen, for instance), all the while providing the most amusing examples (theoretical and empirical, from a number of disciplines), trenchant statistics, and penetrating insight into both the arts and the human condition. He raises more

questions than he answers, of course, but that is to be expected. It will take quite some time—and work in a number of disciplines in addition to philosophical aesthetics—to answer his intriguing questions and to work out the implications and ramifications of the new theory.

He's no Kant (thank heaven). Yet disappointment in his lack in rigorous systematization is more than made up for by his elegant, easy-to-read style, full of lively examples and vivid insights from personal experience. The downside of this is that he has not traced out the full implications of the work, much less given us full proof. Most professional readers will be frustrated, especially within the areas of their expertise. Aestheticians must take this frustration in stride and do much of the dirty work ourselves, exploring, testing, and filling out the theory as it applies to the various subareas. And, of course, we will look forward to further explication by Dutton himself.

Dutton's project is complex: first, the outlining and justification of a new theory of aesthetic preference and art and their roles in human life (conscious and not), a theory that integrates these forces with the theory of evolution and shows how they are adaptive, and second, "the elucidat[ion of] general characteristics of the arts in terms of evolved adaptations" (p. 236). In the process he also establishes cross-cultural criteria for art (in chapter 3). Within "art" he includes both "what might be dismissed as low-end popular art" (p. 236). In the process he also establishes cross-cultural criteria for art (in chapter 3). His argument, which draws on an extensive literature in evolutionary biology, evolutionary psychology, anthropology, economics, and linguistics as well as philosophy, has three major parts: natural selection, landscape preference, and the arts; sexual selection and the arts; and exploration of some of the implications of natural and sexual selection for philosophy of art (including but not limited to traditional problems).

Following the body of literature on experiments on aesthetic preference for landscape (developed largely during the 1990s), he shows (in chapter 1) "how innate interests and emotional reactions to natural landscapes impinge on tastes many people have assumed to be merely cultural. The Pleistocene heritage affects landscape painting, calendar choices, and the design of parks and golf courses [and gardens, one might add]. It is wrong, however, to regard these modern phenomena as by-products of prehistoric impulses or emotions: rather, they directly address and satisfy ancient, persistent interests and longings" (pp. 100–101). The importance of natural selection is developed in relation to other aesthetic preferences, to arts, especially fiction, and to language in chapters 5 and 6. Chapter 5 tackles the question, Are "the arts in their various forms adaptations in their own right, or are they better understood as modern

by-products of adaptations?" (p. 86); Dutton concludes they are actual adaptations.

But natural selection alone cannot account for the arts. For that we need the theory of sexual selection, which accounts for the evolutionary elaboration of individuality and personality, as well as for cross-cultural preferences for originality and individuality (chapter 7) and interest in artistic intention (p. 170). It is at this level that biology, arts, and society become mutually reinforcing: "the qualities of mind chosen and thus evolved in this process of human self-domestication made for enduring pairings, the rearing of children who themselves might survive, and thus the creation of robust social groups" (p. 151). "How does resource-demonstration work in courtship?" (p. 153) becomes, perhaps for the first time, a vital question for philosophical aesthetics.

Data—the biological distinctions between male and female and the differences between masculine and feminine—that in others' hands have constituted an attack on feminism, or women, are contextualized in such a way that feminists need not gag. Dutton avoids reductionism. Nor does his emphasis on evolutionary biology as the source of mind lead him to determinism. As he puts it: "[T]here is no reason to accept that we are doomed forever to respond to art in terms of costliness, conspicuous waste, or its bearing on social status. Pleistocene landscape preferences are just as innate but need not control our tastes in landscape painting or even our choice of a calendar. Once we understand and know an impulse, we can choose to go along with it or we can resist it. There are elements in the art world as described by Veblen—for instance, the intimate association of art with money—that ought to disturb us. But better we should know this devil than deny it or pretend it is but a product of capitalism" (p. 161). Dutton's claim (in the context of a discussion of Veblen's theory) that the choice we have as to whether to follow blindly either biologically or culturally induced aesthetic or artistic preferences is ultimately liberating—and crucial to making this a useful theory.

The final chapter returns to four of the original twelve cluster criteria, examining how they reveal themselves "in the very greatest works of art, the masterpieces that have withstood Hume's Test of Time and show every indication of maintaining their hold on the human imagination . . . four primary properties that we tend to find in the greatest art: high complexity, serious thematic content, a sense of insistent or urgent purpose, and a distance from ordinary human pleasures and desires" (p. 236).

This is not to say that there are no criticisms. Although extensively referenced, particularly in regard to the classics of philosophy, Arthur Danto, and evolutionary theory and psychology, his references

regarding the relations between evolutionary biology, evolutionary psychology, and environmental-preference aesthetics include nothing more recent than the references I used sixteen years ago for a similar argument regarding environmental aesthetics in *The Garden as an Art* (SUNY Press, 1993); Jay Appleton's essential *The Experience of Landscape* (John Wiley, 1975) and the work of John D. Balling and John H. Falk, Roger S. Ulrich, Stephen and Rachel Kaplan, and Gordon H. Orians and Judith H. Heerwagen. (The bibliography on more common aesthetics issues is more up-to-date.) There is no mention of the recent work on palaeolithic art, like David Lewis-Williams's *The Mind in the Cave: Consciousness and the Origins of Art* (Thames and Hudson, 2004), or theory about the selective advantage conferred by Stone Age campsite selection.

More troublesome, Dutton does not mention, much less analyze (nor even cite in the bibliography), the deep body of work by new philosophers over the past fifteen years that is directly relevant to his topics and arguments. This includes not only work on evolution and landscape preference such as *The Garden as an Art* and Stephanie Ross's *What Gardens Mean* (University of Chicago Press, 1989) but also Emily Brady's *Aesthetics of the Natural Environment* (University of Alabama Press, 2003; reviewed *JAAC* 62 [2004]); Malcolm Budd's *The Aesthetic Appreciation of Nature* (Oxford University Press, 2002; reviewed *JAAC* 62 [2004]); *The Aesthetics of Human Environments*, edited by Arnold Berleant and Allen Carlson (Broadview Press, 2007); and the essays in *JAAC*'s "Special Issue on Environmental Aesthetics" 56 (1998), with John Andrew Fisher's "What the Hills Are Alive With: In Defense of the Sounds of Nature" (this last highly relevant, given Dutton's relatively extensive discussion of sound and music). A happy exception is Larry Shiner and Yulia Kriskovets's "The Aesthetics of Smelly Art," *JAAC* 65 (2007), which Dutton challenges (p. 205). Taking into account at least some of this recent work would have served his arguments well—and in addition been a service to the discipline, which is here misrepresented. And even unwitting erasure of scholarly work damages the field: careers languish, while eventually other scholars unwittingly waste energy and time reproducing their work.

Further amplification of his own research among the artists of the Sepik Valley would have been welcome. (I searched in vain among his website bibliographies for indications this had been thoroughly dealt with elsewhere. His article on tribal art is not fully satisfactory in this regard!) His cursory dismissal of symbolism as an "explanatory fifth wheel" (p. 130) is slapdash and uncharacteristically reductive, particularly in this context, as is his underestimation and even misinterpretation of Jung, who could be singu-

larly useful in explaining symbolism, narrative, and a number of other issues. Joseph Campbell's elaboration of Jung's theory of the symbolic significance and functioning of mandalas for preliterate, hunting-gathering peoples would seem to be directly to the point. It is something of a surprise in someone as visually astute and sensitive as Dutton to find such a strong preference for language over visual art, first as offering "the best picture we can have of the human soul" (p. 162; *pace* Wittgenstein, who argues for the body), and second as a precisely cognitive resource.

Given the importance Dutton (rightly) ascribes to emotion in evolution, human life, and philosophy of the arts, his cursory treatment of emotions does his argument a disservice. Simply referring to Paul Ekman's list of allegedly universal human emotional expressions, from his *Emotions Revealed* (Henry Holt, 2003), covers up too many issues. There is no final agreement as to the number or identity of even the very limited list of allegedly universal emotions such as fear and anger, even within the Western scientific community, much less across cultures. And Ekman's and Dutton's approach, in which emotion is identified with biological events and states, which he adopts explicitly early in the book, appears insufficient to account for the role he attributes to emotion in the arts. If all there is to emotion is the biological reaction to the perception of a threat or inducement to survival, why does art have to get involved at all?

This approach to emotion also ignores the profound differences cross-culturally in the interpretation of the biological emotion (yes, everyone is capable of feeling biologically defined fear, as are mammals in general—but we understand timidity differently from terror or horror or ordinary fear, even if an aroused adrenal system and fight-or-flight response characterize all four). It also overlooks differences in the values ascribed by different cultures both to the various shades of the "same" biological emotion and to their manifestation under different circumstances (or by individuals of different categories). The Japanese philosopher Yasuo Yuasa, in his *The Body, Self-Cultivation, and Ki-Energy* (SUNY Press, 1993), lists seven basic emotions (which he derives from Eastern medicine), including anger, fear, surprise, joy (presumably Ekman's happiness), and sorrow (Ekman's sadness), but the last two are completely different: anxiety and longing, rather than Ekman's "disgust or contempt" (p. 190). There is a literature on this. Robert Solomon is a good place to start. Paolo Santangelo's edited volume *Expressions of States of Mind in Asia: Proceedings of the INALCO-UNO Workshop Held in Naples, 27th May 2000* (Università degli studi di Napoli L'Orientale, 2004), which focuses on the

interpretation of emotion and relies heavily on analysis of arts, provides a valuable introduction to the issues as they appear in Asia. Although the idea that emotions, or at least our experience and understanding of them, vary cross-culturally might seem to argue against Dutton's argument that emotions—and the arts he finds so closely related to them—are adaptive, in fact recognition of the variability of emotion cross-culturally paves the way to recognition of the powerful role arts have in shaping our understanding, experience, and valuation of emotion within a given culture. (Dutton, of course, is not arguing for cultures all being the same.)

There are a number of mistakes, some based on overgeneralization of Euro-American to all experience. Chess is not the only model for "how the human mind engages the strategic teleology of life" (p. 112); the Japanese board game *Go*, while equally competitive, individual-based, and strategic, works out in fundamentally different ways, given that there is *not* a "single check-mating purpose." The ability "[t]o understand, intellectually and emotionally, the mind of another" may "emerge spontaneously in [most] children around the age of two," but it is emphatically not "fully developed by the age of five" (p. 119); for many adults the cultivation and expansion of one's capacities for compassion and understanding, whether deliberate or enforced by raising a teenager, are lifelong projects, possibly close to infinite in their capacities. The notion that fictions "can also be understood as pleasurable fantasies" may trace back to Freud (p. 121), but it is also found in medieval Japan. It is simply untrue that "there is no living artistic tradition where . . . [the] art is produced with no regard for the individuals who do it" (p. 233); the decorative and performing arts especially are full of glorious and expensive productions in which the artists were forced to live in circumstances of utter penury and degradation. The anonymous and brilliant Buddhist caves at Dunhuang as well as Atlantic Records' treatment of famous African American musicians both come to mind. Yet these are overexaggerations, and not seriously troublesome—although getting some of them right would lead the investigator down more interesting paths regarding the arts and human nature.

Much of the information and even the various partial subtheories have been around a long time. And some of them were originally his, published in *The Forger's Art: Forgery and the Philosophy of Art* (University of California Press, 1983) and "Tribal Art and Artifact" (*JAAC* 51 [1993]). It is their collection and integration within the theoretical context of the theory of evolution that is new. Overall, this is one of the most exciting and far-reaching philosophy books to reach the public in some time. As either an enjoyable reading experience or an instigator of further

philosophical investigation (by Dutton and others), it could hardly be improved upon.

MARA MILLER
Independent Scholar
Honolulu, Hawaii

KULVICKI, JOHN. *On Images: Their Structure and Content*. Oxford: Clarendon, 2006, xi + 258 pp., 25 b&w illus., \$55.00 cloth.

Searching for a philosophically illuminating set of necessary and sufficient identity conditions can feel like searching for an affordable apartment in Manhattan. It's easy to despair. One of the many pleasures of John Kulvicki's *On Images: Their Structure and Content* is that it offers hope in this regard (for philosophy, at least). Kulvicki proposes a set of four individually necessary and jointly sufficient conditions for something being a picture. A striking aspect of Kulvicki's proposal is that it does not depend upon how we relate to pictures or how pictures relate to the world, but on how pictorial representational systems relate to other sorts of representational systems (such as languages). In this respect, as well as many others, Kulvicki's proposal is pervasively indebted to Nelson Goodman's work in *Languages of Art* (Hackett, 1976). But Kulvicki's proposed account is not just a restatement of Goodman's views. With regard to the three identity conditions that he inherits from Goodman, Kulvicki offers decisive criticisms of Goodman's own formulations before substituting more defensible formulations of his own. Kulvicki's fourth condition, as well as his account of pictorial realism, finds no precedent in Goodman's work.

Kulvicki's four conditions are *relative repleteness*, *syntactic sensitivity*, *semantic richness*, and *transparency*. Perhaps the best way to illustrate the plausibility of these conditions is by spelling out how they are largely intended to articulate the fundamental differences between pictures and sentences.

Pictures are more *replete* than sentences insofar as more of their properties matter for their syntactic identity than for those of sentences. In color pictures, for instance, differences in coloration can matter, whereas differences in the coloration of written sentences are irrelevant. Even in black-and-white pictures, the shading, the thickness of the lines, or (minimally) the relative sizes and contours of the outline shapes can all matter, whereas all of these are irrelevant in the case of sentences.

Pictures are more *syntactically sensitive* than sentences insofar as their syntactic identities are much less tolerant of changes than are those of sentences. In written English, for instance, a *C* remains a *C* until one comes fairly close to closing the curved line of the *C* shape altogether, at which point it becomes an *O*.

But in a picture, all of the intermediate shapes that one may make between *C* and *O* can matter for its syntactic identity.

Semantic richness does not mark a distinction between pictures and sentences but, rather, a distinction between pictures and icons. Icons of Saint Sebastian can be understood as pictures, as depicting a wide variety of the ways in which people can be shot through with arrows. But as icons they all denote one and the same man, Saint Sebastian, just in virtue of the convention of depicting him as shot through with arrows. As pictures, however, they have as many possible denotations as they have syntactic types, and in this sense pictorial representational systems are more semantically rich than iconic representational systems.

Pictures are *transparent*, unlike sentences or icons, insofar as a picture of a picture is syntactically identical to it. A sentence (such as this one) that refers to the first sentence in this paragraph is far from being syntactically identical to it. But if we take a picture of this journal, and then take a picture of this picture, the second picture will be syntactically identical to the first.

It is not hard to note that all four of these conditions invoke the notion of syntactic identity. Ultimately, I think the defensibility of Kulvicki's account rests upon the question of whether he can provide an adequate account of what it is to nonsemantically individuate pictures in terms of something we can plausibly call a syntax. Kulvicki is quick to point out that a pictorial syntax need not be compositional, but he is less quick to spell out what, exactly, a noncompositional pictorial syntax involves. One might think that the syntactic identity of a picture is just whatever two-dimensional pattern of lines and colors makes it up. The problem is that this notion of syntax will not be able to do the work that Kulvicki's four conditions need it to do. Think of his account of transparency, for instance. Imagine a picture of this journal, depicted from a point of view 45° to the left of it. Now imagine a picture of this picture, taken from a similar point of view. This second picture will hardly contain the same two-dimensional pattern of lines and colors as the first. So the syntactic identity of a picture, contrary to what we might intuitively think, cannot be the two-dimensional pattern of lines and colors that makes it up.

As a solution to this problem, Kulvicki invokes the notion of "bare bones content" (BBC), which he inherits from John Haugeland's work in *Having Thought* (Harvard University Press, 1998). The BBC of a picture in linear perspective is its projective geometric invariants: that is, the set of geometric properties that are invariant under all of its possible projective transformations. More colloquially, it is the set of geometric properties that are shared by all of the possible scenes that this picture can depict.

The perennially popular duck–rabbit figure (invoked in philosophical discussions of pictures as often as Hitler is invoked in ethics classes) rather vividly illustrates one such set of properties. BBC *seems* to solve Kulvicki's problem because if the picture of the picture of this journal (described above) is in linear perspective, then both of these pictures will have the same projective invariants. There are several worries I have about this solution. First of all, it requires that the pictures in question be in linear perspective, and Kulvicki can hardly assume that all genuine pictures must be in linear perspective. Kulvicki might suppose that all pictures are in something Margaret Hagens calls "natural perspective" (in her *Varieties of Realism* [Cambridge University Press, 1986]). If this is true, it might imply that it is possible for the notion of projective invariants to extend to all pictures. But this question, like the task of explaining projective invariants themselves, is strangely neglected by Kulvicki. He seems much more interested in drawing out the implications of invoking the notion of projective invariants than spelling out what exactly is being invoked and why its invocation is defensible. It is not a very thorough explanation of this notion to say that "[p]oints are mapped to points, lines to lines, conic sections to conic sections, and so on" (p. 56) in using projective geometry to arrive at invariants in projective transformations. Of course, one can learn about projective invariants by reading a geometry textbook, such as the one that Kulvicki cites. But given the central role that this notion plays in his account, as well as the many questions one might have about whether it can do the work he assigns to it, a more thorough explanation of it by Kulvicki himself would have been preferable. A second worry that I have about invoking projective invariants to account for the syntactic identity of pictures is that color is not a geometric property, so projective invariants by themselves cannot suffice to account for the syntactic identity of color pictures. If one takes a picture in dimly lit conditions of a picture that is taken in dimly lit conditions, the surface colors of these two pictures will not be identical. It might be that the notion of geometric projective invariants can serve as a model for some sort of nongeometric color-related properties that are shared by these two pictures, but Kulvicki does not even begin to explore this issue. In short, for Kulvicki's proposal to succeed, what works for shapes (in linear perspective) will have to work for colors (and shapes in nonlinear perspective), but it is far from obvious that this is the case. A third and perhaps most important worry is that it is hard to see how individuating pictures in terms of their BBC is nonsemantically individuating them. After all, it is bare bones content.

Kulvicki's response to this third worry would presumably be to remind us that a significant feature of

his account is that pictures in linear perspective are instances of their own BBC. That is, the picture of a picture of this journal itself embodies the projective invariants that it depicts. If pictures were *identical* to their own BBC, this would allow Kulvicki to avoid the third worry, albeit at the cost of conflating a distinction that Kulvicki himself invokes in criticism of others: between the syntax and semantics of pictures. But pictures are *not* identical to their own BBC; they are fleshed-out instances of their own BBC, where the fleshed-out content of a picture is precisely what we see in it (such as the duck or the rabbit), as opposed to its BBC (which we have to abstract from pictures in order to “see” at all). The problem, simply put, is that this means that there is no nonsemantic way to identify a syntax of pictures in terms of BBC.

At this point, one wonders what really motivates Kulvicki’s insistence that we can identify a theoretically useful notion of pictorial syntax. Goodman thought that we could, but he also thought that there is only a difference in degree (of repleteness, sensitivity, and richness) between pictures and sentences, and that it is possible to neatly separate out the syntactic and semantic identities of sentences. Kulvicki’s invocation of transparency seems to show that he is interested in identifying a difference in kind between pictures and sentences. But doing this might well require abandoning Goodman’s commitment to thinking that pictures have neatly separable syntactic and semantic identities. In short, I worry that Kulvicki’s criticisms of Goodman do not cut deep enough. A proper formulation of the truths in Kulvicki’s account may well require a more thorough rejection of the commitments underlying Goodman’s purely structural approach.

Kulvicki’s book ends with his account of pictorial realism. It is a fitting way to end such a provocative book and more than amply illustrates his capacity for genuinely original philosophical thought. There are two parts to Kulvicki’s account of realism: an intra-systemic aspect and an inter-systemic aspect. The first is intended to elucidate what we mean when we call one picture more realistic than another within a pictorial representational system. The second is intended to elucidate what we mean when we call a particular pictorial representational system as a whole more realistic than other pictorial representational systems.

Kulvicki calls his notion of intra-systemic realism “verity.” It is meant to capture the way in which pictorial realism involves both verisimilitude and accuracy. His account of verity begins with a striking claim: it is a mistake to think of the different artistic styles exhibited by pictures in an average art museum as inhabiting different representational systems. On Kulvicki’s account, David’s *Death of Socrates* is more realistic than Giotto’s frescoes or Picasso’s *Old Guitarist*

precisely because they are in the same representational system (presumably, something like linear perspective). For Kulvicki, these pictures differ with regard to whether or not the properties that they depict their subjects as having accord with our conceptions of such things. For example, the hands of David’s Socrates are realistic because they are depicted in accordance with how we ordinarily conceive hands to be, whereas the hands of Giotto’s subjects are depicted as being longer and skinnier than we ordinarily conceive hands to be, and the hands of Picasso’s guitarist are depicted as being longer, skinnier, and colored differently than we ordinarily conceive hands to be. One might think that linear perspective has taken on imperialist ambitions at this point, threatening to force us to understand rather distinct artistic styles by its own parochial legislation, but there is an unexpected payoff to treating all three of these artistic styles as inhabiting the same representational system: it gives Kulvicki a way of explaining “revelatory realism,” the way in which pictures that were once taken to be paradigms of realism can later strike us as unrealistic. For instance, when Giotto’s frescoes were first viewed they were widely praised for their realism, but they rarely receive such praise today. Kulvicki proposes that what originally made Giotto’s frescoes realistic was the novel fact that more of their surface features were relevant for their semantic interpretation than had been true for previous pictures. In Giotto’s frescoes, shading and coloration were utilized more extensively than in previous pictures, to represent a wider range of the properties of the shapes and light sources depicted. Once we become familiar with the way in which these surface features can be used to represent these properties, however, we tend to approach other pictures with the expectation that their shading and coloration will be similarly significant. However, if we have these expectations and approach pictures that were created before Giotto discovered the pictorial significance of such surface features, we will be inclined to interpret them as representing their subjects as having properties that probably do not accord with our conceptions of such things. We will, in other words, see them as unrealistic depictions.

Kulvicki’s account of verity is unabashedly observer dependent. What separates it from the bulk of other observer-dependent accounts of pictorial realism, however, is that he does not just invoke some fairly underspecified variable (such as habit or novelty) to account for the difference between observers who find Giotto’s frescoes realistic and those who do not. The variables he invokes (that is, conceptions of the objects depicted and familiarity with the possible pictorial significance of the surface features of the pictures themselves) are much more substantive. For this reason alone, his account of pictorial realism

deserves serious consideration and should make it onto the radar of anyone who is inclined to defend an observer-independent notion of realism, according to which realism involves a relation between either the surface features or the content of a picture and the world itself.

In addition to verity (that is, Kulvicki's intra-systemic aspect of realism) he also introduces two inter-systemic aspects of realism: informativeness and mimicry. A particular pictorial representational system is more informative than another if it is more replete, more syntactically sensitive, and more semantically rich than other pictorial representational systems. A particular pictorial representational system is more mimetic than another insofar as perceiving it is more like perceiving what it depicts in both the information it provides and how it provides this information.

Kulvicki's account of pictures is nothing if not counterintuitive. It defines pictures and pictorial realism without mentioning how pictures look. It implies that pictures are not essentially visual. It even implies that everything is a realistic picture of itself. Rather than worry about intuitiveness of his account, however, Kulvicki proceeds by rigorously investigating all of the dominant philosophical views in the literature on pictorial representation. In the breadth and depth of his coverage of this literature, his discussion is unparalleled. The account that results from this investigation is an unprecedented synthesis of the merits of these otherwise divergent views. For this reason alone, any subsequent work on pictorial representation will have to take his account into consideration. It may not be the last word on pictorial representation, but it will certainly remain a centerpiece of philosophical discussions of this topic for quite some time.

ZED ADAMS

Department of Philosophy
New School for Social Research

KRAUT, ROBERT. *Artworld Metaphysics*. Oxford University Press, 2007, 187 pp., \$75.00 cloth.

The seven short essays comprising *Artworld Metaphysics* give the impression of sharing no single topic and advancing no single thesis. Instead, one finds self-standing discussions of selected, sometimes central questions in aesthetics. Does music express emotion? How can there be more than one correct interpretation of an artwork? How is ontology relevant to aesthetics? Is jazz somehow philosophically special? Are traditional philosophical approaches to aesthetics only just so much intellectual colonialism? The discussions are smart and sharp, often doing much to clear the ground around these issues.

Or perhaps these essays share more than they seem to. Certain themes recur in the essays. Methodological questions continually crowd to the fore. Explanation, in particular, plays a central role time and again. But what the essays share most conspicuously is their style and sensibility. Partly this is a matter of the, say, Krautliness of the prose. Its pace is brisk, but it remains lucid at speed. Thoughts come together, flower, and go to seed in the space of a few short paragraphs. The philosophical ambit brought to bear on each question is wide. A steady diet of examples from the philosophy of language, mathematics, and ethics is always close to hand. More importantly, none of the essays much conforms to the thesis–argument–objections template of contemporary professional philosophy. Instead, each meanders through the space of a given problem, trying to figure out the philosophical lay of the land. In which philosophical terms can we formulate this issue? What would count as a solution in those terms? What kinds of solutions and arguments does this way of formulating the problem make possible? What can we learn from similarly structured problems elsewhere in philosophy? This is not to say that Robert Kraut takes no stands or offers no arguments; both are in ready supply. It is that the essays are allowed to unfold like conversations in which particular resolutions, even Kraut's own, are subordinate to wider issues of understanding the space of the question itself. This priority in the essays, along with their pace and structure, embeds a message: there is no shame in simply being wrong; it is being confused that is intellectually shameful.

If this has started to sound less like style and more like pointed advice about how to do your job, then we have arrived at what I suspect is *Artworld Metaphysics'* genuine, if unacknowledged, topic: the metaphilosophical question of how one ought to go about doing philosophy. Each essay is as much an object lesson in philosophical practice as it is an investigation of some topic within it. Every stylistic characterization above might be reformulated as a methodological thesis, or at least an aphorism. Now it is true that any sincere work cannot help but endorse its own methodology simply by employing it, and that methodology is not thereby the subject of every work. But there is ample reason to think it weighs heavily with Kraut, for often the topic becomes explicit.

The opening essay argues for the methodological importance and propriety of a distinction between engaging in a practice and reflecting on it, here, between participating in the artworld (whether by producing, appreciating, criticizing, even theorizing about art) and philosophizing about it. While some principled worries are confronted (Does this require an unavailable external perspective on the artworld?

Can reflective artistic practice become indistinguishable from philosophical reflection? Would the descriptive nature of the envisioned enterprise rob it of its relevance? No, no, and no) Kraut's true opponent here, and throughout the book, is that lingering and stubborn skepticism that haunts the pages and conference rooms of professional philosophical aesthetics: the suspicion that doing genuine, authentic aesthetics is somehow incompatible with genuine, rigorous philosophy. This is an attitude equally manifested in complaints about soft-minded, philosophy-free wallowing about in the artiness of it all as in charges of losing the distinctive character and subject matter of aesthetics by assimilating its charming peculiarities to colorless global debates. By Kraut's lights, this dilemma is false. Philosophy has a distinctive task, and what follows is both model and demonstration of the possibility of philosophical aesthetics that is genuine twice over.

A linchpin of his reconciliation project turns out to be a proper appreciation for the role of explanation in philosophical problems. On the one hand, taking the distinctive reflective turn as explanatory weds one to the phenomena of the artworld, whatever they may be. Its denizens do, say, feel, and think a ridiculous welter. Understood as phenomena to be explained, not one bit of this can be shrugged off. Phenomena simply are, and what fails to explain them simply fails. It is here that Kraut wants to secure what is particular about art and our experiences of and around it. And so to cases. To many musicians, Kraut included, the demands of performance are strikingly like those of speaking a language; that this is so wants explanation. To many, though not to Kraut, music seems to express emotion; again, the fact awaits explanation. Properly practiced metaphysics of art is in no danger of losing its subject; it is up to its neck in it.

On the other hand, where reflection is taken to be explanation, an inevitable distance opens between the explanatory activity and its subject. The data may be inviolable, but they are also mute. There is no obligation that the terms in which the phenomena unfold, express, or understand themselves be the terms in which their explanation proceeds. Defending the legitimacy of so-called inverted explanations is the main business of the second chapter. Hume and his ilk may be mistaken in claiming that our attributions of "cause" or "immorality" can be fully explained in causally or morally neutral terms, but they are not confused. Confusion rests primarily with those who have misunderstood the character of this sort of project, who have mistaken explanation for analysis. Likewise, insofar as an "institutional" account of art like Arthur Danto's or George Dickie's attempts an explanation of our uses of the term 'art' that itself has no use for the concept, the account is perfectly in order and immune to a variety of misconceived

objections. The door is open, then, to an account of our finding emotion in music, or our finding performance to be like speaking, that "accommodates" all the phenomena as phenomena, but has no use for music's really expressing emotion or performance's actually being much like a language. As Kraut says, "There's more than one way to respect the data."

In this emphasis on explanation over analysis, the essays are very much of our time. Their success lies partly in the way the explanatory attitude seems homegrown from aesthetic concerns and not simply grafted onto them. Indeed, the essays quite naturally take us to hard questions that go along with this attitude. Where exactly do questions about the justification of our practices and their normative aspects end up standing? Once we take this explanatory stance toward our practices, what use have we really left for "correctness" within them as opposed to conflicting commitments? What exactly do we want to say about the "reality" of what receives inverted explanation? That it is illusion? Or that we have discovered it, quite real, nature? Like a good host, Kraut takes us in far enough to feel these concerns for ourselves, acknowledges their difficulty, and excuses himself. Aestheticians, welcome to the party.

The introductions are not without their false notes. Kraut suspects that attributing emotional content to musical compositions offers no explanatory advantage over not doing so. Once we have subtracted the causal-emotional contribution of the performers and the composer, what is left to explain in our experience of works by attributing further emotional content to them? But while we often think of music's expressiveness on Tolstoy's model of communicating what the artist feels, we need not exclude the possibility of artists who craft their works to express emotions they themselves do not feel. If all composition is performance—itsself a claim embraced with too little ado—then we need to keep in mind that not all acting is Method acting. But having done so, we seem to have unacknowledged phenomena, the explanation of which might require attributing emotional content to works themselves after all.

Two larger, later chapters revolve around interpretations. Chapter 5 connects ontological questions—What are the boundaries of a work? What are its properties?—with interpretive ones. The notion of proper appreciation provides the connection between how the work really is and the best interpretation of it. Given one, we can read off the other, but picking a starting point proves difficult. Kraut thinks "best interpretation" looks more tractable if we think about it, again, through the lens of "best explanation." Chapter 6 broaches the question of "Critical Pluralism," the possibility of incompatible but equally correct interpretations (ontology too, given the equation of chapter 5). What becomes less and

less clear, however, is what Kraut takes interpretation to be and whether he is still talking about any familiar activity. The term seems increasingly cut loose from the few examples that introduced it and is eventually asked to bear weight for which we have little feel. We are to prefer an interpretation with the power to explain not just features of the work but also the appearance of other, inferior interpretations. It is unclear how the often humble activity that can pass for interpretation of an artwork, as opposed to, say, a scientific theory, is the kind of thing that can explain the existence and illusoriness of alternative explanations. Later, an interpretation is supposed the kind of thing that may be fixed by fixing a community of interpretative interests. But I would have thought that interpretations were the sort of thing that produced conflict even among those whose interests and backgrounds are closely aligned. Maybe it is just my friends, but thinking the only source of conflict is the disparateness of communities seems another hopeless idealization.

Last, it is worth noting a certain rhetorical tension between the metaphilosophical tendencies of the essays and their mere philosophical tendencies. For a book that recommends the explanationist standpoint so trenchantly, remarkably little explaining actually goes on, as opposed to, say, analysis. Indeed, it is really the idea of explanation, and not the activity itself, that has the starring role in making the world safe for explanation. Given this, it is not surprising that the essays get by without any serious investigation of what makes for explanation, or good explanation. What is surprising is the way this lack undermines the methodological role modeling that is the philosophical heart of the book. It seems that what aestheticians, and philosophers more generally, ought to be doing is not explaining, but talking about explaining.

GUY ROHRBAUGH
Department of Philosophy
Auburn University

PARSONS, GLENN and ALLEN CARLSON. *Functional Beauty*. Oxford University Press, 2008, xiii + 255 pp., \$70.00 cloth.

This ambitious and important book sets out to restore the place of function in aesthetics. In an introductory historical survey, the authors point out that although “fitness” for function was a central theme in eighteenth-century aesthetics, “disinterestedness” eventually pushed it aside and, despite the recent turn toward “cognitively rich” aesthetic theories, function is still neglected. A major reason for this neglect is the existence of two seemingly intractable problems that surface in discussions of architecture and design: the “Problem of Indeterminacy” (How can we

identify the “proper” function of a building or an artifact?) and the “Problem of Translation” (How can our perceptual response to a building or an artifact be affected by a knowledge of its function?).

The authors’ answer to the indeterminacy question is their most original contribution. Rejecting existing intentionalist solutions, they derive their definition of proper function from evolutionary biology and philosophy of science. Among biologically informed concepts of function, they reject “causal role” explanations (the role something plays within a living system) in favor of “selected effects” theories (the existence of a trait due to natural selection). Then they draw an analogy between the natural history of reproduction and the reproduction of artifacts to arrive at their definition of proper function: “X has a *proper function* F if and only if Xs currently exist because, in the recent past, ancestors of X were successful in meeting some need or want in the marketplace because they performed F, leading to the manufacture and distribution of Xs” (p. 75). Although they admit that there is still some vagueness to their definition (How many artifacts need to be manufactured and for how long?), their “key point” is that this definition rescues proper function from “the messy realm of human intentions” (p. 77). At the same time they believe their approach also establishes the “core idea” that proper function belongs “to the object itself” rather than being “imposed” on it by use or context (p. 83).

The authors’ solution to the problem of translation draws on Kendall Walton’s “categories of art” (standard, variable, contra-standard) to argue that differences in the knowledge of how objects function lead us to see them in a different way and to perceive different aesthetic qualities in them. In the case of the traditional idea of an object’s “looking fit” for its function, there must be no contra-standard features and many variable ones that reference its proper function, for example, the formal features of a “muscle car” that make them an aesthetically pleasing translation of function but would be displeasing in a hearse. The authors explain the perception of aesthetic qualities like simplicity or grace by the fact that the object shows only standard features associated with its function, such as the streamlined look of modernism, perhaps the “most familiar kind of Functional Beauty” (p. 98). Finally, Walton’s contra-standard category is used to explain that some items may be considered functionally beautiful because they manifest a “pleasing dissonance” between function and appearance. As these examples make clear, Glenn Parsons and Allen Carlson adopt a “cognitively rich” understanding of aesthetic experience that allows them to include knowledge of function within aesthetic experience. The cognitive emphasis also helps them

incorporate a crucial desideratum of any functional theory: the aesthetic qualities of a functional object must be experienced as “emerging from” or “arising out of” its function rather than simply consistent with it. In this way they can answer skeptics who claim that “looking fit” for function is not really an aesthetic but a utilitarian pleasure by showing that “we do possess the capacity to take pleasure in the mere perception of a thing’s looking fit” (p. 106).

In the second half of the book, the authors set out to show that their particular theory of “Functional Beauty” offers superior solutions to problems in the aesthetics of nature, architecture, everyday artifacts, and art. In the case of nature, they believe their version of functional beauty can answer the immorality objection to the aesthetic appreciation of animals by making functional beauty “internal” and therefore belonging to animals themselves (whether perceived as functionally beautiful or as malfunctioning), whereas other theories of function, such as Kant’s dependent beauty idea, only allow for an “external” relation between function and beauty. In the case of architecture, they amend their “success in the marketplace” definition to include “preservation” alongside “manufacture.” In the case of everyday aesthetics, they argue for the superiority of their functional beauty theory to Deweyan approaches and vigorously reject any attempt to expand aesthetic experience to include the proximal senses. In the case of art, they reject both intentionalist theories of art’s function (Monroe Beardsley, Gary Iseminger, Nick Zangwill) and “causal role” theories (David Novitz, Richard Lind, Richard Richards) as unable to show that one function is more important than another. Although the authors admit that not even their selective effects theory can tell us the proper function of art in general, they argue it can do so for subcategories, such as religious art or horror films, by showing that their functional effect is “causally responsible” for their continued “production and dissemination” (p. 221).

Parsons and Carlson conclude that bringing function back into the heart of aesthetics on their terms will give the field not only greater comprehensiveness, but also greater unity by using the same principle of selected effects for both nature and artifacts. In their view, the only other approach that takes function seriously—the Kantian model of adherent beauty—lacks comprehensiveness and unity since it treats function as merely an external constraint on response to form. Although they grant that there may be other aspects to beauty besides function, they believe functional beauty “may occupy a central and primary place in all our aesthetic experience” (p. 234).

The book is an impressive achievement, and anyone who has wrestled with these issues will have much

to learn from it. But there are also serious limitations. Before looking at those, I have an initial reservation about the capitalized term ‘Functional Beauty.’ They say they chose ‘beauty’ over ‘aesthetics’ because the latter is so “unlovely,” even though their “central concept is, really, aesthetic appreciation involving knowledge that concerns function” (p. xii). I found the capitalized term confusing on several occasions since it sometimes refers to a particular kind of beauty, sometimes to the general theme of function in aesthetics, and sometimes to one or another theory of function, including their own.

As for the authors’ major theoretical contribution of defining “proper function” by using marketplace success as the equivalent of evolutionary success, I found the force of the analogy between selected effects in biology and in the marketplace unclear. Since the authors admit that even the selected effects—the marketplace approach leaves proper function a bit vague (the how much for how long problem), I wonder if there may not be better ways of dealing with intentionalist individualism than by absorbing the entire “messy realm of human intentions” (p. 77) into market forces. Moreover, the authors’ underlying concern here seems to be relativism—they close their discussion of indeterminacy by saying they have shown that “not all of the many functions of a particular artifact are equal” (p. 88). I agree that not all functions are equal, but I doubt that our choice is either complete relativism or selected effects—marketplace theory. The latter seems too blunt an instrument for adjudicating importance in the case of multifunctional artifacts like major works of architecture, just the cases most challenging and interesting for aesthetic judgment.

I have similar concerns about the authors’ solution to the problem of translation—although their adaptation of Walton’s categories of art is helpful for understanding artifacts whose primary function is relatively easy to determine. They correctly stress that we need to know *how* an object performs its function since there are “many alternative designs” that might “satisfy the basic function of an item” (p. 93). But with more complex multifunctional objects like buildings, it is not easy to determine which possible forms are “standard” with respect to any particular function. Given the astonishingly diverse technical and formal innovations in architecture over the past sixty years, it is no longer clear what the “standard” form of an apartment building, an office, a bank, or a library is, let alone the “standard” form of an art museum, a concert hall, or a civic center. My point is not that relativism is inescapable, but that multifunctional architecture may require a suppler analysis than the authors’ theory of “proper” and “standard” provides. Moreover, the book does not discuss the fact that many works of architecture (and

design) are considered works of art, something that adds yet another layer of complexity.

I found the discussion of everyday aesthetics the least satisfactory application of their theory, mostly because it is focused on a rather skewed critique of “the Deweyan approach” of Carolyn Korsmeyer, Tom Leddy, Yuriko Saito, and others, all of whom are charged with subordinating function to sensuous pleasure. Moreover, I can see no intrinsic connection between the authors’ specific theory of functional beauty and their insistence on restricting aesthetic experience to the distal senses. Here again, their underlying concern seems to be relativism, which in this case they fear would result from allowing the proximal senses into aesthetics. This worry seems in turn to derive from a contestable assumption that touch, taste, and smell have no cognitive dimension and would therefore leave little place for evaluative discussions concerning the aesthetic translation of function (p. 193).

An aesthetic theory as wide-ranging as Parsons and Carlson’s is bound to do some things better than others. It seems to work best with nature and with single-function artifacts and less well with multifunctional artifacts and architectural works, especially those that claim the status of art. Like many theories, theirs is stronger in what it affirms than what it denies. Not only may we expect counterarguments from intentionalists and “Deweyans,” but there are also recent reinterpretations of Kant’s dependent beauty concept that provide an “internal” understanding of function in aesthetic judgment that could be the basis of an alternative theory. Yet none of the reservations I have expressed diminishes the major achievement of *Functional Beauty*, which is to have reclaimed a central place for function in aesthetics by setting out a comprehensive and challenging proposal.

LARRY SHINER

Philosophy Department

University of Illinois at Springfield

HERWITZ, DANIEL. *Aesthetics: Key Concepts in Philosophy*. New York and London: Continuum, 2008, vi + 193 pp., 1 color illus., \$90.00 cloth, \$19.95 paper.

In *Science of Logic*, G. W. F. Hegel adopts Friedrich Schelling’s metaphor of “petrified intelligence” to characterize nature, in its self-enclosed and indifferent totality, as a persistent invitation to thought. In its seamless interconnectedness and striving toward comprehensiveness (in short, in its *horror vacui*), nature offers us a cipher of intelligence, the key to which we never stop seeking. But Hegel’s appropriation of Schelling’s metaphor is as much a

warning as an incitement, for to forget that nature is but a petrification—an image—of thinking, and not thinking proper, is to fall (back) into animism. Indeed: according to Hegel, our apprehension of nature as petrified is how we experience the renunciation of animism; it embodies the first self-conscious distinction between the mere image of thinking and the real thing. The denial that nature is self-understanding (hence the perception that nature still demands to be understood) provides us our initial incentive to think for ourselves.

In the Hegelian perspective, art shares with nature this quality of displaced intelligence. In both, thinking shows up “out there,” in a world that is disclosed to the minds that seek to make sense of it only through their sensuous engagement with it. There is, to be sure, the key difference that, in art, thinking has begun to rouse itself from its petrified natural state. But because thought in art remains tied to sensuous forms and hence is limited in the level of self-understanding it can attain, it forever remains, for Hegel, the lowest form of thinking. His insight into the sensuous unyieldingness of art sets Hegel on the road toward his hierarchy of forms of thought, from art to religion to philosophy, each more capable of explicitness than the one that precedes it, hence each better equipped to discharge thought’s striving for an understanding of its own nature. Because art is the first station on the path of thinking, the question whether artifice or nature is the right concept with which to begin to grasp it is never done being posed. As Daniel Herwitz puts it, “The truth in art starts in the human gut and works upwards toward the brain” (p. 163). It is in the natural feeling of the gut, Herwitz says, that the work of art begins, but in the gut qualified as human; it then worms its way not into the mind but, as if on a physiological trellis, upward to the brain. An odd formula to my ears—a brainiac’s image of gutsiness, perhaps?—but through it Herwitz expresses clearly how art’s mixed nature remains a problem for all the more abstracted forms of thinking that would, in thinking about it, seek to strip it completely of its affinity with the force of nature.

That art remains a force beyond simple understanding is a driving thought in Herwitz’s introduction to aesthetics. He returns throughout to detailed discussions of works of art not so much to illustrate this or that philosophical thesis as to motivate, over and again, the demand to philosophize. Yet this raises the question: how does art press this demand? For it would be wrong to take art’s problematic status, as Hegel took nature’s petrification, as a reason to treat art merely as a stimulus to thought, which would in turn deny art’s kinship with the more abstract forms of reflection that take up its challenges. Even if not necessarily in propositional form, art goes beyond embodying concepts and, in its own fashion, knows

them. In this sense, art is, along with religion and philosophy, postlapsarian. Our experience of art may lead us (it did Plato) to regard it as arising outside of thought proper, for works of art create many of their wondrous effects before we begin to think about them. According to Herwitz, “[Works of art] occasion truth by setting up the materials and forms of their medium in a way that places us in the position of finding ourselves wondering about something that has happened to us” (p. 161). But regardless of how tempted we are to adopt a regressive conception of art as inherently petrified (more commonly these days as petrified history, as Herwitz’s characterization of art as inflicting experience on us suggests), it is a mistake nonetheless. Developing a credible critique of the narrow treatment of works of art as documents is obviously not a proper aim for a book review. But as a way of getting at what is provocative and problematic about Herwitz’s introduction to aesthetics, it is helpful to stress that if art is, in Hegelian terms, the first form of unpetrified thinking, it must be conceived not as a mere *incentive* to thinking, but rather as an *introduction* to it.

Fully half of Herwitz’s history of aesthetics is devoted to understanding art as a form of thinking, so this Hegelian contextualization of his approach is no alien imposition. Still, I confess that I emphasize Hegel here only to make one specific point: while philosophy as such might, as Hegel proposed, or might not be in direct competition with the cognitive and affective significance of art, introductions to the philosophy of art undoubtedly are. In the last decade, there has been a flood of introductions to aesthetics (as well as readers, handbooks, casebooks, encyclopedias, and so on). It is sometimes hard to figure out for whom these books are intended, but if even a fraction of them is being widely read, we must be living in the golden age of aesthetic education. Or not: the need for one introduction after another could just as well mean that none of these texts is accomplishing the task of providing those with “interest in, but little prior knowledge of, philosophy,” as the blurb on the back of Herwitz’s book condescendingly describes its target audience, the little prior knowledge they need in order to get on to the thing itself. (These words, of course, are the market blather of the publisher and not Herwitz’s own.) Perhaps we should consider the possibility that these texts, instead of serving to introduce philosophical aesthetics, are getting in the way of the power of art to introduce a kind of thinking that cannot be grasped at the primer level. What makes Herwitz’s book such a splendid roller coaster of a read is that he both (1) takes to heart the challenge of thinking of art as the best introduction to aesthetics and (2) ignores it altogether.

(1) Taking the challenge to heart: Herwitz provides penetrating summaries of the views of several

of the key figures in the history of aesthetics. David Hume, Immanuel Kant, Hegel, R. G. Collingwood, John Dewey, Arthur C. Danto, Richard Wollheim, Stanley Cavell, Kendall Walton, and Jacques Derrida are discussed in ways a teacher of aesthetics will feel comfortable commending to students. (I omit to mention Plato and Aristotle only because Herwitz’s brief summaries of them are openly preliminary to the main event, which is modern aesthetics.) This is not to say that Herwitz neglects to treat his key figures as philosophers, that is, to argue with them. Indeed, his most moving writing is devoted to showing how the really interesting limits to philosophical positions are thrown up not by competitor philosophical positions but by works of art. Herwitz’s overall dialectical story is shaped, in other words, by the concrete demands of specific works of art that the particular aesthetic theory under discussion cannot meet. “We have so many positions in aesthetics,” Herwitz claims, not because we have so many interesting aestheticians but “because the subject demands them: art and the experiences, conversations and institutions in which it variously happens and remains” (p. 172). In this light, Herwitz keeps returning to works of art because they are the proper introduction to philosophical thought.

(2) Ignoring the challenge altogether: Still in the vein of responding to art as the power to introduce thinking, Herwitz writes, “The best of philosophical aesthetics has almost always aimed at producing a dialogue between art, the broad intellectual currents of the time and the history and practice of philosophy” (p. 3). Yet because Herwitz’s book is an introductory aesthetics text, the generic demands of which include compactness and alacrity, the middle term of that formulation—“the broad intellectual currents of the time”—largely drops out, and so the idea of art as the introduction of thinking is replaced in practice by the idea of art as an incentive to philosophize. Fine, you might say: everyone is entitled to choose his or her own focus, and to make Hume, Kant, Danto, and so on intelligible inevitably requires a decisive narrowing of the field. Now, for a philosopher less committed than Herwitz to the expansive conception of aesthetics as driven by art’s power, I suppose this would be a palatable defense. But it is clearly Herwitz’s view that the power of art is measured by the forces it unleashes in society at large. His captivating discussion of South African art in the early 1990s ends with the Hegelian claim that “because art is an expression of the aspirations of place and time, art has a history and that history is essential for its understanding and appreciation” (p. 86). To the extent, therefore, that the broad currents of history disappear from the philosophical analysis and Herwitz’s introduction becomes absorbed entirely by works of art and the philosophies they limit, his book either ceases to be an instance of “the best of philosophical

aesthetics” or it performatively contradicts its thesis. Either way, that is a problem in an introduction to the field!

Let me be very clear here: I am saying that Herwitz’s book is among the very best of the recent tidal wave of introductory aesthetics texts because it so lustily embraces the contradiction between the view that art introduces “thinking” into social and political life at-large and the narrowing of “thinking” to abstract philosophical aesthetics. In his introductory chapter, Herwitz argues that modern aesthetics is constituted by a “self-proclaimed divorce between philosophical methods and those of the humanities generally” that “put aesthetics, ironically, in a corner” (p. 7). Acknowledging that aesthetics has refined its philosophical methods by sitting alone in its corner, Herwitz’s stated aim is to get it back into the mix. Thus, as he gets ready to wrap up, Herwitz argues that the aim of art is to produce dialogue. “The point of truth occasioned by art is to migrate into the public sphere. Billy Wilder said the mark of a good film is when people can’t wait to go have coffee and cake and start talking about it.” In the perspective of Wilder’s (echt Viennese!) formulation, art itself is the best introduction to thinking because it “put[s] life on its head so we may and must think it over” (p. 168). This is muddy, for if aesthetics stays in the corner, then hasn’t it turned down art’s introduction to talk? Divorce and dialogue: I doubt that Herwitz can have it both ways. In a Hegelian vein, the introduction to thinking may well be art, but if, as Herwitz argues vigorously, philosophical aesthetics is the field that got going by kicking its original partner—Ciceronian *humanitas*—out of the house, then an introduction to it requires a whole other history.

Now, to be fair, there is ready to hand a historical resolution to this apparent quarrel between aesthetics, humanities, and art: if the power of art to introduce thinking consistently gets blocked by some stronger force, it may need the assistance of aesthetics in pressing its introduction on us. Philosophical aesthetics in this sense would not be a higher form of thought but, instead, an instrument for returning us to art’s blocked introduction of new thinking. Hegel certainly thought something like this since, if art, as he emphatically put it, remains a thing of the past, its power to introduce thought stays available to those forms of reflection (historically informed philosophy, for one?) that can find their way back to it. And there is no doubt that Herwitz, too, thinks something like this. Billy Wilder’s dream of art often fails, he says, because of the overwhelming noise that distorts public deliberation over coffee and cake (p. 168). Against this sort of impediment to thinking, to the social and political dialogue that, according to Herwitz, art introduces, philosophical aesthetics may have a crucial critical role to play. But then the real introduction

to aesthetics comes not from grasping the power of art but from confronting what is in its way. And that requires not another introduction to aesthetics as a self-contained field but, instead, a critical theory of society and art’s place in it. In the 1998 *Encyclopedia of Aesthetics* edited by Michael Kelly (Oxford University Press), with which Herwitz says his own book is allied, the materials for such a critical theory were laid before us. And while Herwitz’s is surely the best we deserve in the way of taking those materials up in an introductory way, its goodness is inextricable from its perpetuation of the refusal of art’s introduction of thinking. If we are able to see that, then perhaps, and paradoxically, Herwitz will have written the real introduction to aesthetics by writing the final one. The rest will be history.

GREGG HOROWITZ
Department of Philosophy
Vanderbilt University

ELDRIDGE, RICHARD. *Literature, Life, and Modernity*.
Columbia University Press, 2008, xii + 178 pp.,
\$32.50 cloth.

Richard Eldridge’s new book promises and delivers insight into three daunting subjects: literature, life, and modernity. His starting point seems to be literature, or, more exactly, his deeply held conviction that close reading of literary works enriches our lives. The stresses and complexities of modernity reinforce our need for literature and shape the benefits it offers us. Although Eldridge focuses on literary works that engage the specific conditions of modern experience, he also reflects on our lives as finite individuals subject to time, loss, and incompleteness, thus always and everywhere in need of what he thinks literature provides.

To bring home the value of literature, Eldridge sketches the modern world with which it must contend. It is a bleak picture, reminiscent of the “savage torpor” that William Wordsworth found gripping his contemporaries or the “lives of quiet desperation” to which Henry David Thoreau thought his neighbors had succumbed. Aimless getting and spending, endless conflict and competition among disconnected, self-interested individuals, stultifying work, and escapist entertainment rule the day. Boredom, depression, and dissatisfaction unsettle everyday life, and chaos, violence, and power struggles threaten the fragmented social order. Under these discouraging circumstances, fundamentalism and sectarianism are standing temptations because they promise some measure of community and purpose, however mindless. “Competitive factionalism” (p. 4), however, assuages our isolation without remedying it. Conformity takes its toll and the thrill of conversion wears

off, leaving us once again mired in “a culture of the competitively individualist seeking of the satisfaction of subjective preferences, without any sources of a commonwealth and without stability or depth of individual identity over time, but instead only pervasive cultural crassness, economic and political exploitation, and individual anomie” (p. 25).

This indictment of modernity will resonate with readers, among whom I count myself, drawn to Wordsworth and the other writers who have influenced Eldridge. Nevertheless, Eldridge’s picture of modern life borders on handwringing nostalgia. It is so negative that he sometimes needs to remind himself that we cannot turn back the clock, nor should we want to. Even these reminders, however, trail off into what sounds like remorse, as, for example, in this attempt to strike a more balanced tone: “The old dispensations are dead, and for good reason, but a life lived without any objective dispensations threatens to be bleak, chaotic, and violent, or perhaps nasty, brutish, and short” (pp. 32–33). Although “enormous benefits” (p. 32) have accrued from scientific and political progress, alienation and purposelessness still loom large.

Literature saves Eldridge’s argument from thoroughgoing pessimism. Literature intervenes in the present not by handing down ironclad moral truths but by exemplifying how we can work through loss and disorientation without certainty. Literature helps “to open up some senses of possible common purpose and some routes of possible mutual engagement, hesitantly and nondogmatically, without either denying or undertaking to rule over the complexities of modern social life” (p. 4). ‘Hesitantly’ and ‘nondogmatically’ are key terms here. ‘Nondogmatically’ differentiates the provisional insights of literature from the universally binding moral dictates no longer available or desirable in modern democratic life. ‘Hesitantly’ suggests a noncoercive, tentative means of expression, an invitation rather than a directive, always subject to revision and renewal, something akin to what John Keats had in mind when he counseled that “man should not dispute or assert but whisper results to his neighbors” (February 19, 1818 letter). We get from literary works what Eldridge variously calls moments of closure, recovery, resolution, calm, and clarity that enable us not to rest in some fixed and final worldview but to go on with renewed confidence in our capacity to make ourselves intelligible and to enter into productive relationships. Literature, in short, stimulates our “awakening through reflectiveness into new and better commitments, coupled with a sense of lingering anxieties and uncertainties” (p. 14)—uncertainties that do not sabotage these commitments but keep them current, saving us from both dogmatic slumber and narcissistic drifting.

To flesh out these general comments on literature, Eldridge looks at a play (Tom Stoppard’s *Arcadia*), a

novella (Goethe’s *The Sorrows of Young Werther*), an extended lyric poem (Wordsworth’s “Tintern Abbey”), an unconventional sonnet (Rilke’s “Archaic Torso of Apollo”), and a long story (W. G. Sebald’s “Paul Bereyter”). His reading of *Arcadia* is too quick and schematic. The play gets reduced to a cursory illustration of the philosophical reflections that precede it. His more detailed treatment of the other literary texts, however, brings out how they work through crisis, perplexity, and doubt, always in self-critical, provisional ways, instead of applying already arrived at solutions. He is especially good on Goethe’s struggle to find a middle way between empty conformity and inexpressible authenticity (the problem that paralyzes Werther), Wordsworth’s oscillation between doubt and reassurance in “Tintern Abbey,” and Sebald’s sense of an individual at once apart from the world and in it.

Despite Eldridge’s belief in the importance of literature, he acknowledges its “modest compensations” (p. 7) and calls the heightened attention paid to life in literary works “a small thing” (p. 134): “small,” at least in relation to actions we might imagine having more of an impact, such as wholesale political change or life-altering psychological therapy. Eldridge especially tempers the expectations we bring to politics, cautioning that there are no direct political routes to a better world, or, more specifically, “a community of reciprocal respect and recognition among free subjects who freely lead lives that are meaningful and reasonable under shared social institutions” (p. 123). Although Wordsworth in particular aspires to such a world, neither electoral politics nor the class struggle is his way of reaching his social goals, at least not now. As Eldridge explains, if writing is Wordsworth’s own way of intervening in the existing world and envisioning a better one, “that is perhaps because the world of England in 1798 does not yet readily admit specific, sustained practices [political practice included] of wholeheartedness in daily life” (p. 99). “Not yet” may hold out too much hope for political action, as Eldridge typically conceives of it. At any rate, our own world, as Eldridge describes it, seems much the same as Wordsworth’s, at least in its resistance to political remedies, maybe because the specific dislocations of modern experience overlay what Eldridge calls our “permanent human immigrancy or fracturedness” (p. 7), which in turn ensure our ongoing exposure to “damage, trauma, loss, and in general to failures to form stable and fulfilling attachments” (p. 129). Without literature, to be sure, things would be even worse. But even with literature modern life looks grim.

Literature for Eldridge thus does not so much change the world as keep alive our interest in changing it. In the absence of greater political support, however, even assigning this seemingly small task to literary works puts considerable pressure on them.

With the pains of the world so intractable and the prospects for social change so dim, it is not clear how anyone, even someone buoyed by literature, can have any impact on public life: hence the persistent temptation in modern culture to withdraw and tend one's own garden, the very temptation Eldridge wants literature to combat. I am reminded of Stanley Cavell's comment on modern art: "It promises us, not the reassembly of community, but personal relationships un-sponsored by that community; not the overcoming of our isolation, but the sharing of that isolation—not to save the world out of love, but to save love for the world, until it is responsive again" (*Must We Mean What We Say?* [Charles Scribner's Sons, 1969]). "Until it is responsive again" holds out hope that surfaces in Eldridge's argument but cannot gain a foothold in it (whether Cavell himself earns that hope is another matter).

Gripped by a similar feeling that isolation can be shared but not overcome, many modern writers, poets, and artists have taken a fit-though-few approach to the problem of audience and have scaled back the responsiveness they expect from the world, some going so far as to suggest that one caring person is enough to keep them going as artists (as Robert Lowell, for one, told Elizabeth Bishop, "I think I must write entirely for you"). But the absence of public impact sooner or later encourages the pursuit of private goals, such as keeping love alive for oneself, not for the world. Eldridge observes how even the romantic poets that he celebrates "despite their best intentions for social effect withdraw into rehearsals of the progress of their own imaginations" (p. 34). Much the same temptation to withdraw from discouraging circumstances that cannot be changed tugs at Eldridge's own argument.

I share Eldridge's appreciation of literature and admire the exceptionally thoughtful case he has made for its indispensable value. No recent writer has done a better job showing how imaginative writing can serve as a lifeline back into the world and keep us engaged, however fitfully, in it. Nevertheless, a question Eldridge asks of romanticism haunts his own hard-won confidence in literature: "How is imaginative art to make a public claim on us?" (p. 35). Eldridge's bleak picture of modern life makes that question at once urgent and unanswerable.

MICHAEL FISCHER
Department of English
Trinity University

HERWITZ, DANIEL. *The Star as Icon: Celebrity in the Age of Mass Consumption*. Columbia University Press, 2008, xi + 157 pp., 5 b&w illus., \$24.50 cloth.

Daniel Herwitz's *The Star as Icon: Celebrity in the Age of Mass Consumption* seeks to bring a constel-

lation of concepts developed in the rarified sphere of aesthetic theory to bear on the arguably extra-aesthetic phenomenon of Princess Diana as iconic public figure. The result is a compelling, if at times surprisingly personal, deployment of familiar aesthetic terms in rather less familiar territory. Herwitz relies on his readers to share the intuition meant to justify the deployment, attaching this proviso to his inclusion of Diana and Jackie Onassis with the likes of Marilyn Monroe, Grace Kelly, and Judy Garland: "If the reader does not share this sense [that these paradigm examples belong together] he or she will probably find my book most unsatisfying" (p. 31). That an aesthetic inquiry begins with an intuition can, in itself, be no criticism, although this review will suggest that the way this particular intuition retains its force throughout Herwitz's argument invites (but does not yet receive) a certain amount of second-order reflection on the resistance of the icon to analytic efforts. The book ends as it begins, with the honest if slightly disappointing assertion that the author is, "even now, of two minds on the subject," an ambivalence that could stand more philosophical pressure.

The book opens by describing the powerful public effect of Diana's life and death and those qualities that suited her to that role—her strange mix of beauty and frailty, honesty and privacy, empathy and innocence, royalty and outcast—and drawing parallels between her and the gang of film stars to which Herwitz intuitively she belongs. The narrative description seems designed to implicate the reader and invite fascination, and indeed the reading feels like a bit of guilty pleasure. Given the claim that what must ground the work to follow is shared intuition, this is the right opening strategy, and it is not until the second chapter that the analysis proper begins. There, Herwitz starts to articulate the historical specificity of the phenomenon in question, which he locates in the particular alchemy of tabloid news, film, and television, a combination that works to give rise to and mark out as unique the form of the icon.

The icon is, as he sees it, comprised of a figure capable of bearing in tension the opposing forces of stardom and celebrity, with the former understood as denoting a kind of transcendence, distance, and reverence, and the latter as arising from a desire to see the figure exposed, to know, identify, and even destroy the object of attention. Like the particular constellation of media, the individual's (in this case, Diana's) capacity to sustain those forces depends on accidents of fate, the right combination of biography, physiognomy, psychology, and so forth, and his or her relation to the imaginative and other needs and desires of the public. Although Herwitz asserts (and supports with examples) the claim that there is something particularly feminine about the icon, and

this fact continues to play a role in the rest of his argument, he does not subject it to much analytical scrutiny, which is too bad insofar as it seems a promising avenue for a book that is in part about the way in which a person becomes a persona, part subject who demands respect and distance, part object who seems to invite identification and even aggression.

Herwitz situates himself by way of a disclaimer paired with a confession: while Herwitz is “no part of the Diana cult” (p. 23), he finds himself “stunned by the star” (p. 24). It is hard to tell whether his being stunned is a response to the icon’s capacity to stun others, or if, indeed, he finds himself directly stunned, that is, implicated in those effects. There is support for each of these readings, as he describes watching his mother adopt the comportment of the star, his father break down in the raptures of identification, or looking back at his own early and uncritical love of icons. He writes: “Why not say it? I am totally ambivalent. . . . I write as a lover of this genre, but also someone incensed, repulsed, unable to sort out how this bizarre form took hold of an entire culture, convulsing it, convulsing me” (p. 25). For the reader, this ambivalence—which leaves Herwitz both in possession of himself and somehow dispossessed, convulsed—is itself an object of interest. Indeed, it suggests to me that rather than the language of genius and fine art, Herwitz might have linked the experience with the concept of the sublime. One of the compelling features of Herwitz’s analysis is the persistence with which this movement between transcendence and trauma repeats itself, and these are indeed the twin faces of at least one version of sublimity.

Since the sublime is a response to what lacks form, it might help legitimate the extension of an analysis of filmic stardom to a figure who does not appear in a single film; Diana’s life is not composed into a narrative, not given a director’s final aesthetic form. As it is, Herwitz very aptly chooses Andy Warhol as the figure that can help us understand the partial collapse of the distinction between the aesthetic and the commodity realms. If, to borrow a phrase from Walter Benjamin, the cult of beauty kept the cultic experience of dissociated pleasure safely behind museum doors, it is not hard to imagine that the re-emergence of cultic value in the realms of politics and commodity culture surprises and even shocks us.

Herwitz’s third chapter, “Therefore Not All Idols Are American,” consists chiefly of a description of what he sees as the twin strands, American and British, stardom and royalty, “posthistorical” and “historical,” that come to be intertwined in the figure of Diana (p. 46). This chapter seems largely aimed at supporting the parenthetical at the start of the next: “(Royalty has already been discussed).” Nowhere does Herwitz submit the strange vestige of premoder-

nity to the same kind of analysis that he provides for the power he understands to emanate from film. Diana acquires the aura formerly granted only by big-screen physiognomic presence, on this account, by way of “an aesthetic transfer in the public imagination from films to her” (p. 20). Where Benjamin once thought that the star system borrowed forms from the older sources in order to restore cultic value to their product, we are now clearly in a world in which royalty finds itself constrained to borrow from Hollywood.

Chapters 4 through 7 provide the core of the media analysis, exploring the way various media combine to serve up our stars as icons: the tabloid press, film, and television, with chapter 8 exploring the interaction of these media around the work’s central icon, Diana. Herwitz tracks the emergence of the popular press, even prior to tabloid star-fascination displaying a new focus on entertainment and its search for individuals to serve as, in Herwitz’s words, “human symbols whose terror, anguish, or sudden good fortune seemed to dramatically summarize some local event or social problem or social tragedy” (pp. 50–51). The story as Herwitz tells it has the film industry trading on that need in order to stabilize the commodity value of its otherwise ephemeral product.

In his discussion of film, Herwitz complicates the Benjaminian model in which mechanical reproduction completes the withering of aura. In a set of moves prefigured in the discussion of Warhol, he looks to the power of reproduction to re-create its own version of the aura it has displaced, and so he develops an account of a medium-specific experience that, in addition to the external marketing usually associated with the star system, bestows aura: “Benjamin did not understand that mechanisms of mass reproduction might have the liability of generating mass seduction, charisma, cult of personality” (pp. 65–66). The means for this re-enchantment never become precisely clear, but at the very least it relies heavily on the very faces and gestures of the individuals writ large on the screen, since these are the ways these individuals can be said to be *present* to us, even as we are in no way present to them. The experience is both of present and past, an effect that Herwitz describes as magic that “convulses the imagination” (p. 78). The star thus presented becomes “more real than real, and also effervescent, of another galaxy” (p. 78), a formulation that again reminds one of the sublime encounter, wherein we encounter both unmanageable material that, because unmanageable, is unreal, but because material is more real than what we are able to shape and constitute conceptually. Here, however, it becomes clear that instead of what is unmanageable being paired with the experience of a self, that would-be manager, it is another self, the

star, that appears as ungrounded and effervescent subjectivity.

Herwitz turns to *Rear Window* (1954) as Hitchcock's reflection on the tension between closeness and distance in mechanical reproduction, claiming that "if there is one moral" to that film, "it is that photography is the shield for the deployment of fantasies of omnipotent desire onto the star from the presumed safety of viewing" (p. 83). This combination of desire and terror requires an object that is present but cannot be had, and although Herwitz remains aware of the way in which we "revel" in the inaccessibility, he does not provide an account that might explain our need to dissociate from our own desire. Here again we find the trademark formulation of "audience attraction, contradictory, fantastical, desiring, permanently stunned" (p. 86), ingredients indeed of a cultic devotion requiring its object to stand in as symbolic satisfaction while sustaining sacred opposition to individual consumption. Given Herwitz's focus on the role of physiognomy, it would have been interesting to see what he makes of the replacement of cult objects with cult subjects. In addition to the nuanced discussion of *Rear Window*, the chapter also turns to *The Philadelphia Story* (George Cukor, 1940) in pursuing its theme of voyeurism, this time in direct connection with the less auratic voyeurism of the tabloids.

The most remarkable parts of Herwitz's chapter on television, "Teleaesthetics," analyzing the obliviousness of the medium as well as its inducements to audience identification and attachment, are pursued by way of filmic treatments of television, in *The Birdcage* (Mike Nichols, 1996) and *The Truman Show* (Peter Weir, 1998). When he does not thus ground his commentary, it becomes slightly unhinged and musing, straying into the pedestrian as he focuses on television's tabloid and talk-show functions. On that basis, however, he draws an interesting connection between those open-ended vehicles of familiarity and contempt (or, sometimes, intimacy) and the formal structures of a medium that is primarily episodic and open-ended. Television thus acquires the power to bestow a different kind of hyperreality from that conferred by film, that of celebrity. When Herwitz turns next to discuss Diana, it is in light of her having retained the transcendence and dignity of the star even as she was hounded (and given celebrity) by the tabloids and television. Herwitz attributes this fact to a combination of accidental factors and decisions made by Diana herself, all coming together to produce an icon. "Film aura, royal halo, and TV talk show did what they so rarely do: they alchemized around her" (p. 129).

'Alchemy,' 'magic,' 'synergy': these are the terms with which Herwitz describes the icon's stardom and celebrity, the transfer of filmic aura to a star who never was in films, as well as the way in which aes-

thetic values occasionally, in cases of iconic value, come to inform commodity value. It is something of a relief, then, when Herwitz, in his final chapter, replaces the terminology with that of "aesthetic luck" (p. 134). That chapter also includes a strange lament over the loss of the icon, not of Diana per se, but of some access to whatever our icon-encounters opened onto. But that encounter remains, in some deep way, stupefying; the story ends, as mentioned, with its author "of two minds," "still stunned," "still fascinated" (p. 143), and the phenomenon still ascribed to luck. And yet Herwitz writes: "One wants it so that one can also criticize it. Without it, there is no chance for art today—not much, anyway, given the rule of the market" (p. 140). Herwitz has not yet made the case for critical access to the effects, but he has begun to make one for what he takes the icon to offer by way of hope "for art today." When the stars align to produce an icon, it seems that they also produce material for artistic mediation, allowing the likes of Warhol to play at deadening icons and transforming the everyday into the iconic.

But one is left wondering how we are to explain our particularly stunning pairing of blood lust and cultic fascination. That Diana in particular met those needs was our aesthetic good luck and arguably her own bad luck. Aesthetic luck is another name for our seeming dependence on the spontaneous gratification of imaginative needs we otherwise do not recognize, to describe our claim to subjective passivity in encountering what we apparently are not allowed to pursue more consciously, and, as a concept in aesthetic theory, it invites or perhaps even requires something more aggressive than a descriptive approach.

KATHLEEN EAMON
Culture, Text, and Language
Evergreen State College

WOODRUFF, PAUL. *The Necessity of Theater: The Art of Watching and Being Watched*. Oxford University Press, 2008, xiii + 257 pp., \$27.95 cloth.

This is an exceptional book. It breathes a humanity that we find all too rarely in professional philosophical writing about the arts, and every page shows the author's deep immersion in the culture of ancient Greece. These are qualities to be admired, even if a philosopher might have wanted to see more explicit engagement with current philosophical writing on the theater, and a general reader might have wanted fewer classical references.

"Theater" in Paul Woodruff's sense is something that goes on whenever anyone watches anything. The necessity of theater in this sense is a vital necessity—one that flows from our human

nature. It concerns what is required for our moral welfare.

Woodruff defines theater as the art by which human beings make or find human action worth watching, in a measured time and place. The definition recurs like a refrain through the book as the author successively unpacks its key terms. It turns out that he has nonstandard and value-loaded understandings of many of these terms.

An art, writes Woodruff, is by definition a kind of learning that guides human actions (p. 42). Of course, much of what empirically happens in theaters does not offer much by way of guiding human action. So, while his definition of theater includes things beyond what is customarily thought of as theater, it is also narrower than what people ordinarily understand by the word. This narrowness of focus will be frustrating for those philosophers who are looking for a general account of theater—particularly those who are looking for a value-free account—but it will not matter to those who (like Woodruff himself) are mainly interested in demonstrating the moral utility of theater. That thesis does not require that *all* theater be morally useful, so in this respect a narrow definition does no harm.

To describe the essential activities of theater as watching and its converse might suggest that that activity is a visual one. But Woodruff explains that watching is not exclusively visual. It just means paying a certain kind of attention. And the kind of attention we ideally pay is *caring* attention. “Our need to watch theater grows from our need to care about other people” (p. 20). Thus, for Woodruff, *characters* play an essential role in theater, and a character, as Woodruff means it, is by definition worth watching. When he defines theatrical action as “worth watching,” he means not just that the audience thinks it is worth watching but that “in the best cases” it actually is good for the audience. So, he can conclude, “If theater is not beneficial to you, you should change your life—or else change the theater to which you are exposed” (p. 68).

The measured time and place referred to in the definition of theater need not be any specific kind of time or place. All the same, any given time or place of theater must be subject to limits.

He distinguishes a narrower sense of “theater” as art theater (“art” as in the fine arts, not in the sense in which theater is defined as an art). He argues that we need theater in his broad sense but that we do not need it in the narrow sense. All the same, he holds that there is an important relation between art theater and what we might call the theater of life. The former gives us practice in doing things that the latter requires, namely, the art of watching. Viewed in this way—through the spectrum of the theater of life—art theater is argued to possess a superior value

in comparison with other specific forms of theater such as watching sports events or weddings. It is a better sort of ethical training.

One could agree that art theater is useful relative to this ethical end. However, it would not then follow that when art theater is good as art, it is good art because it serves this ethical end: to believe that this follows would be to confuse Woodruff’s sense of “art” with the sense of “art” in which we speak of the fine arts. Nor would it follow that it was art theater’s *purpose* to serve that end, or even that art theater had any single purpose: the possibility would remain open that art theater was useful or even necessary relative to *other* ends.

Particular topics discussed in the book include the underlying differences between tragedy and comedy, the nature of mimesis, and the nature of the audience’s emotional response to theater. Woodruff advances a novel account of emotion in mimetic theater, which he counterposes to Walton’s account in terms of make-believe. He analyzes emotion in four components: the subject (who has the emotion), the first object (toward which the emotion is directed), the second object (on behalf of whom the emotion is felt), and the action (toward the doing of which the emotion impels the subject). According to Woodruff, a genuine emotion may have as its object a person whom we know not to be actual, and need not issue in action though it must make us feel like acting. He compares the audience’s emotional response to a character onstage with the feeling of genuine grief in real life: in both cases we feel like doing what we know cannot be done.

This account of emotion lies at the heart of the book. For Woodruff, understanding theater requires an appropriate emotional response and depends on a complex relationship between actions presented on the stage and the lives of the spectators. And because of the linkage between emotion and the ethical, understanding theater is irreducibly ethical in nature: “A good audience understands what it watches, through an emotional attunement that is governed by ethical virtue” (p. 224).

Woodruff’s account of emotion also underpins his classification of types of theater, which is based on the aimed-at emotional response. The aim could be congruence between the spectators’ emotions and those of the characters (where what the spectator feels is similar to what the character feels—as in theater of presence or theater of memory or theater of tonal sympathy). Or it could be identification (as in theater of fantasy). Or again, the aim could be cognitive empathy (“the experience of well-informed emotions on behalf of another person” [p. 183]). Theater of the first two types “leads to bad watching” (p. 180). Brechtian epic theater is one example of the third type.

Not discussed are some topics that a philosopher of the arts might expect to find in a book on the philosophy of theater. These include the aesthetic properties of theatrical works and performances—things like the craft of acting and of stage presentation in general, or the imaginative appeal of theatrical performance. Woodruff makes out that it would be a mere “technical dodge” for an audience to pay attention to “how the art is practiced by those who perform” without caring for the characters (p. 150). Also not discussed is opera. However, the book’s classification of types of theater is perhaps suggestive of ways to analyze the different kinds of contribution music makes to audiences’ emotional engagement in opera.

If the book lacks some of what a philosopher of the arts might expect, it is still replete with good things. In addition to mounting a persuasive argument for the ethical necessity of theater in the broad sense, the book gives us a mass of richly described imaginative examples, an original treatment of the role of emotion in theater, numerous valuable insights into the workings of Sophocles’ and Shakespeare’s plays, and perceptive reflections on the conditions that would enable us to live better lives. For all this we must be grateful.

PAUL THOM
Department of Philosophy
University of Sydney

FRIEDBERG, ANNE. *The Virtual Window: From Alberti to Microsoft*. MIT Press, 2006, 448 pp., 113 b&w illus., \$34.95 cloth.

In an era in which screens have become variable display formats, film has become a storage device, and spectators have become “users,” theorists of the moving image are confronted with central questions: what is cinema, what is the object of inquiry for film and visual studies, and what does the ontological and aesthetic trajectory of new media say about the human subject in the twenty-first century? The majority of attempts at theorizing the ramifications of new technology contradictorily revert to allegorical uses of narrative analysis in lieu of what authors claim to be a philosophical consideration of medial theory or formal analysis. A rare exception to this is Anne Friedberg’s *The Virtual Window: From Alberti to Microsoft*, which complements a theoretical argument with an engaging and substantial history of visual technologies.

Returning constantly to Marshall McLuhan’s adage, “the medium is the message,” Friedberg (now chairing the Critical Studies Department at the University of Southern California) makes a very strong case for the multidimensionality of medial theory

and formal analysis, a complex understanding of the imagistic that, she claims, we have been ushered into by our cinematic history. Claiming that in the post-filmic or postcinematic landscape, cinema “merely forms an originary visual system for a complexly diverse set of postcinematic visualities” (p. 6), Friedberg ultimately traces a variant set of analogies for the architectural window—the perspectival frame, the cinematic screen, and the computer window—up to the end of the twentieth century, at which point the architectural role of the window changed “alongside the development of its virtual analogs—the screens of film, television, and the computer” (p. 103). Her goal in this study is to provide “an account of the subjectivities of people in the most mediated provinces in the first world” (p. 245): in other words, to trace the evolution of hyper-mediated Western symbolic forms in conjunction with our existential and perceptual condition.

Evoking the central tenet of Wittgenstein’s philosophy of language, that knowledge is limited by the language one has to express it, Friedberg affords a blunt revelation to what has long lingered as a point of obscurity or even denial in critical theory and visual studies, which is the frequent interchange between literal and metaphorical language without an alteration in rhetorical style. In other words, the use of a word in one moment as concrete term, the next as metaphor.

In the opening pages, she clarifies what she will later describe as “a split optic, a historical parallax” with which the book is engaged: “Many of the key terms in this book—window, perspective, frame, screen, architecture—operate in both metaphorical and literal registers, and their meanings frequently slip between the dual functions of philosophical paradigm and representational device” (p. 243).

In an attempt to maintain this clarity of distinction, Friedberg structures her book according to a framework that follows the general logic: (1) formal history, (2) critical theory, (3) philosophical ramifications. Each larger meta-section (“The Window,” “The Frame,” “The Screen”) concerns a mode of ‘virtual,’ a complex word that is used often and often haphazardly in visual studies today, and which very few, if any, theorists have actually defined clearly in relation to their own work. Friedberg succeeds most lucidly in this endeavor, tying her bundle of metaphors together under the notion that the virtual can be understood as the *approximation of the real*, and that such technological inventions as perspective, the *camera obscura*, and analog machines have been driven by a fascination with formal ways of realizing this approximation (p. 60).

For Friedberg these historical developments are directly tied to sociocultural questions of subjectivity and agency, representation and power, and thus

are extendable through critical theory to various social, political, and economic studies. She herself tends toward an implicitly Marxist–feminist approach, or at least these are the two diminutive ideological stances that seem the most recurrent in her work, though it must be pointed out that *The Virtual Window* never fundamentally makes use of an ideological argument.

Beginning with Alberti's notion of the window and the Renaissance method for arranging perspective, Friedberg launches what could be considered a Modern Renaissance inquiry into the last five hundred years of visual representation. Her central questions are founded in this opening part: How does this technique position the spectator? What type of view is constructed, and what type of subject does this both signify and determine?

It comes as no surprise that Friedberg uses Alberti's frame to introduce the post-Renaissance problematic of fixed subjectivity and a static, monocular point of view. The window, she points out in rather Panofsky-esque terms, provides "not a realism of subject matter but a separate spatial and temporal view," as well as a framing device for the geometrics of perspective (p. 32). Extending Alberti's window to Dührer's notion of the veil, Friedberg expounds upon the use of such techniques to construct a separation between the viewer and the represented world that rests at an objectifying, measurable distance: in other words, a classical division between subject and object that has served as the basis for most Western epistemology, as Friedberg then proceeds to elaborate through a parallel analysis of Cartesian subjectivity.

However, Friedberg points out that even Renaissance art contains examples of multi-frame imagery, or imagery that escapes this unidirectional subject, foreshadowing the cinematic with its multiple temporal and subjective planes within the same collective space. It is only attempts to reduce such forms to a visual and subjective singularity, such as through the Albertian window or Dührer's veil, that allow us to arrive at the central object of critique in what Friedberg calls the philosophical paradigm of perspective.

In the second part, "The Frame," Friedberg sets up an impressive challenge to most twentieth-century critical historiographies of perspective. She cites Jonathon Crary's *Techniques of the Observer* (MIT Press, 1990), which provides an analysis of the phenomenological difference between perspective and the *camera obscura*, which could be considered an analog form as opposed to perspective, concluding, "[T]he phenomenological differences between the experience of perspectival construction and the projection of the camera obscura are not even comparable" (p. 66).

While the unquestioned genealogy from perspective to *camera obscura* and on to photographic and

film cameras has provided a point of agreement for such different film theorists as André Bazin and Jean-Louis Baudry, Hubert Damisch argues in *The Origin of Perspective* (MIT Press, 1994) that perspective is rather a paradigm, a structure that can traverse history as opposed to being part of a techno-ideological genealogy.

Friedberg uses this opportunity to challenge certain staples of apparatus theory and ideological (often Marxist–psychoanalytic) theory. For example, the editing code of suture, in which techniques of shot/reverse-shot are employed to give the spectator the illusion of playing a central signifying role in the film sequence, could also be seen as part of the cinematic frame's role as a "container for the fractured multiplicity of spatial and temporal perspectives inherent in the cinematic moving image" (p. 85). Even in the case of suture, Friedberg points out, shots following narrative continuity are from differently positioned views.

Friedberg's lucidity and creativity come across particularly strongly in this part of the book, in which she offers an entirely alternate theory of cinematic expression: whereas many film historians accept the paradigmatic division of cinema between Méliès and the Lumière brothers, between spectacular imagination and documentary realism, Friedberg instead points to an even more originary schizophrenic paradigm, that between Edward Muybridge and Etienne-Jules Marey. Friedberg notes these two godfathers of the moving image for their fundamentally different notions of adding movement or motion to the photographic image, and she stakes a convincing claim to these two paradigms as being still visible today in an array of digital imagery. Whereas Marey's images are temporally fractured (multiple exposures in the same frame), Muybridge's famous horse race lays the groundwork for multi-frame technology (pp. 90–92).

Friedberg cleverly provides this rather original paradigm as a starting place for her attempt to frame cinema in its historical place between the post-Renaissance forms of representation and the postphotographic forms of digital reproduction. As opposed to Deleuze's situation of the cinematic fragmentation of subjectivity as a modern phenomenon in line with postwar history and philosophy, Friedberg sets it up as the necessary predecessor to the "Age of Windows." Supported by a survey history of glassmaking, window production, and architectures of the transparent, we are ushered into the twentieth-century prominence of cubism as an overriding artistic, symbolic, and existential paradigm. Once constructed to provide light and ventilation, the architectural window came to be used primarily as a means for framing and view: in other words, as a construct of subjectivity and perceptual structure.

However, in twentieth-century culture, the window is somewhat replaced by—or doubled up in the form of—the screen. “The Screen,” the third major section of *The Virtual Window*, focuses on the essence of cinema’s magic. Building upon theorists such as Arnheim and Münsterberg, Friedberg argues that cinema’s appeal is not in fact through the reproduction of reality, but through its virtuality, its suggestivity of the objects that are not in fact present. “[T]he astonishment of cinema,” she writes, “derives from a magical metamorphosis rather than a seamless reproduction of reality” (p. 155). Friedberg uses this premise to launch into a history of cinemas and picture-houses, discussing the different ways in which the praxis for this metamorphosis—the screen—has been conceptualized, construed, and constructed. She traces this up to the present-day computer screen (dubbed the “cathode window” by Paul Virilio), in which architecture dematerializes and dimensions are lost altogether.

Friedberg discusses the multiplicity of the computer screen’s “windows” as the genealogical extension of the cinematic sequence, and likens this screen to the format of digital cinema, discussing the legacies of Marey and Muybridge in a wide assortment of contemporary cinema, television, and other medial texts. Ultimately, this is where Friedberg crosses over from historical analysis to contemplating the existential human condition in the hyper-mediated digital age, thus establishing a humanistic relevance for the implications found in the other books addressed here. If we accept the argument that perception is conditioned by representational habits, she writes in evocation of Panofsky and a long line of twentieth-century philosophers and art theorists, “then our new mode of perception is multiple and fractured” (p. 193).

While this does not necessarily include aspects of cognitive neurology or Gestalt psychology that might enhance such a claim, Friedberg’s platform is most convincing, and her examples from the textual practices of high culture to the quotidian habits of common experience offer an insight into the inevitable resonance of our symbolic formats and our behavioral practices. Discussing the “interface culture” (p. 230) that has replaced word-based programming with graphical and sensorial interface, Friedberg concludes that the multiscreen interactivity of our technology and the multitasking pace of our sociocultural norms are interlinked in a first-world civilization that has become postperspectival, postcinematic, and post-televisual. That is to say, a human subjectivity that is no longer framed in single images with fixed centrality, no longer projected onto a screen surface, and no longer unidirectional in a model of sender and receiver.

Friedberg concludes through this that the fragmentation of individual subjectivity is interrelated with the achievement of new speeds of access to information, or what she calls “deep histories of image and text” (p. 242). This mode of storing information and accessing it, this omnipresent realization of Bergson’s virtual memory, provides an Escher-esque spatiotemporal multiplicity in which our means of recording, representing, and referencing grow exponentially with each virtual self-reproduction. This is a condition, Friedberg seems to imply, that cinema has prepared us for: “The window’s metaphoric boundary is no longer the single frame of perspective—as beholders of multiple-screen ‘windows,’ we now see the world in spatially and temporally fractured frames, through ‘virtual windows’ that rely more on the multiple and simultaneous than on the singular and sequential” (p. 243).

Friedberg’s conclusion is not one of eulogy or lament, cynicism or pessimism; in fact, what is in the end so moving about her work is its enthusiasm for the monumental change concurrently being experienced by our modes of visual expression and the scholarly field of visual studies.

HUNTER VAUGHAN
Film and Media Studies
Washington University

HERRINGTON, SUSAN. *On Landscapes*. New York: Routledge, 2009, x + 150 pp., 25 b&w illus., \$19.95 paper.

This compact, crisply written book is part of the *Thinking in Action* series edited by Simon Critchley from the New School University and Richard Kearney from Boston College. The purpose of the series is to persuade students to explore issues that are relevant to the world we live in today. Some readers might then become enticed and pursue the subject further, perhaps even professionally. Others may gain insight into heretofore unexplored territory.

The titles of chapters 1 through 3 address fundamental questions: (1) Who designs landscapes? (2) What can landscapes represent? (3) Are landscapes natural? On the surface, these questions sound simple, but they are actually quite complex. The many answers Herrington supplies to each question seem to lead effortlessly to the next essential question. The *s* in the word ‘landscapes’ is important because she discusses a multitude of landscapes, from Martha Schwartz’s Bagel Garden in Boston to Barrier Park in East London. She travels from Canada to the United States, England, Scotland, Germany, and France, with forays into Italy along with a few interesting observations on gardens and parks in Japan.

The landscape examples she chose are significantly different from each other, in part to suggest to readers that landscapes can be absolutely fascinating as isolated entities and as individual works of art.

Herrington notes in chapter 2 that we sometimes perceive landscapes by what has been written about them. Not too long ago, landscape designers were urged to imitate nature (so much for Schwartz's Bagel Garden or Andy Goldsworthy's marvelous creations). She cites Horace Walpole's written critique of William Kent's decision to plant dead trees in Kensington Garden, presumably among the live ones but that "he was soon laughed out of this excess" (p. 44). I think Herrington would have enjoyed a recent exhibit at the Greater Reston Arts Center in Reston, Virginia, entitled "Sleeping Tree," an installation choreographed by Shinji Turner-Yamamoto. The gallery housed a large, dead dogwood tree resting on its side. Its leaves were gone, but the reddish clay earth remained attached to the roots. Some earth sat on the wood floor. Small Japanese painted ferns were planted in the earth and on the roots and branches of the tree, which was sprayed every day with water. Sunlight filtered through the windows. New growth appeared, changing from day to day. What must have surprised visitors as they walked around the installation was its abstract sculptural beauty from every possible angle. The urge of visitors to caress the wood, to smell the ferns and moist soil, suggested a certain affection developing for the installation.

In chapter 4, Herrington discusses memory and emotion, focusing her attention on ruins, ancient as well as nineteenth- and twentieth-century ones. A provocative example, Germany's Duisburg North Park, received a lot of international press when it opened to the public in the mid-1990s. The landscape architectural firm Peter Latz and Partners convinced the client not to tear down the old foundry walls of the Thyssen factory, along with the blast furnaces and railway scaffolding. That in itself was a major coup. Few clients, even today, can be persuaded to look at ruins as a sophisticated and elegant aspect of the overall design concept. Most still prefer to start over using a clean slate.

Herrington rightly points out that, in the twentieth century, emotion was put in the closet and remained there, even though a number of scientists in the 1990s (she cites neuroscientist Antonio Damasio) suggested that cognition and emotions are directly related and that they influence our perception. Of course they do. How can anyone walk by Maya Lin's Vietnam Memorial in Washington, D.C., without touching the black granite surface and the names of those who died? We are, after all, walking ever so gently into the (Chinese-inspired) gravesite even though it is not on a hillside. We see ourselves reflected in the granite, and it is indeed silent, as Her-

ington suggests. A similar silence permeated the urban landscape of downtown New York City immediately after September 11. White and pale gray ashes floated along the streets among the flowers and photos of lost loved ones. Many photos still remain on a chain-link fence in the West Village and elsewhere.

Chapter 5 focuses on the value of imagination to our lives. We simply cannot afford to lose it once we become employed adults. Yet many people pride themselves that they have "outgrown" imagination. Herrington demonstrates its importance by discussing the ideas of the inventor of the kindergarten, Friedrich Froebel. Froebel did not emphasize scientific labeling. Instead, children were encouraged to make connections when visiting gardens and landscapes, like connections between birds and seasons, which then raised further questions about migration and climate. She also mentions landscape architect Ian McHarg's overlay map system, which enabled architects and landscape architects to begin to understand the lay of the land—what could or should not be accomplished on a specific piece of land. It did not eliminate human mistakes or greed. Developers still remove huge swathes of trees to create townhouses and fill in ponds that welcome migratory birds in order to build parking lots. Versions of what McHarg conceived in the 1960s can now be viewed on computers, thereby providing a useful picture of changes over time, plus a good argument to persuade developers to revise their initial mathematical models of too many buildings on too little land.

Herrington efficiently moves from chapter to chapter without fanfare or drama. She steadfastly keeps on her intended path, ending with chapter 6, "Aesthetic Experience." She hopes that students will leave their computers temporarily to experience landscapes with their bodies and minds. She reminds students that "many landscapes are intentionally designed to communicate via a range of senses, which are absent when presented only two-dimensionally" (p. 114). She suggests that the significance of human sensibility should not be underestimated. We tend to ignore the value of our senses until they start to fade or we lose them. As we move through designed landscapes, we perceive changes from millisecond to millisecond, enjoying and appreciating our surroundings. Throughout history, the art, poetry, and, believe it or not, recorded picnics seen in paintings from Japan to the Ottoman empire, reveal that many cultures treasured their landscaped gardens and spent quality time there.

Finally, my compliments to the anonymous designer of this handy 5 × 7.75 inch (13 × 19.5 cm) pocket book that students can easily slip into their book bags or even their pockets. The choice of typeface is sophisticated and easy to read and the judicious boldface works well to keep our attention.

Dominic McIver Lopes's cover photo instantly grabs us, suggesting that we climb what appears to be new concrete steps framed by wild grasses that emerge from the title, *On Landscapes*, and travel directly to the author's name, Susan Herrington. Very nice.

BARBARA SANDRISSER

Architectural and Environmental Aesthetics
New York City

MORGAN, ED. *The Aesthetics of International Law*.
University of Toronto Press, 2007, 272 pp., \$55.00
cloth.

International law is a modern—indeed, a modernist—enterprise. In the Middle Ages, we are sometimes told, there were no international relations proper, because there were, in effect, no nations proper: there was no crisp way to divide foreign from domestic, because sovereignty was fragmentary, overlapping, parcelized. On this view, a unified and territorial concept of sovereignty was as much a necessary precondition for the emergence of a distinctively international sphere as it was for the emergence of a distinctively national one. The Hobbesian division (inside: order and security; outside: chaos and naked force) ostensibly clarified the normative underpinnings of each sphere. No wonder classical legal positivists, John Austin, for example, did not think international law any sort of law at all: no international habit of obedience meant no international sovereign, and where there is no sovereign, there is no law. International custom, to be sure, and international force, of course—but international law? Not really.

But perhaps Austin's argument says more about the limitations of legal positivism than about the limitations of international law. The dream of international law has ever been to trump or otherwise mitigate the effects of brute force in the international sphere—to tame its lawlessness, to bring it to normative heel in some way or other. Alas, this is easier said than done. Consider a Wilsonian ideal like national self-determination. It would seem a lovely solution to questions of universality and particularity: every nationality gets its own nation, and each nation is a full-fledged member of the international community. France, Iraq, Indonesia, and Sudan, for example, have the same sort of sovereignty, the same international legal personality, the same international rights and privileges. Well, it sounds nice, I suppose, but to understate things just a bit, it is not altogether clear how exactly to determine what is to count as a nation—or who exactly gets to do the counting. Add colonialism and its aftermath to the mix and things become quite messy indeed, maybe even intractable. As Ed Morgan notes, "As international law contin-

ues to rewrite its own conceptual past, it becomes clear that nationalism could be portrayed as presiding over a defeated universalism just as easily as internationalism has been portrayed as the conqueror of parochialism" (p. 130). Not for nothing has Stephen Krasner analyzed sovereignty—in all its multivalent majesty—as a sort of "organized hypocrisy."

So international law is a mess, a mess that will not be tidied. This very messiness is what makes Ed Morgan's *The Aesthetics of International Law* such an intriguing project. Morgan hopes to illuminate international law by considering it as an aesthetic endeavor, reading it through the lens of modernist literature. This seems promising: after all, some messes are glorious and beautiful, their lack of neatness part of their allure—part, indeed, of their aesthetic power. Modernism produced a number of such messes, and what is more, some of the conflicting and cantankerous features of modernist literature resemble the conflicting and cantankerous features of international law. As Morgan notes, "Through its seemingly exhausting repetition international law is effectively replenished" (p. 6), just as modernist literature is. If, as many have said, the nineteenth-century novel is a mode appropriate to nationalism, to narrating the nation, then perhaps the modernist novel, in all its variegated glory, is a mode appropriate to telling a more bewildering—a more international—story.

So Morgan's aim is interesting. Indeed, more than interesting: a book that managed to explore and explain international law as an aesthetic phenomenon would be an amazing achievement, one that would sparkle both aesthetically and legally. Sadly, this book is not quite that book. At its best, *The Aesthetics of International Law* makes some provocative gestures toward such a book, and maybe the most generous way to read Morgan's work is as a wry, somewhat patchy prolegomenon to some future aesthetic analysis of international law. At its worst, the book can seem pedestrian, with its *SparkNotes*-style biographical blurbs about John Conrad and Bertolt Brecht, and its massive apparatus of law review-style endnotes—over one hundred pages of endnotes. The book masquerades at times as a dusty law tome, but its charms and its power lie elsewhere—so let us try to catch a few glimpses of the nimble little book lurking here behind a slightly stiff façade.

Just how aesthetic are the aesthetics Morgan proposes? In one obvious sense, not very: certainly the book develops no systematic aesthetic theory. Instead, each of Morgan's chapters pairs some issue in international law with some literary text or texts, with the hope of illuminating the former by means of the latter. The results are uneven. At times the literary analogies seem forced, arbitrary, and unhelpful: the discussion of the Cyclops section of Joyce's *Ulysses* (pp. 45–72), for example, falls flat, adding

little to Morgan's discussion of conflict of laws. Even some of the more promising analogies seem to stall: the discussion of Nabokov's *Invitation to a Beheading* (pp. 104–115), while engaging as a bit of literary criticism, never quite connects with Morgan's examination of the complex issues surrounding extradition of a potentially "death-eligible" defendant from a jurisdiction that forbids capital punishment to a jurisdiction that permits it. Indeed, Morgan's method is quite risky: a chapter may be interesting in two ways—as literary criticism and as legal analysis; witness Morgan's discussion of Kafka's "In the Penal Colony" and extraterritorial criminal law (pp. 73–94)—and still come up short as a revelation of the aesthetic character of some aspect of international law.

But when Morgan's method works, it works nicely: the chapter on Borges and the breakup of Yugoslavia, for example, is splendid. As Morgan explains, "The Borgesian perspective helps bring into focus international law's relationship to the world of politics it purports to govern" (p. 117). The question is an important one: can the political confusion of a massive national breakup—fraught with bitter secessionist movements, widespread strife and unrest, atrocities, ethnic cleansing, and all the rest of it—be somehow subjected, even partially, to the rule of law? "In confirming the extinction of one state and protecting the territorial interests of several new ones, and in defining new humanitarian law and indicting war criminals, the international system promised to rise to a difficult occasion" (p. 116). The engagement of international law with the breakup of Yugoslavia seemed to many optimistic observers "a noticeable change from the paralysis with which international law greeted prior instances of political violence" (p. 118). Instead of dithering helplessly among an array of equally unpalatable options like some legal equivalent of Buridan's ass, international law responded quickly and at least somewhat effectively to the complex situation: as Morgan notes (p. 118), the decisions of the European Arbitration Commission recognized the rapidly changing political realities on the ground—the international sovereignty of the Socialist Federal Republic of Yugoslavia, taken seriously as a fact of international law by the commission in November 1991, had vanished as a legal reality by the time of the commission's *Opinion No. 8*, issued on July 4, 1992. Perhaps the law had at last become flexible enough, dynamic enough, to keep up with politics—and if the law could, *pace* Carl Schmitt, keep up with political emergencies, then some worries about the limits of the rule of law might be put to rest.

So, at any rate, runs the perennial dream. Against this dream, Morgan juxtaposes a reading of "The Secret Miracle," a Borges story: "a story of a man whose fate depends on both making progress and

maintaining the status quo" (p. 119). In "The Secret Miracle," the protagonist Hladik is at work on a play that, if completed, will serve as a theodicy, justifying the existence of God—and of Hladik as well. It will take Hladik a year to finish the play, but he does not have a year: he is standing before a Nazi firing squad. But just before his execution, Hladik receives a secret reprieve: time pauses, or pauses for everyone and everything save Hladik (and God, presumably)—"For a full year, the sergeant's arm hangs in the air giving the order to the squad. . . . During this time, Hladik . . . completes his play line by line in his head" (p. 119). When the secret year is over and the secret play is finished, the execution takes place, as scheduled.

But how does this illuminate legal decisions governing the dissolution of Yugoslavia? To put it very briskly, the commission at once refused to take international recognition of some former Yugoslavian entities as establishing international sovereignty, while at the same time taking the announcement of sovereignty by some former Yugoslavian entities to be sufficient to establish their international legal sovereignty. Sometimes empirical political realities—"the facts on the ground" (p. 122)—determined whether sovereignty obtained; in other cases, such sovereignty depended on the "constitutional provisions of the defunct" entity, the Socialist Federal Republic of Yugoslavia (p. 123). But this is the very constitution that, given empirical political realities on the ground, the commission treated as no longer in force in the other cases. Confusing, to say the least, but no more so, really, than "The Secret Miracle": "Much as the commission never 'really' knows whether legal frontiers are a product of violent political action or a product of the legal system's restraint on further unilateral action, Hladik never 'really' knows whether he has been shot and the peaceful year is an illusion or whether he has been granted a reprieve and his death remains a bad dream" (p. 123). Put another way, is the secret miracle enough to bracket the Nazi regime—to keep Nazi atrocities from attaining a kind of metaphysical stature, revealing God to be evil or powerless—or is the secret miracle just a fantasy that there exist higher realities more lasting and powerful than the ugly political force that dominates the moment? Similarly, are the international legal decisions dealing with Yugoslavia's breakup enough to serve as a sort of theodicy for international law, or do they rather reveal international law's powerlessness and complicity with evil? On Morgan's view, no clear answer is forthcoming, but it is the "ability of international law to provide its own continuous suspense that keeps the dream alive in the face of its successive deaths. Indeed, it is nothing but the innate creativity of its narrative that allows international law to resurrect itself with each successive political episode"

(p. 132). The dream of international law is an aesthetic dream, a dream that is magically replenished with each disappointment.

The ideas Morgan explores in his Borges chapter echo throughout the book. Like the ending of Thomas Pynchon's *The Crying of Lot 49*, international law is forever "just shy of revelation . . . still waiting for the sense of it all to emerge" (p. 148). Like the hotel in *Last Year at Marienbad* (Alain Resnais, 1961), international law is "both ornate . . . and decaying" (p. 167), and every attempt at law reform must, in order to succeed, present itself as something that has already happened, long ago—"as if this is how it had always been" (p. 165). The international law of terrorism, like Poe's Brevet Brigadier General John A. B. C. Smith, is "both grand and vacuous" (p. 14): in trying to do too much—in trying to sort out political criminality, terrorism, and nonterrorist political violence—international law comes close to exhausting the international/domestic distinction on which it rests, comes close to using itself up. Like T. S. Eliot's "The Waste Land," the 1982 *Convention on the International Law of the Sea* uses historical exhaustion as a means for overcoming historical exhaustion: "The message of the text is to encourage the reader to overcome the failures of history by actively pursuing . . . a highly sensitized, historically aware reading" (p. 43) of the poem—and of the *Convention*. One gets

the point: the frustrations of international law are, for Morgan, the aesthetics of international law.

The frustrations can indeed be fascinating, and the aesthetic contemplation of these frustrations is doubtless a crucial part of international law's ever-belated self-understanding. Nevertheless, at times one detects a yearning in Morgan for a way out of the frustration, as when he laments the "almost predictably timid" (p. 105) response of Canadian judges to extradition requests. (Morgan makes many fascinating remarks about the international legal personality of Canada—perhaps that should be the topic of his next book.) This yearning is part and parcel of the aesthetics of frustration, no doubt. But as Martti Koskenniemi—a thinker Morgan oddly never cites—suggests in his devastating and brilliant *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870–1960* (Cambridge University Press, 2004), the frustrations of international law need not be static, but part of series of widening horizons, an ever deeper and perhaps more rococo understanding that, however tired and tiring, is a bit more playful and a bit less sour than one's never-ending memories of the hotel in Marienbad.

CHAD MCCRACKEN
Department of Philosophy
Lake Forest College

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