

Beyond the Term 'Music'

American Anthropological Association 23rd November, 2002

Anthony McCann mccannat@si.edu

Introduction

My primary research field of 'music and copyright' is in serious need of new perspectives. This increasingly contentious, and increasingly bizarre, area of study has, to a large extent, stagnated in and around issues of access, control, and ownership, claim and counterclaim. Research, then, has been dominated by the analysis and exegesis of litigation.

Access, control, and ownership have continued to provide the central areas of focus both for the study and practice of copyright law, and for related endeavors of scholarly analysis. "Who owns the music?" has become the prime question, with "What are we allowed to do with the music?" coming a close second. Scholarly debate seems to have stalled as a series of **descriptive** discussions about the management of resources rather than tending towards **explanatory** approaches that might understand intellectual property within the broader qualitative, social, and emotional dimensions of life. In my work I have been attempting to address this lack. I have been trying to understand the difference that intellectual property makes to the way we live our lives, by developing a theory of enclosure, where enclosure is understood not in relation to the commons, but as a particular expansionary character of social relations. More details of this work can be found on my website at www.beyondthecommons.com.

'Eh ... no music-ology'

I have been doing this work within the field of ethnomusicology. Ethnomusicology is often stereotypically perceived and presented as 'the study of non-Western musics', and has often been characterized in opposition or at least in contradistinction to musicology. Most importantly here, though, instead of just looking at 'the music itself', proponents of ethnomusicology often try to put people back in the picture, adding, for example, anthropological techniques of fieldwork, participant-observation and ethnography to sonic analysis. Ethnomusicology, then, might be said to focus on the study of 'music *in* or *as* culture', on 'people making music', or on 'humanly-organized sound', incorporating the study of sonic form, the study of discourses of 'music' or

‘music-making’, and the study of social practices associated with those sonic forms and discourses. As with any field, however, scholars who participate in the disciplinary maintenance of ethnomusicology run the gamut from abstract, universalizing and structuralist formalism to a commitment to politically-engaged, transformative, experiential particularism.

In the course of my work as an ethnomusicologist specializing in music and copyright, however, I have found, somewhat ironically, that perhaps the term ‘music’ may not be especially helpful as a basic analytic category in my analyses. This is what I shall focus on briefly today, as a minor point of discussion in the context of a much larger project.

The term ‘music’ is such a commonplace that it seems natural, and inevitable, that it be used as a category for analysis in ethnomusicology. It seems to be understood that we know what it is that we are referring to when we use the word. There are innumerable books, recordings, classes, and conferences to support such a claim. Like those in the fields of musicology and ethnomusicology, those who participate in the discourses of the law, economics, intellectual property, and copyright also presume that there is such a thing as “music”. There is nothing in our experiences of the music industry, technologies, music education, concert performance, and aesthetic appreciation to suggest otherwise, it is assumed. Surely we can see ‘music’? Surely we can hear ‘music’?

I’m not so sure, and I’m not so sure we haven’t been flogging a dead horse for centuries. What if there isn’t a ‘thing’ called music? What if our acceptance of the enclosed and enclosing abstraction of a singular category of “music” is counterproductive to ethnomusicologists’ research concerns, at least those weighted towards the disciplines of anthropology and sociology? What if we are able to analyze ‘music’ because we set out to analyze ‘music’, and classify, separate, and differentiate in ways which justify our analysis and satisfy our curiosity - as Foucault puts it, systematically forming the object of which we speak (1972:49). Many people have a lot of power and status invested in and justified by the presumption of the existence of ‘music’ as a universal phenomenon. To paraphrase Foucault, however: “... it is precisely this idea of [music] in itself that we cannot accept without examination” (1990:152).

Scopic Enclosure

Of late, I have been perusing a range of literature in art history. I have been particularly interested in the work of scholars such as William Ivins, Erwin Panofsky, Martin Jay, Norman Bryson, Jonathan Crary, Rosalind Krauss, and David Levin. I find this area of work interesting for its focus on the discursive production of the processes and practices of sight, vision, and visuality. Working within overarching themes such as “the rationalization of sight” (Ivins) or “scopic regimes” (Jay), these scholars have highlighted the privileging of sight or vision as a dominant trope in the lives we lead. Some of them argue that this “ocularcentrism”, as it has been termed, draws upon and in turn reinforces a variety of philosophical positions from Cartesian methodologies through Baconian empiricism and Heideggerian ontology to theories of the Sublime. Sight, again and again, is privileged as the prime sense, the superior sense, understood no less than our primary way to access being itself. This privileging of sight regularly comes, however, with a series of discursive companions. Those who critique ocularcentrism draw attention to, for example,

- the presumed autonomy of vision,
- the constitution of a monocular Subject centred around the presumption of a singular eye,
- the dominance of stasis, fixity, and binary oppositions in associated analysis of experience,
- the attitude of domination, mastery, and control that often accompanies ocularcentrism, and, importantly,
- the depeopled and disempowering ways in which people drawn to ocularcentric analysis make sense of our experience

To reinterpret this literature within my own frameworks of analysis, I would suggest that an underlying theme of ocularcentric discourses and practices is a pervasive expectation of the elimination of uncertainty. In my own work, this expectation can be understood as a principle from which arises the process and practices of enclosure. Indeed, I have come to understand ocularcentrism in terms of scopic enclosure.

Sonic Enclosure

I am concerned that there is not a wealth of similar critique of sonic enclosure, as found in the discourses and practices of ‘music’ and ‘the musical’. In comparison to art history, the issue has received hardly any attention at all. Notable exceptions can be found in the work of Max Weber,

John Zerzan, Michael Chanan, and Richard Leppert. In searching through the works of the most influential philosophers in the development of discourses of ‘music’, readily available in Wayne Bowman’s book *Philosophical Perspectives on Music* (1998), it seems to me that the elimination of uncertainty is also a pervasive and highly-directive theme in the way in which these influential philosophers make sense of *their* experience, and in the way they make sense of what they refer to as ‘music’. The Pythagoreans, Augustine, and the majorly influential Boethius, for example, wed conceptions of music to the harmonious immutability of number and mathematics. Plato’s ambivalent conceptualizations of ‘music’ are intimately tied to his pursuit of perfection, utopia, and ideal divine harmony. Kant’s aesthetic ideal is formalist in the extreme, where the intuition of form and pattern is uncontaminated by the intrusions of sensation, purpose, or emotion. Thinkers such as Hegel and Hanslick eliminate uncertainty in their conceptualization of music through the opposition of ‘music’ to ‘language’ in the cause of essence and the certitude of autonomy.

I could go on and on. My point is that the elimination of uncertainty is a pervasive theme in dominant, orthodox discourses of ‘music’ and ‘the musical’, and in associated practices. The discursive history of the concept of ‘music’, I would suggest, is a history of audio-centrism and sonic enclosures. The consequences of audio-centrism are similar to those arising from the discursive privileging of sight - ocularcentrism:

- the presumed autonomy of not just sound, but ‘music’ as a singularly abstracted quality of sound,
- the frequent understanding and conceptualization of ‘music’ as a reified entity or substance, often anthropomorphized
- the constitution of a mono-audio Subject centered around the presumption of a singular ear,
- the dominance of stasis, fixity, and binary oppositions in associated analysis of experience and meaning,
- the attitude of domination, mastery, and control that often accompanies audiocentrism, and, importantly,
- the de-peopled and disempowering ways in which people drawn to audiocentric analysis make sense of our experience

Audio-ocularcentrism

It is often forgotten, however, that dominant conceptions of ‘music’ privilege not only sound, but also sight. Dominant discourses of ‘music’ and ‘the musical’, then, constitute and are constituted by a powerful confluence of enclosures, being as they tend to be profoundly audio-ocularcentric.

This combinatory privileging of sound *and* sight concedes further privilege to processes of abstraction and reification in the cause of high levels of order, structure, pattern, in short, to the aspiration or expectation of the elimination of uncertainty. To privilege sight and sound is a primary methodological aspect of the dehumanized cleanliness of formalisms. Philosophers such as Augustine and Gurney, for example, influentially conceive of vision and hearing as the “higher senses”, differing from the lower senses of taste, smell, and touch in their capacity for the perception of form:

“Not only do higher senses make fine, complex discriminations of which lower senses are incapable, they further engage in a kind of formal, combinatory play that makes pure sensual activity an exceedingly rare occurrence for eye and ear. Thus, the higher senses have the power to group and combine *sensa*, an apparently inherent need to do so, and are distinctive for the pleasure they take in perceiving form” (Bowman 1998:151).

In passing, it should follow, then, that a dominant characteristic of social interactions dominated by the expansionary strategies and practices of enclosure, that is, social interactions dominated by the expectation of the elimination of uncertainty, would likely be audio-ocularcentrism, the privileging of sight, sound, abstraction, and reification. And indeed, this is what I have found in other work.

There have of course been critiques leveled against the fundamental formalisms and abstractions that suffuse discourses of ‘music’ and ‘the musical’, most notably from feminism and postmodernism. Among the most salient critiques:

- that formalist approaches to ‘music’ are often in terms of contextual or negative definition, that is, formalist approaches tend to articulate what ‘music’ is not rather than what it is
- that as a result of the reifying focus of dominant, orthodox discourses of ‘music’ and ‘the musical’ there tends to be a systematic exclusion of people, relationships, power, meaning, emotions, and the dynamics of social interaction from all relevant discussion. Instead, what tends to draw attention, for example, are debates over replication and reproduction, difference and distinction with regard to sonic minutiae. Such discourses, then, tend to be de-peopled and disempowering.
- That, subsequently, discourses of ‘music’ and ‘the musical’ tend not to allow for adequate consideration of power relations, and, in particular, adequate consideration of power relations of domination and oppression. Analysis, then, tends to remain primarily descriptive rather than explanatory.
- And lastly, that dominant, orthodox conceptions of ‘music’ and ‘the musical’ frequently rely on an essentializing, abstracting, and abstracted universalism.

Despite declaring open suspicion of the universalism implied by these discourses, scholars drawing upon schools of thought within feminism and postmodernism still, however, adhere to the central term “music”. Critical thinking in feminism, for example, tends to be profoundly revisionist, advocating that we simply reinterpret the term, that we reinvest it with a wider range of meanings than those which are normally present by association. It is declared that other scholars drawn to formalism and idealist aesthetics have misconstrued ‘what music is’, normally with blatant gender-bias, “drastically underestimating its significance and potency, and rendering its sociopolitical and corporeal dimensions all but invisible” (Bowman 1998:387). The irony of this, of course, is that feminist’s fundamental suspicion of universalist claims revolves around a central universalist claim that remains untouched - that there is such a thing as ‘music’. Unified or pluralist, objective or relativist, privileging sonic form or social experience, there is no challenge taken to the basic assumptions of ‘music’ and ‘the musical’. Similarly in postmodern critique, the underlying Grand Assumption remains untouched.

In some ways the discipline of ethnomusicology is also an attempt to back-pedal from the privileging of sounds and sight that the concept of ‘music’ entails while still retaining ‘music’ at the center of inquiry. Nevertheless, it seems to me that helpful theoretical engagements with whatever people might mean by “music” may be those conducted in such a way as to leave sound, vision, and reified material product as, at the very least, secondary concerns that can only really be addressed successfully as part of comprehensive anthropological or sociological analyses.

In many disciplines, ‘music’ is often analytically separated and abstracted from social context in order to justify the validity of using the category as a universal label at all. This often leads us to reduce our understanding of ‘music’ to those aspects which, as we participate in their reification and autonomy, guide us to blind ourselves to the specificity of locally-negotiated meanings and power relations. Seeking to understand ‘music’ as a universal or total phenomenon often draws us to the safest common denominators of similarity in comparative analysis, which are music-as-sound, music-as-vision (e.g., notation), or music-as-thing (e.g., recorded product), or music as an entity. In my own work I have found that to embrace this safety is to replicate biases towards visualization, auralization, segmentation, and fixation that are to be found within the discursive assemblies of copyright. I would suggest, then, that a healthy skepticism in the face of the term ‘music’ is especially crucial in my own work on account of the perils of discursive complicity.

When used as a foundational category in the field of ‘music and copyright’, ‘music’ tends to guide my analyses towards the consideration of reified sonic or visual entities, compounding the implicit reification of orthodox legal, economic, and literary discourses, further leading me to privilege considerations of access, control, and ownership, further guiding me to think in terms of resource management, precisely the approaches I am trying to avoid.

Conclusion

In my own work, then, I write ‘against music’, in much the same way as Joel Kahn (1989) and Lila Abu-Lughod (1991) write ‘against culture’, or as Rosemary Coombe (1998) writes ‘against culture and law’. By adding my critiques of audio-ocularcentrism and of the enclosing dynamics of the elimination of uncertainty to their critiques of generalization, I hope to add weight to moves in the direction of the particularism of Abu-Lughod’s ‘tactical humanism’, or Richard Fox’s ‘anthropology of the present’ (1991). Shore and Wright describe the latter approach as follows:

The task for an anthropology of the present, we argue, is to unsettle and dislodge the certainties and orthodoxies that govern the present. This is not simply a question of ‘exoticising the familiar’. Rather, it involves detaching and repositioning oneself sufficiently far enough from the norms and categories of thought that give security and meaning to the moral universe of one’s society in order to interrogate the supposed natural or axiomatic ‘order of things’(1997:17).

I will also briefly suggest that where I write ‘against music’, I would make the same critique of the concept of ‘language’. Again, the dominant orthodoxies are pervaded by positivist and empiricist scientific methodologies suffused with the expectation of the elimination of uncertainty, and the analogy to the ethnomusicology backpedal could well be the sociolinguistic backpedal, or the linguistic anthropology backpedal. Not having done much work in this area, however, it remains simply a hunch. What surprises me, however, is the way in which people continue to use these terms, in a largely unfounded belief that these unchallenged universal assumptions are beyond criticism. For me, however, they are an important factor in the maintenance of an unhelpful audio-ocularcentrism that tends to undermine explanatory analysis in an anthropological or sociological vein.

In terms of my main research area of ‘music and copyright’, my acknowledgement of audio-ocularcentrism and the methodological elimination of uncertainty has allowed me to shift focus.

In my work I have moved away from the term ‘music’, and consequently away from discussions of access, control, and ownership, claim and counterclaim, transaction, circulation, and exchange, production, distribution, and reception. In short, I have moved away from thinking in terms of resource management. I have instead moved towards considerations of people, relationships, power, resistance, complexity, nuance, ambiguity, and crucially, uncertainty. It is only through such considerations that I believe I can come to a less inadequate understanding of the relational implications of the discourses and practices of intellectual property in my life, our lives.

References

- Abu-Lughod, L. 1991. “Writing Against Culture.” In *Recapturing Anthropology: working in the present*, Richard G. Fox, ed. 137-162. Santa Fe: School of American Research Press.
- Bowman, W. D. 1998. *Philosophical Perspectives on Music*. Oxford: Oxford UP
- Bryson, N. 1983. *Vision and Painting: The Logic of the Gaze*. New Haven: Yale UP.
- Chanan, M. 1994. *Musica Practica, The Social Practice of Western Music from Gregorian Chant to Postmodernism*. London: Verso.
- Coombe, R. 1998. *The Cultural Life of Intellectual Properties: Authorship, Appropriation and the Law*. Durham: Duke UP.
- Crary, J. 1992. *Techniques of the Observer: On Vision and Modernity in the Nineteenth Century*. Cambridge: MIT Press.
- Foster, H., ed. *Vision and Visuality (Discussions in Contemporary Culture , No. 2)* Seattle: Bay Press.
- Foucault, M. 1972. *The Archaeology of Knowledge and the Discourse on Language*. Transl. A. M. Sheridan, New York: Pantheon,
- . 1990. *The History of Sexuality, Vol. 1: An Introduction*. Transl. R. Hurley. New York: Pantheon.
- Fox, R. G., ed. 1991. *Recapturing Anthropology: Working in the Present*. Santa Fe, New Mexico: School of American Research Advanced Seminar Series.
- Leppert, R. 1993. *The Sight of Sound: Music, Representation, and the History of the Body*. Berkeley: University of California Press.
- Ivins, W. 1975. *On the Rationalization of Sight*. New York: Da Capo Press.

- Jay, M. 1988. "Scopic Regimes of Modernity." In *Vision and Visuality*. H. Foster, ed. 3-27. Seattle: Bay Press.
- Krauss, Rosalind. 1988. "The Im/Pulse to See." In *Vision and Visuality*. H. Foster, ed. 50-75. Seattle: Bay Press.
- Levin, D. M., ed. 1999. *Sites of Vision: The Discursive Construction of Sight in the History of Philosophy*. MIT Press.
- Panofsky, E. 1991. *Perspective as Symbolic Form*. New York: Zone Books.
- Shore, C. and S. Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power*. London: Routledge.
- Weber, M. 1969. *The Rational and Social Foundations of Music*. Carbondale: Southern Illinois UP/Feffer & Simons.
- Joel S. Kahn. 1989. "Culture: Demise or Resurrection?" *Critique of Anthropology* 9(2):5-26.
- Zerzan, J. "Tonality and Totality". In *Future primitive : and other essays*. New York: Autonomedia. Available on the web at: <http://www.t0.or.at/zerzan/politon.htm>