

## Introduction

Discussion surrounding music and ethical responsibility in contemporary popular discourse usually involves the idea of music as a product. The assumption is that music is a commodity, and it is our ethical responsibility to legally purchase music and not circumvent copyright law. Over the past number of years, this trope has been repeated by record companies, politicians, lawyers and some recording artists so frequently that it often seems undeniable that illegal music copying is the primary ethical responsibility involving music. The trouble is, these arguments make significant assumptions about what music is and how we interact with music. They reduce music to a commodified object and overlook the ways we experience music. From a larger historical and cultural perspective, the idea that music is primarily a recording that can function as a commodity is a relatively recent development. Historically, dominant cultural views of ethical responsibilities involving music have taken several forms, with the idea that certain types of music affect human development and action being the most common. As important as these issues are, they are not where I begin. Instead of starting with particular issues that are embedded within layers of cultural assumptions about the function and identity of music, I begin by asking how music becomes meaningful. Examining musical meaning involves taking a close look at what happens in musical experience, attempting to uncover what happens when we create or listen to music. Musical experience is often theorised as a solitary affair. In contrast, I argue that an examination of musical experience reveals that it always involves encounters with others. These encounters with others through musical experience create ethical responsibilities.

In short, the main argument of this book is deceptively simple: musical experience involves encounters with others, and ethical responsibilities arise from these encounters. The argument is approached from two directions. The first explores the phenomenological experience of music, revealing that music is inextricably linked to human relationships. The other direction explores the ethical responsibilities that arise from encounters with others. These responsibilities to other people place limitations on us that alter the ways we experience – listen to and act upon – music.

Talking about, listening to and creating music is tied to human relationships, and therefore questions of ethical responsibility within interpersonal relationships are essential to music. The aim of the book is twofold: first, to describe the ways that musical experience alters human relationships and creates ethical responsibilities; second, to show how such description can prescribe ways to interact with music that respond to others ethically. In a nutshell, I inquire into how musical experience can respond to ethical responsibilities.

Throughout this book I argue that the examination of the phenomenon of musical experience reveals that musical experience always involves relationships with others. Experience cannot be reduced to subject/object distinctions, as a listener is an active participant in constituting sound as music. The experience of music cannot be reduced to an object, and yet musical experience is not totally subjective, as music confronts the listener as something other than the self that requires a response and creates resistance to interpretation. In other words, music breaches our experience with something new, something that introduces new responses to the world that cannot be reduced to categories we already hold. As the listener is always within a social world, musical experience also involves relationships beyond just oneself and the music. We listen to music in a world shared with others, and the responsibilities we have to others place limitations on the ways that we experience music. Musical experience changes us and influences our relationships with others. F. Joseph Smith writes that ‘musicology must always lead us toward the uncovering of the full musical experience rather than lead us away from it into the abstractions of historicism and aesthetics’ (Smith 1976, 146). In the examination of musical experience I undertake throughout this book, I argue that a full account of musical experience includes relationships with and responsibilities to others. As Maurice Merleau-Ponty states, ‘we should no longer pride ourselves in being a community of pure spirits; let us look instead at the real relationships between people in our societies’ (Merleau-Ponty 2004, 89). If musical experience involves encounters with other people, I argue that explorations of musical experience must take into consideration the ethical responsibilities that arise in that experience.

As the examples from the beginning of the Introduction attest, there are many different ways that the word ‘ethics’ is used. Since ‘ethics’ is a word with multiple uses, a discussion right from the outset regarding the sense I utilise the term provides insight into the book’s central argument. What follows is a definition of ethics only in the sense of marking out the territory for discussion of ethical responsibility within this book, rather

than an attempt to completely delineate this complex term. Following Emmanuel Levinas, I differentiate between ethics and morality: 'If ethics means rationalist self-legislation and freedom (deontology), the calculation of happiness (utilitarianism), or the cultivation of virtues (virtue ethics), then Levinas's philosophy is not an ethics' (Bergo 2008). What all the concepts in this list have in common is a set of guidelines for action that are imposed by an impersonal source. Such concepts I term 'morality'. The laws of a nation or community are examples of morality. The issues of copyright and file sharing I mentioned above are in this terminology a discussion of morality – a set of rules – rather than ethics. Morality is crucial for societies, but – following Levinas – moral rules should rest upon ethical responsibilities.

Ethical responsibilities emerge from face-to-face encounters with other people: 'For Levinas, the irreducible foundation of ethics is my immediate recognition, when confronted with a suffering fellow human being, that I have an obligation to do something' (Putnam 2004, 24). Ethical responsibility emerges in encounters with other people, and therefore cannot be reduced to abstract concepts or rules. Encountering another person places an obligation upon me to respond. Exactly what that responsibility is emerges from the encounter with that person. Levinas argues that our existence involves ethical responsibilities to others. We are not autonomous, as being in the world involves 'my responsibility for the death of the Other, interrupting the carefree spontaneity of my naive perseverance' (Levinas and Hand 1989, 86). According to Levinas, one ethical responsibility that emerges from an encounter with another person is our responsibility for their death. The law forbidding murder – as an abstract idea enforced by laws – is experientially different from recognising in a face-to-face relation someone's uniqueness and responding by not doing harm. Ethical responsibilities can and should lay the groundwork for moral laws. Moral laws are not problematic in themselves as they allow for society to function, but these laws are not my focus. In this book, therefore, I do not aim to delineate a list of moral actions surrounding music (in other words, ways we should or should not act). Just as Levinas is interested in phenomenologically describing the ethical responsibilities that arise in the encounter with an other, my interest is describing the role of musical experience in encountering other people. If musical experience brings us into contact with other people, these encounters with others – following Levinas – place ethical responsibilities upon us that we must respond to. Examining how musical experience creates encounters with others that lead to ethical responsibilities is the theme developed throughout this book.

In Chapter 1 I explore five models of musical meaning and their application to views about the relationship between music and ethics. I begin by challenging many conventional views of musical meaning that do not account for the inter-relational elements of music. For example, the idea that meaning is ‘intrinsic’ in music is based on a view that music is autonomous and holds a specific meaning that ‘proper’ experience or study of music can reveal. The opposite view is also widely held, wherein musical meaning is completely relative to the subject. Both of these views ignore the ways that culture shapes interpretations of music. Even identifying the influence of culture, though, does not get at the inter-relational nature of musical meaning. Culture does not exist without people, but as an abstract concept culture is impersonal. Musical meaning, as experienced, is not just influenced by culture, but is also tied to the individual people we come into contact with. For example, my experience of Handel’s *Messiah* is influenced by many previous experiences, including acquired interpretations linked to tonal music, the oratorio’s narrative, what I know of the reception history of the piece and my childhood memory of listening to my father sing it at Canada’s National Arts Centre. Even though many models of musical meaning include the influence of culture and/or the influence of personal experiences, many still overlook the essentially inter-relational nature of musical meaning. How music means for me is negotiated with cultural norms, personal experience and – as I argue in this book – relationships with and responsibilities to other people.

Theorisation about the role of human relationships in musical meaning has a profound impact upon perceived relations of music and ethics. The idea that music intrinsically holds meaning, for example, leads to the view that listening to certain types of music can have an irresistible impact upon the action or morality of listeners. This application of ethics to music has several problems, including that it does not take into account relationships with others and is limited to the listener/music relationship. I suggest that a more satisfactory account of music and ethics needs to consider the influence of music experience in the ways people experience and respond to other people. As the place of musical experience in human relationships is varied and complex, I leave it to each of the following chapters to explore the multiplicity of ways that relationships with and responsibilities to others are central to musical experience. Each of the first five chapters follows a similar trajectory, usually starting with a musical phenomenon and exploring ways others conceptualise the phenomenon before turning to an examination of musical experience. I locate the centrality of human relationships in the experience, and consider how the phenomenon might

be treated differently if relationships and responsibilities are of central concern.

In Chapter 2 I expand on musical meaning as experienced. Instead of aiming for a musical meaning reduced to a fixed definition, meaning as experienced begins with the ways music is taken as meaningful by people in the world. Since music is embedded in other activities and experiences, meaning as experienced must take into account the web of connections of life. Ludwig Wittgenstein writes that ‘in order to get clear about aesthetic words you have to describe ways of living’ (Wittgenstein 1967, 11). Writing about or experiencing music is embedded in ways of being in the world. Because all experience involves a complex web of connections, experiential musical meaning cannot be articulated completely. Words or other responses to music can serve to translate some of the ways that music is experienced, but they can never completely capture musical experience. Music is always in excess of any articulation of its meaning, suggesting that music introduces something to us beyond concepts encompassed by words. Since musical meaning emerges in ‘ways of living’, a complete and final definition of musical meaning is not possible. Adequate accounts of musical meaning need to take into account the life world of those who experience music. Chapter 2 begins with an examination of some popularised claims about musical experience in neuroscience, and I argue that although neuroscience is a valuable endeavour, it cannot fully explain musical experience and is significantly limited in describing the inter-relational elements of musical experience. I then turn to the phenomenology of music, arguing that phenomenology is helpful for describing how musical meaning is negotiated with other people and via standards of appropriateness formed through acquired knowledge.

Throughout this study I use the term ‘negotiation’ to explore the ways musical experience involves relationships with other people. Exploring how my use of the word both draws from and differs from everyday usage assists opening the discussion about negotiation that I continue in the following chapters. Use of the term ‘negotiation’ points towards the difficulties of describing elements of musical experience that are simultaneously individual and shared with others. In everyday use, the word ‘negotiation’ is sometimes used when two or more people with differing opinions work towards a shared outcome (e.g. the negotiation of a business deal). Negotiations have an inter-relational element to them, and there is also the possibility for the exercise of power. Sometimes negotiation is of a system (e.g. negotiating the justice system). While the ‘justice system’ or conventions of musical meaning or practice seem normative/standardised, submitting oneself to those

conventions helps to reinforce them as conventions. Challenging them can result in standards changing. Negotiation can involve intentional interaction and conflict, but in my use of the term negotiation also takes place in cooperative activity. For example, entrainment – the ability to coordinate rhythms with others – involves negotiation. I hear another person singing and adjust my timing to coordinate. What results is a sound that is made through negotiation.

There are many contextual factors that frame musical experience and influence the negotiation of relationships. In Chapter 3 I expand on factors that frame the experience of music, and therefore affect the roles of music in human relationships. We all have a vast amount of acquired knowledge about music (including people who have no formal musical training). This acquired knowledge creates habits of interpretation, or ways of listening to music that seem ‘natural’ but are indebted to culturally entrenched ways of experiencing music. Culturally negotiated standards of interpretation are learned in several ways: through words, through experiential associations and through personal and inter-relational experience. Examples of habits learned through words include learning to listen to sonata-allegro form or learning to recognise genres through the statements of a radio deejay. Associative meanings include the relationship between spirituality and the long reverberation times of cathedrals. Children quickly learn the cultural associations of major and minor triads, sometimes through music lessons, but more often through the pairing of sounds with narratives. Since people enter into musical experience with habits of listening, these contextual factors that frame musical experience influence the ways people relate and respond to others.

An example of the centrality of relations with others in the negotiation of meaning is within improvisation, the topic of Chapters 4 and 5. Improvisation, as the negotiation of contingencies, can be found both in musical performance and in the ways people relate to each other. Many views of improvisation – especially in its embodiment in jazz performance – idealise the improvisational experience so that it can serve as a social model. For example, the conception of jazz as ‘America’s music’ has likely influenced American scholars to find social ideals of freedom, individualism and democracy within jazz improvisation. Even though many jazz bands do not function as democracies – Miles Davis allowing his players some freedom but at other times firing players for not responding quickly enough to his subtle body movements is just one example – these ideals have become popularised, leading some to argue that if only we all acted more like jazz improvisers the world would be a better place. I

attempt a non-idealised account of improvisation that considers common experiences of improvised performance that are not commonly written about using a phenomenological description of an improvising jazz trio performing at a corporate function. Granted, there are times when unexplainable connections to other performers occur in improvisation, but so do more banal experiences like becoming distracted while another person solos, and losing place in a form while thoughts temporarily drift to food. Improvisation involves listening and responding to others in several different ways. A more realistic account of improvisation might diminish its status as a social model, but it places more emphasis on the embodied negotiations with and responsibilities to other people within music making. Treating improvisation as a model often overlooks the fact that improvised performance involves real people interacting with one another.

Improvised musical performance provides just one case study of the negotiation of freedoms and limitations that result from interacting with and responding to others. The same characteristics of negotiated improvisation can be found in all other experiences of music: listening to, talking about and creating music – the ‘doing’ of music that Christopher Small terms ‘musicking’ (Small 1998, 2). I extend improvisation to all musicking by building upon Hans-Georg Gadamer’s concept of ‘festival’. Festival includes the negotiation of contingencies on many levels: performer to performer, performer to listener and listener to listener. Festival emphasises the temporal occasion of musical experience. Listening, responding to others and negotiating musical meaning are embodied in a particular time and place. Musical experience creates a time that is shared by those listening or playing. Festival builds upon my argument that musical experience is never isolated, and contingencies of meanings, relationships and experiences are negotiated in response to others.

The first five chapters examine arguments about musical experience that in the end are found wanting in terms of their relationship to ethical responsibility. Each chapter concludes by pointing towards and building upon my argument about music and ethical responsibility. Chapter 6 provides the book’s culminating argument about music and ethical responsibility by more closely examining Emmanuel Levinas’s view of ethics that has served as a guide thus far. As helpful as Levinas’s work is in advancing my argument, his writings raise some seemingly conflicting ideas about the relationship of the arts and ethics. On the one hand, he finds that artistic enjoyment is ‘egoist and cowardly’ because it pulls us away from our responsibilities to other people (Levinas and Hand 1989, 142). He argues that the human engagement he calls ‘criticism’ is required to incorporate



art into human relations, for otherwise art remains inhuman. On the other hand, he finds that some art can create a 'rupture of immanence to which language is condemned' (Levinas 1996, 185, n4). In other words, art is able to introduce something completely unique that needs to be responded to, just as another person is unique and requires response. An encounter with art can, in this view, create the same sort of responsibilities as an encounter with a person.

Some of Levinas's views are influenced by 'art-religion', 'the belief that art, though created by humans, is revelational' (Dahlhaus 1989, 88). This view generally involves the claim that music needs to be treated with devotional reverence and that people have ethical responsibilities to art. 'Art-religion' assumes that music is an object instead of something intertwined with human experience. Levinas's statement that art is inhuman also points to the view of art as object. Since throughout this book I insist that music is always connected with people, neither of Levinas's positions on art stated above is satisfactory. I attempt to retain the disclosive nature of music without veering into art-religion by applying two of Levinas's concepts found outside his writings on art to unpack the links between music and ethical responsibility. Those two concepts are 'proximity' and the 'trace'.

Levinas theorises the face-to-face encounter as proximity. In proximity, two unique people come into relation. In this encounter responsibilities to the other emerge. Ethical responsibilities do not emerge by recognising that the other person is just like me, but by recognising that the other person is unique, requiring me to respond uniquely to the other. For an encounter with another to take place, a common space needs to be shared. Musical experience can create a shared experience that can allow difference to come into contact. The festive nature of musical experience explored in Chapter 5 – wherein I argue that through listening to or performing music we actively share something with others – enables the relation of proximity. In short, music can create a shared space that allows two unique people to encounter each other.

Since music is always something human beings do, music is never separate from people. All musical experience, even listening alone, involves a 'trace' of another person. Just as I recognise that a book I read is written by a person and the computer I type on was designed by people, any music I experience contains a trace of the people who have composed, recorded, performed and listened to this music. All musical activity is thus connected to other people. My experience and actions that respond to music are therefore connected to others who have contacted the music. My interaction with music thus alters how others experience music. The concept



of ‘the trace’ reveals the web of connections to other people in musical experience.

In Chapter 7 I turn to case studies of music and ethical responsibility, and more specifically cases where sounds are experienced as other people’s. There are many experiences people have of music that is distinctly not their own. When performing music composed by another person, for example, one often feels that there is a trace of the composer in the piece, or that they have inherited the piece from the composer. The question then arises whether there are ethical responsibilities to the composer. If so, the performer must negotiate the sometimes conflicting responsibilities to composer, other performers, listeners and to others outside of a musical performance.

At other times, music or other sounds are considered other people’s because they are unwanted. Noise abatement campaigns targeting street music and industrial sounds show just how intertwined with human relationships all sounds are. Complaints of the sounds of street musicians in Victorian England, for example, were as much about the social class of the person making the music as about the music itself. The sounds of automobiles and industry have affected the layout of cities, and in turn change the ways other people are encountered in the world. The interpretation of musical and non-musical sounds as pleasing or bothersome has a very real impact on the ways we relate to others. On the negative end of the spectrum, music has been weaponised. For example, prolonged exposure to music at sustained high volumes was used for torture in Guantánamo Bay detention centres (Cusick 2008). At the other extreme, music from others can be used to bond people together. The singing of mother to child, for example, creates or strengthens a bond between them. The child learns to recognise the mother’s voice as comforting, providing the child with a social and emotional attachment. If – as these examples suggest – music has a profound impact upon social relations, then the ways we use, talk about and create music must be carefully considered. Even the description of the role of social relationships in musical experience can point towards ethical responsibilities in musical experience. In a nutshell, the central task of *Music and Ethical Responsibility* is to describe the complex ways that musical experience brings people into contact, and asks the reader to consider how to respond to the ethical responsibilities that arise from these encounters.

In philosophical or musicological research, authors base at least some of their arguments on an appeal to experience. In other words, arguments are more easily accepted if they correspond to the experiences of readers. Many of the arguments within this study are built upon experience, whether my

own or someone else's. For example, my claims of what improvisation is and what it is not in Chapter 4 draw upon my own experience as an improviser, and are balanced by experiences and ideas of other performers and researchers. Using experience as the starting point for the current study places it into the field of phenomenology, at least as Martin Heidegger conceives the term:

Heidegger regards himself as a phenomenologist in the sense that he makes apparent what is usually inconspicuous, and he does not do so by out-of-the-way experiments or by obtuse arguments. What Heidegger notices, and presents in conceptual garb, is in a way obvious to anyone once it is pointed out to them. (Inwood 1997, 36)

My hope is that the essentially inter-relational elements of music I make apparent – through articulating (in hopefully less dense 'conceptual garb' than Heidegger) my own experience in relation to the experience of other musicians, scholars and listeners – are 'in a way obvious' to the reader. Of course, experience changes within different contexts and is difficult to pin down. Experience is fragile, unrepeatable, subject to context and personal. While I hope to make the inconspicuous apparent, I might not always do so. The arguments in this study should not be considered final conclusions, but tentative steps in the process of exploring the ethical responsibilities that arise in inter-relational musical experience. Although I do not employ this phrase in this study, my statements should be read with the tentativeness of Levinas's recurrent expression

'tout se passe comme si ...,' which may be translated as '(if I am not mistaken), it looks like ...' When I once asked Levinas why he used this expression so often, he hinted at the difficulty of the search and the tentative character of all phenomenology. (Peperzak 1998, 122)

On one hand, my study – like all phenomenology – seeks to tentatively describe experience and articulate elements of experience perhaps overlooked. On the other hand, I recognise that my descriptions also have the ability to alter the ways people experience music. Words about experience change experience. Maurice Merleau-Ponty writes that 'words lead one to expect sensations as evening leads one to expect night' (Merleau-Ponty 2002, 17). Reflection on experience does more than uncover experience. It is also a creative act, creating ways of thinking about and experiencing the world: 'Philosophy is not the reflection of a pre-existing truth, but, like art, the act of bringing truth into being' (xxiii). Philosophical reflection on experience thus alters the ways people act in the world, and also the ways