A PROBLEM FOR FINE INDIVIDUATION AND ARTIST ESSENTIALISM

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Fine Individuation says it is impossible for distinct people who are not collaborating on a work of art to produce one and same artwork. This is an intra-world thesis, but is necessarily true, if true at all. Author Essentialism says it is impossible for someone else to produce one and the same work of art produced by some actual artist. This is an alleged necessary truth regarding cross-world relations. Both theses have been vigorously defended. I argue here that both are false, but for reasons that are entirely novel.

I. INTRODUCTION

Just how intimate is the relationship between an artist and his or her artwork? Is it a necessary connection? If, unbeknownst to us all, Hemingway had, say, tokened every sentence that appears in Pynchon's *Gravity's Rainbow* (never of course having in any way been in contact with a copy of *Gravity's Rainbow*), would Hemingway have produced an instance of *Gravity's Rainbow*? Or consider a related sort of question: Even if I never in fact take up music composition, is it at least possible that I compose *Eine kleine Nachtmusik* (supposing it is possible that I produce music sheets that are duplicates of the ones in fact produced by Mozart)? What should be said about similar sorts of questions concerning paintings and sculptures? Could someone other than Leonardo da Vinci – someone not in any way familiar with Leonardo or his work – in fact be responsible for an artwork, hidden away in an attic somewhere, that is not just qualitatively similar to, but rather numerically identical with, *St Jerome in the Wilderness*? Could someone other than Matisse sculpt *Venus in a Shell*? Intuitions regarding all of these questions are, not surprisingly, sharply divided.¹

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For some historically important background regarding these questions and for the allegedly germane distinction between 'allographic' and 'autographic' artworks, see Nelson Goodman, Languages of Art: An Approach to a Theory of Symbols (Indianapolis: Bobbs-Merrill, 1968). See also Anthony Savile, 'Nelson Goodman's Languages of Art: A Study', British Journal of Aesthetics 11 (1971): 3–27, for a discussion of the 'Pierre Menard' case made famous by Jorge Luis Borges, 'Pierre Menard, Author of Quixote', in Ficciones, ed. Andrew Kerrigan (New York: Grove Press, 1962), 45–55, which allegedly presents a problem for Goodman's distinction. Borges's example has since been widely cited as providing an early reason to accept the thesis of Fine Individuation (discussed below), and some have appealed to it to support Artist Essentialism (also discussed below) as well.

Following Rohrbaugh,² it is best to begin an investigation by disentangling two questions that are usually confounded. On the one hand, we wish to know if it is possible for distinct people who are not collaborating on a work of art to produce one and same artwork. So, we may wish to know if the following Fine Individuation thesis is true:

FI: For at least some kinds of artworks, necessarily, if person x is responsible for artwork F and person y is responsible for F, then x = y.

On the other hand, we also wish to know if it is possible for someone else to produce one and the same work of art produced by some actual artist. So, we may wish to know if the following Artist Essentialism thesis is true:

AE: For at least some kinds of artworks, if person x is responsible for artwork F, then x is necessarily responsible for F.

While not denying either thesis in its full generality, Deutsch asserts that at least when restricted to works of literary fiction and musical pieces, a view like AE is 'a patently absurd notion', and he seems to deny both (restricted versions of) FI and AE. Yagisawa has provided forceful arguments against a version of FI restricted to works of literary fiction, and Dodd has argued against a version of AE when applied to musical works. According to what is usually said by these sorts of theorists, at least some artworks are created only in a loose sense; that is, at least for some kinds of art, while there may be 'creativity' involved, there fails to be a relationship of historical dependence of artwork on artist, and no new object is brought into existence by an artist. Strictly speaking, at least some artworks are things to be discovered (or 'cut from whole cloth', or 'stipulated'), so perhaps distinct artists can independently discover Eine kleine Nachtmusik or even Venus in a Shell, for example, just as distinct astronomers can independently discover one and the same comet or distinct mathematicians can independently

² Guy Rohrbaugh, 'I Could Have Done That', British Journal of Aesthetics 45 (2005): 209–28.

Harry Deutsch, 'Making Up Stories', in Empty Names, Fiction, and the Puzzles of Non-existence, ed. Anthony Everrett and Thomas Hofweber (Stanford, CA: CSLI, 2000), 150n141.

⁴ Harry Deutsch, 'The Creation Problem', *Topoi* 10 (1991): 209–25.

⁵ Takashi Yagisawa, 'Against Creationism in Fiction', *Philosophical Perspectives* 15 (2001): 153–72.

⁶ Julian Dodd, 'Musical Works as Eternal Types', British Journal of Aesthetics 40 (2000): 424–40.

See Terence Parsons, Nonexistent Objects (New Haven, CT: Yale University Press, 1980), and Deutsch, 'Creation Problem' and 'Making Up Stories' for attempts to account for the creativity of artists without thereby admitting that artists bring something new into existence.

discover the calculus. It is simply a contingent matter of fact that *Venus in a Shell* is a Matisse rather than a Rodin, and a contingent matter of fact that it is not both a Matisse and a Rodin.

But those wary of either restricted or fully general versions of FI or AE are in the minority. Most aestheticians discussing these questions endorse either Fl or AE (or, what is most common, some informally stated view that runs the two together).8 So, for example, we see Fine, Goodman, and Thomasson endorsing at least one of these theses on the basis of the relationship of author to work of literary fiction,⁹ Danto endorsing at least FI on the basis of the relationship of painter to painting, Levinson endorsing both on the basis of the relationship of composer to musical work, and Rohrbaugh endorsing at least AE.¹⁰ According to what is usually said by these sorts of theorists, artworks are objects created in a strict sense; when an artwork is created, the artist brings a new object into existence. So, while a comet or the calculus could be independently co-discovered, or discovered by someone other than the actual discoverer, at least some artworks are fundamentally different sorts of entities than either naturally occurring concreta or eternal abstracta. Like cakes and bicycles, artworks are artefacts – perhaps abstract – but artefacts nonetheless. There is an alleged historical dependence of at least some types of artworks on the artist (or artists) responsible

⁸ It is easy to see why FI and AE are often confounded; conceptually, they are very close. But Rohrbaugh does a nice job of explaining how the two theses are logically independent:

^{&#}x27;What it is important to see is that questions about individuation are logically independent of questions about counterfactual authorship. Answers to individuation questions concern the identity and distinctness of items within a single possible world. While such answers are often taken to be conceptual or necessary truths, this is merely to say that the conditions imposed by an answer obtain in every possible world. Answers to individuation questions *never* settle questions of what is called cross-world identity. Questions about counterfactual authorship, on the other hand, only concern the identity and distinctness of items across possible worlds. We ask, given that a work is actually authored by this or these individuals, does this very work appear differently authored in another possible world?' ('I Could Have Done That', 211–12.)

Rohrbaugh, however, does (p. 221) explicitly rely on a principle that is closely related to FI as an assumption in his argument for AE – namely, if distinct artists individually produce works of art in a world, then those works are distinct. I think AE is false, so I think that Rohrbaugh's argument for it must be unsound. The sort of counterexample I discuss in the next section shows not only FI and AE to be false, but also Rohrbaugh's 'distinctness version' of FI (just mentioned), as well as a sort of 'distinctness version' of AE – namely, the notion that if person x is not responsible for artwork F, then x is necessarily not responsible for F.

⁹ Kit Fine, 'The Problem of Non-existents', *Topoi* 1 (1982): 97–140; Jeffrey Goodman, 'Defending Author-Essentialism', *Philosophy and Literature* 29 (2005): 200–208; Amie Thomasson, *Fiction and Metaphysics* (Cambridge: Cambridge University Press, 1999).

Arthur Danto, 'The Artworld', Journal of Philosophy 61 (1964): 571–84; Jerrold Levinson, 'What a Musical Work Is', Journal of Philosophy 77 (1980): 5–28; Rohrbaugh, 'I Could Have Done That'.

for them, and once such an artwork has been brought into existence it is essentially tied to a unique creator (or co-creators). Setting aside epistemic worries concerning the proper attribution of artwork to artist, as well as related questions about forgeries and fakes, many of these theorists would claim that no qualitative duplicate of *Gravity's Rainbow* produced by anyone other than Pynchon could be an instance of *Gravity's Rainbow*, for example, and in a Pynchon-less world, it is impossible that *Gravity's Rainbow* could exist.

Let us remain as neutral as possible here about the question of artwork creation, and simply assume that some expressions of the sort 'Artist x is responsible for work F' are literally true. ¹¹ So, our question regarding the truth of FI will boil down to whether expressions of the following sort are ever literally true: 'It is possible that artist x and artist y are each responsible for artwork F, yet x and y were distinct artists not collaborating on F.' Our question regarding AE will boil down to whether expressions of this sort are ever true: 'Artist x is in fact responsible for artwork F, but F could have been produced by artist y.'

When it comes to how best to answer these questions, I was previously among the majority.¹² I have since changed my mind. It now seems to me that there is a convincing refutation of both doctrines under consideration. What I intend to do in the seguel, then, is present and defend an argument for the conclusion that for any work of art, none is such that it is, of necessity, tied to any particular artist or collaborating artists and, furthermore, it is possible that distinct, non-collaborating artists be responsible for one and the same artwork. But I will not be relying on the sort of argumentation found in the work of any of my predecessors who have denied (restricted versions of) either FI or AE. My tack is a novel one. These theses can be shown to be false in their full generality, I maintain, no matter what ontology of (various kinds of) artworks is ultimately adopted and, more importantly, no matter what ought to be said concerning the nature of artistic creativity. That is, the argument, if successful, is one that goes through whether we are thinking about works of literary fiction, or sculptures, or what have you, whether a specific artwork is created in a loose or a strict sense, and whether a specific artwork is an eternal, abstract object, a concrete artefact, or an abstract artefact.

¹¹ From here forward, I will use either 'Person *x* is responsible for artwork *F*' or 'Person *x* produces artwork *F*' in a way that is neutral regarding whether or not artworks are strictly created.

More accurately, I defended a tangled version of the two. See my 'Defending Author-Essentialism', where I argue, contra Yagisawa, 'Against Creationism in Fiction', that works of fiction are essentially tied to the unique author (or authors) who are in fact responsible for them.

II. THE ARGUMENT FROM FISSION

The argument I have in mind against the two theses under consideration depends on some well-worn examples from the literature on personal identity. Consider any one of the types of scenarios that get classified as cases of fission and the related Puzzle of Duplication. For instance, suppose person A has a hemisphere of her brain removed at time t, and we are left with persons B and C at time t, each equally physically and psychologically continuous with A at t, (or suppose A at t, splits in two like an amoeba... Or suppose the transporter beam on the starship splits in two as A at t, is being sent to the planet's surface...). However fission occurs, we are immediately confronted with the questions that comprise the Puzzle of Duplication. What is the relationship of A at t, to B at t,? What is the relationship between A at t_1 and C at t_2 ? How are B at t_2 and C at t_3 related? While there are intimate relations of physical and psychological continuity, A at t, cannot of course be identical to both B and C at t_{γ} lest the transitivity of identity be violated. It likewise seems wrong to think A is identical to B but not C, or vice versa, and implausible to maintain that B and C compose one and the same (fourlegged, four-armed, two-headed, etc.) person. Yet could it be correct to say that A ceases to exist upon fission? How could two successful brain-hemisphere transplant surgeries, for example, result in such a grotesque failure - namely, the murder of A?

Just as familiar to anyone who has spent any amount of time thinking about the Puzzle of Duplication is the four-dimensionalist response to the puzzle. According to this sort of solution, time is the fourth dimension, and people, like all objects, are spread out temporally just as they are spread out in the three spatial dimensions. In addition to my spatial parts, I have temporal parts, and, at least according to Traditional Four-Dimensionalism, I am the mereological sum of my parts. I, like all objects, am a spacetime worm.¹³ So, in the case of duplication, the right thing to say, according to this sort of theorist, is that person B is a spacetime worm, person C is a spacetime worm, and A is precise region of spacetime that was never a unique person, but was rather a region consisting of the parts shared by person B and person C. The Puzzle dissolves, says the four-dimensionalist, once we realize that at t_{ij} , there merely appeared to be a unique person; given the ultimate distinctness of the spacetime worms in question, there were truly two people – namely, B and C, all along. A, as it turns

Traditional Four-Dimensionalism is the dominant form of four-dimensionalism. David Lewis, for example, famously presents it and puts it to use to respond to some puzzle cases about personal identity in 'Survival and Identity', in *Philosophical Papers*, vol. 1 (Oxford: Oxford University Press, 1983), 55–72. For a non-traditional version of four-dimensionalism, see the view presented and defended in Theodore Sider, Four-Dimensionalism (Oxford: Oxford University Press, 2001).

out, was merely a person-like temporal stretch in which *B*'s spatial parts were co-located with *C*'s.

We are now prepared to present the argument against both Fine Individuation and Artist Essentialism. All we need to do to begin is to suppose that at time t_{ot} before any fission activities are initiated in world w, some artwork F is in some way or other produced by (the person-like entity) A in w. Let F be a detective story, an opera, a landscape painting, or a clay bust of Napoleon – it does not matter. What does matter is what we should say at time t_{γ} , post-fission of A into B and C, regarding the artist responsible for F. It is controversial, of course, to claim that four-dimensionalism provides the correct solution to the Puzzle of Duplication. But let us suppose it does; it is at least clear that it is a possible solution. Given a four-dimensionalist response to the Puzzle of Duplication, we ought to say that person B is truly responsible for F, and person C is truly responsible for F, but not both B and C. That is, they are not collaborators, but rather, each is individually responsible for F. What we have, then, given the possibility of four-dimensionalism, is a possible world w in which a unique work of art F is the product of distinct, non-collaborating artists. More to the point, we have a case which refutes both FI and AE.

Specifically, we have a case which refutes AE in virtue of having a nonactual fission world w where both B and C are individually responsible for some work F, yet F may very well be identical to some actual artwork that is the product of neither B nor C. For instance, while ours is a world where Mozart composes Eine kleine Nachtmusik, ours is also world where possibly Mozart does not compose that musical piece, but rather possibly Ted and Fred do. Ted and Fred compose that piece in some nonactual world, we may suppose, where 'Mozart' refers not to a person, and so not to Mozart at all, but rather to the temporal segment in which Ted's and Fred's parts overlap. But we may likewise imagine the temporal segment to be situated in the exact same historical context as our Mozart, and we may imagine it to have the exact same set of artistic intentions as our Mozart. In such a case, there is absolutely nothing in that world that we could point to that would prevent that artwork from being identical to our *Eine kleine Nachtmusik*. (And one cannot of course deny that the musical piece in that world fails to be Eine kleine Nachtmusik on the grounds that it is a Mozart-less world – that would be blatantly question begging.) So, someone else (in fact two someone elses) other than Mozart could have composed Eine kleine Nachtmusik. But this conclusion is fully generalizable. So, AE is false.

And our case also refutes FI. In the scenario described above we have a possible world – namely, the fission world w, where some unique work F is produced by distinct, non-collaborating artists.

III. POTENTIAL REPLIES

Let me now respond to some potential replies to the argument just presented. I can envisage a detractor saying one of four things:

- (i) Four-dimensionalism is a possible solution to the Puzzle of Duplication, but in the fission world *w*, neither person *B* nor person *C* is responsible for artwork *E*.
- (ii) Four-dimensionalism is a possible solution to the Puzzle of Duplication, but in the fission world *w*, both *B* and *C* are responsible for *F*.
- (iii) Even if fission could occur, and even if four-dimensionalism is a metaphysically possible view, such fanciful thought experiments carry no weight against substantive metaphysical theses such as FI and AE.
- (iv) Four-dimensionalism is a metaphysically impossible view.

It seems to me that (i) is a terrible sort of reply. Artwork F – whether it is an abstractum or a concretum – by hypothesis, exists in the fission world w. And artworks – whether strictly discovered or strictly created – are the sorts of things artists are responsible for, or produce, in some sense or other, and artists are types of people. So, someone has to be responsible for F in w. If the four-dimensionalist response is a possible solution, the only candidate people in world w are B and C; A, recall, is not a person at all on this view. (For the sake of convenience when describing the thought experiment above, we did say that F was produced by A. But this was merely a F forced on us prior to the adoption of the peculiar four-dimensionalist diagnosis.)

I likewise think that (iii) is terrible. Defending this claim, however, would take far too much space. I will simply assert, without argument, that thought experiments, even ones concerned with far-fetched and fanciful scenarios, are immensely useful as tools for philosophical investigation generally, provided they present (at least) epistemically possible scenarios. The fission case above, along with the envisaged four-dimensionalist solution, is no exception.

Replies (ii) and (iv) seem by my lights to be the only ones with any amount of plausibility. Let us consider (ii) first. According to the defender of this reply, even on the envisaged four-dimensionalist solution, we should not say that person B and person C are each individually responsible for artwork F in the fission world W, but rather B and C are indeed collaborators who are jointly responsible for F in that world. The idea here would be that we have rather described an example par excellence of co-responsibility. Since there is no temporal distance or spatial distance between B's parts and C's parts when F comes about, but rather a perfect co-location of their parts during that stretch,

they could not help but work together on any and every endeavour engaged in at the time.

It seems to me that the lack of temporal distance between B's parts and C's parts at time t_0 in world w is a red herring. The structure of an example that would refute FI merely requires a possible scenario where non-collaborating artists are individually responsible for one and the same artwork of an arbitrarily chosen kind. And to refute AE, we need a possible scenario in which some actual work of art is produced by someone other (or some ones other) than the actual artist. If examples of these sorts were to include details such that persons D and E were allegedly simultaneously responsible for some work G, yet D was a resident of Taipei completely unfamiliar with E – a Tokyo resident - and E's work, the temporal aspect would play no role whatsoever in determining the example's success or failure. Moreover, the lack of spatial distance between B's and C's parts at the time of production of the artwork is similarly irrelevant. What's important is whether collaboration occurred at that time. Was there a meeting of the minds with a shared goal, a mutual intention to produce some artwork? If persons D and E were co-located in the sense of both residing in Tokyo, or both residing in the same apartment in Tokyo, we would not consider them collaborators on artwork G unless they in some way communicate and share some artistic ideas, goals, visions, and so forth. Cramming the parts of B and C into a space as small as an ordinary, two-armed, two-legged, one-brain human body at the relevant time should likewise make no difference.

To be sure, the psychology attached to that body at that time might not be schizophrenic or disjointed in any way, and there will exist at that time a unique set of intentions that allow for the production of a specific artwork. But this is precisely why there is no genuine collaboration between B and C at t_0 in the fission world. A genuine collaboration can only occur between discrete psychologies when those psychologies are at one time mostly, if not completely, disjointed, and there is then some mutual decision at some later time to try to achieve some end. That is to say collaboration on an artwork requires a meeting of minds, a coming-together of minds that were previously not on the same page as far as the intention to produce a future artwork is concerned. Furthermore, it is worth noting that a very large or total overlap of intentions between discrete psychologies at a time usually results in cases of competition rather than collaboration. (If we both look into the refrigerator and think 'I will have the last beer', that is not collaboration even though there is a large overlap regarding relevant intentions.) Genuine collaboration requires a coordination of efforts, and that requires awareness of a distinct psychology that you are willing to work with.

And once such collaborators do come together in this sort of way, you are left not with a psychology that is unified (or even one that is simply unaware that it is actually a twosome) as in the fission example above, but rather distinct minds with but a few shared intentions (specifically, those few intentions that are aimed at mutually achieving some artistic end). Two psychologies that are unified at a time in the way *B*'s and *C*'s are pre-fission are psychologies that cannot possibly come together to share artwork-producing intentions; they already are together as together can be!

How about reply (iv)? Well, one cannot deny the metaphysical possibility of four-dimensionalism in this context on the grounds that it would save either FI or AE. One would need independent argumentation to show that fourdimensionalism is impossible. And while it may in the end be metaphysically impossible, and (iv) may ultimately be a successful reply to the argument, what is crucial in this context is that four-dimensionalism is not epistemically impossible. If Lewis, Sider, and others have taught us anything, it is that fourdimensionalism is a genuine metaphysical contender that deserves our serious attention alongside three-dimensionalism.¹⁴ For all the evidence we have, Traditional Four-Dimensionalism may be true. And that is all that matters here. We have some non-trivial amount of evidence for thinking that people could be spacetime worms. And four-dimensionalism may be articulated in a way that at least avoids internal inconsistency. It may fail to be a compelling metaphysical thesis in the end, and three-dimensionalism may ultimately be preferable, but this need not be because the former is self-contradictory. 15 We therefore have no evidence to think it is metaphysically impossible that distinct worms with an overlapping section could be individually responsible for an artwork that happens to be produced during the time of overlap. We therefore have evidence to think that there could be a case where distinct, non-collaborating artists are responsible

Lewis, 'Survival and Identity'; Sider, Four-Dimensionalism.

You might think that if there is any reason to doubt four-dimensionalism at all, it is a fortiori a reason to think it is metaphysically impossible. And you might think this on the grounds that four-dimensionalism is a view that, if false, is necessarily false. I do think that it is a view that, like nearly all substantive metaphysical theses, is necessarily false if false at all. But it simply cannot be the case that we have reason to reject such theses as metaphysically impossible merely by finding any ground whatsoever to think they are false. If that were a good epistemic principle, it would prove far too much. Specifically, it would result in nearly every single thought experiment or alleged counterexample in the history of philosophy being an automatic failure and incapable of informing us about the merits of a view; no thought experiment or counterexample would ever be able to provide justification for rejecting any substantive metaphysical thesis that has ever been put forth. That cannot be right, so the epistemic principle behind this worry cannot be right either.

for a unique artwork, even when it is an actual artwork produced by neither. We therefore have good reason to reject both the thesis of Fine Individuation and Artist Essentialism

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