

JUDGMENT AND ART

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ABSTRACT: *Our understanding of art, from the nature of artistic utterance to the traits of aesthetic experience to the range of art's capacities, rests to a considerable degree on our understanding of experience. To be more precise, it rests on among other things our conception of the active, we may say manipulative, dimension of experience. In this paper we explore a way of conceiving of the manipulative side of experience through a theory of judgment that was originally articulated by Justus Buchler, an American philosopher who wrote in the middle decades of the 20th century. Through the theory's categorization of assertive, exhibitive, and active judgment we are able to come to more satisfactory terms with the nature of artistic query, with art's cognitive capacity, and with what differentiates the way a work of art makes a case from standard forms of argument and inquiry. The latter point is illustrated through a consideration of film.*

One of the directions in which pragmatist aesthetics has gone in recent years has been to focus on the broad context of aesthetic experience. John McDermott at Texas A&M University is a good example of a contemporary philosopher of experience and art who has made much of John Dewey's concept of the aesthetic dimension of experience, and more specifically of the aesthetic dimension of experience in urban environments.¹ Another direction in which pragmatist aesthetics has developed in rich and valuable ways is its emphasis on the body, primarily through Richard Shusterman's somaesthetics, but also in Mark Johnson's explorations of embodiment.² I would like to add

¹ John J. McDermott, *The Drama of Possibility: Experience as Philosophy of Culture*, Douglas R. Anderson, ed., New York: Fordham University Press, 2007. See especially "Nature Nostalgia and the City: An American Dilemma", pp 167 – 184, "Glass without Feet: Dimensions of Urban Aesthetics", pp 204 - 218, "To Be Human Is to Humanize: A Radically Empirical Aesthetic", pp 345 – 371, and "The Aesthetic Drama of the Ordinary", pp 390 – 402.

² Richard Shusterman, *Body Consciousness: A Philosophy of Mindfulness and Somaesthetics*, New York: Cambridge University Press, 2008; Mark L. Johnson, *The Meaning of the Body: Aesthetics of Human Understanding*, Chicago, IL: University of Chicago Press, 2007.

another dimension to pragmatist aesthetics by emphasizing the importance to it of judgment and the implications of our conception of judgment for a range of aspects of art and aesthetics. For our purposes today we will talk a bit about the cognitive and related dimensions of art. By so doing we expand the range of pragmatist aesthetics to encompass the American naturalism in and through which it developed in the first two thirds of the Twentieth Century.³

The first order of business is to clarify what we mean by the term "judgment", a concept the details of which we draw from Justus Buchler.⁴ First, it can seem extremely odd to say that a theory of judgment adds something to aesthetics when aesthetics as a branch of philosophical inquiry was practically invented in the context of a theory of judgment – Kant's of course. In our case, though, we mean something rather different by the word "judgment" than did Kant. In Kant's usage, judgment is a mental activity through which, we may say, experience and knowledge of all kinds arises. In our case, though we will relate judgment to experience and knowledge, we do not understand it as a mental or any sort of transcendental activity of which experience and knowledge are results. Experience and knowledge do not arise from and through judgment in our approach; rather judgment is a constitutive element or moment in experience, a human function that gives experience much of its meaning and significance, and that is a significant aspect of knowledge, emotions, and other phenomena.

We are working with a relational, constitutive understanding of experience that clearly has its roots in classical pragmatism. For James, Dewey, Mead,

³ An overview of American naturalism is available in John Ryder, ed., *American Philosophic Naturalism in the Twentieth Century*, Amherst, NY: Prometheus Books, 1994.

⁴ The theory of judgment that is developed here has its origins in the work of Justus Buchler. See especially his *Toward a General theory of Human Judgment*, New York: Columbia University Press, 1951 and *Nature and Judgment*, New York: Columbia University Press, 1955.

McDermott, Shusterman, and many of the rest of us who would identify ourselves as pragmatist philosophers, experience is an important category and one that pragmatism cannot do without. For those whom we might reasonably describe as neo-pragmatists, most directly Richard Rorty and those who follow his lead, the concept of experience is unnecessary and in fact a traditional metaphysical excess of classical pragmatism that we would all be better off without. For now suffice it to say that I identify more with the former than the latter approach, and therefore I will assume that a specific and adequately formulated and ramified understanding of experience matters very much.

We have indicated that “judgment” as we are here using the term differs from Kant’s and from other traditional uses of it, specifically in ways that make it appropriate within a relational conception of experience more or less like that of pragmatism. Judgment in our usage is our interaction with our environment such that products of various kinds result; or to put it differently, judgment is our experience in so far as we produce. Experience in our sense is the mutually constitutive, relational interaction between a person and the environment, the surroundings, and that interaction in very general terms involves both action and reaction, activity and passivity, manipulation and assimilation. In some respects we absorb features of our environment, a dimension of experience that the traditional empiricists saw but overemphasized, and in other respects we craft our experience, a dimension that Kant saw but misconstrued as a largely mental process. Judgment as we understand it here is the mutually constitutive process that constitutes an individual’s experience *in so far as* it issues in products.

To judge, then, is to produce, and we do so in three general ways: assertively, exhibitively, and actively. When Kant spoke about judgment I suspect that he had in mind something like what we here mean by assertive judgment. We judge assertively when we make a truth claim in a standard sense of the term. Assertive

judgment tends to be propositional, and our assertive judgments tend to express propositions about a state of affairs, and about which we can typically say they are true or false in this or that respect.

Though there is no necessary connection, assertive judgments tend to be linguistic. I say that there is no necessary connection because not all linguistic judgments are assertive and not all assertive judgments must be linguistic, but assertive judgments tend to be linguistic, and for the most part linguistic judgments tend to be assertive. Descriptions, for example, are typically assertive judgments, as are philosophical analyses, as are treatises in history, sociology, or literary criticism. They consist of propositions that assert something about a subject matter, and to which we can generally assign truth-value. Philosophers have understood that such propositions need not be linguistic because we have for a long time recognized the propositional character of logical statements and mathematical utterances, to give two examples of non-linguistic propositions. Both typically assert, and are to that extent assertive judgments.

We have been mistaken, however, in allowing assertive, propositional judgment to stand in for the human function of judgment as a whole. It has been a mistake because as we shall see in a moment there are other forms of judgment that are not assertive and are not propositional. Moreover, by recognizing only one form of judgment we have forced ourselves into an inadequate understanding of cognition and truth, among other things, which in turn has distorted our understanding of aesthetics and art.

The second mode in which people judge is the exhibitive. If the assertive mode is that sort of judgment in which we organize natural material to assert propositional truths about things, then the exhibitive is that mode of judgment in which we organize natural material to show something about the world. We said that the human activity most typically associated with assertive

judgment is the linguistic, and we may similarly say that the human activity most typically associated with exhibitive judgment is the visual and performing arts. We typically assert linguistically, and we typically exhibit in painting, drawing, sculpture, installations, film, and performances of various kinds. But as in the relation between assertive judgment and language, judgment in the visual or performing arts is neither necessary nor sufficient for exhibitive judgment. We may judge exhibitively through language, examples of which are poetry and literature generally, and we may through the visual or performing arts judge assertively, as in for example an overtly political poster that through a visual image asserts a clear political proposition. But still, the visual and performing arts are paradigmatic instances of exhibitive judgment in the way that linguistic utterances are the paradigmatic instances of assertive judgment.

Because of this relation between exhibitive judgment and the arts, the ability to identify the exhibitive mode of judgment that our general theory of judgment makes possible will take us a long way toward a more satisfactory understanding of aesthetics, aesthetic theory, and art, as we will see further on. We will, for example, be able to correct a long-standing philosophical mistake of associating knowledge with propositions and therefore not with art. A faulty understanding of judgment has played havoc with our epistemology, with our aesthetic theories, and with our understanding of how art does what it does. Our conception of judgment will help us correct some of these traditional deficiencies.

Before we go on to develop these points, however, we do need to introduce the third mode of judgment, which is the active. One of the ways we produce is in our actions themselves. To walk down the street, to turn in one direction or another, to cook dinner, to shoot a basket or kick a goal, to watch others do those things, to attend a concert or film – these are all ways in which we interact with our environment, and they result in products. They do not involve assertions, nor do they

exhibit or show anything. Nevertheless they are a way that we select from the possibilities and actualities presented to us, a way that we manipulate our environment and produce our experience. They are, in other words, active judgments.

Often enough a judgment may function in more than one mode. A dance, for example, is an active judgment, but it is also a manipulation of elements of our environment that exhibits something. We frequently call such a product an expression of the dancer or choreographer's intentions of one kind or another, but what is exhibited in such a case need not be an expression, or anyway not only an expression in that artists may do something more or other than express in their art. In any case, a dance is an active judgment that is also exhibitive. To offer a different example, sometimes a linguistic utterance can be an assertive and an active judgment. Consider, for example, a man who wants to express the depth of his feelings to his lover. He may tell her that she is the most beautiful woman he has ever seen, and when he says this he is both stating how she appears to him and he is proclaiming his love for her; he is in such a case judging in two modes, the assertive and the active. A judgment may also judge assertively and exhibitively at the same time. We mentioned earlier the example of a political poster, or perhaps an even clearer example would be a painting with an explicit message. *Guernica*, for example is quite evidently an exhibitive judgment in its unique and distinctive selection of elements of experience and their arrangement on a canvas, and at the same time it is equally clearly an assertion about the horrors of war.

There are several conceptual advantages of this theory of judgment. One of them is that it helps us to understand better the ways in which experience is productive. Kant had shown one way, but his understanding limited the creative capacity of judgment to transcendental conditions of experience, and to mental processes. But the ways we assimilate, and more importantly manipulate, the complexes of our

environment in experience are more numerous and varied than that. Our judgments are not necessarily mental processes, as we have seen; they are not necessarily conscious; they are not necessarily cognitive. The novelty in nature, and the role of people in generating that novelty in experience, is far more diverse and varied than Kant and most others have realized, and the theory of judgment is an effort to illustrate and understand that fact about our experience.

Another conceptual advantage of the theory of judgment, and one particularly relevant for us, is that it enables us to attain a more suitable conception of art and its various capacities, specifically the two dimensions of art on which I would like to focus: art's cognitive dimension and the way art, particularly art with a narrative character, makes its point. To see what I mean about judgment and art's cognitive dimension we need to look at some of the ways philosophers, at least those in Anglo-American analytic traditions, have tended to understand knowledge and its relation to art. First, the tendency in Anglo-American epistemology has been to treat knowledge as a matter of beliefs that meet certain conditions, for example that they be true and justified, in one version. But if knowledge is a matter of true and justified beliefs, then it is also a matter of propositions. Knowledge, in other words, tends to be understood as a matter of propositions, specifically propositions that assert beliefs that, in this version, are true and justified. There are other versions, for example Dewey's warranted assertability as a definition of knowledge, but the limitations are similar. If knowledge is to be a function of beliefs or assertability, then only those judgments that assert propositions can have a cognitive capacity. One extreme version of this approach is in some branches of so-called 'naturalist' epistemology, for which only the propositions of the natural sciences can be a genuine source of knowledge.

The problem this sort of epistemology creates for art is obvious, and I have made the point elsewhere. If knowledge is a matter of propositions, and if art is for

the most part not a matter of propositions, then art cannot reasonably be thought to have a cognitive dimension. Clearly, though, for artists themselves there is no question that art has to do, often in unspecified ways, with knowledge and with truth. So there is a serious problem here. Artists and art historians and critics frequently refer to the element of truth in works of art, and they equally commonly speak as if works of art are capable of revealing something about a subject matter, which is to say that they are capable of generating knowledge. Either artists, art critics, and art historians are deluded about the nature of the work they produce and upon which they comment, or there is some non-trivial and non-metaphorical meaning of knowledge and truth that can be applied to the arts.

In the spirit of generosity, and until we have good reason to think otherwise, let us assume that artists and those who comment on art are not delusional when they speak of knowledge and truth in relation to art, which is to say that knowledge and truth can sensibly be ascribed to art. Let us also grant that on the whole works of art do not consist of assertive propositions. The colors and forms in a typical Kandinsky do not assert anything, though they are rich in meaning; the meaning, simply, does not derive from propositional assertions. Similarly, an effort by Henry James, or James Joyce, or Virginia Woolf, to capture the flow of inner experience is not an exercise in propositions or assertions, however full of meaning it may be. We shall say the same of a Schubert Impromptu, or a Kurosawa film, or Beckett play. Art, let us grant, is not propositional and assertive, yet any of its forms can be cognitive and even veridical.

If these assumptions are reasonable then an epistemology that requires knowledge and truth to derive from propositional assertions is deeply flawed. We should note that this point is not new, and in fact traditions in Continental philosophy have been well aware of this for some time. Most importantly, I would say, is the hermeneutical tradition in general, and Gadamer specifically. Gadamer went a great distance in

helping us to understand both knowledge and art so that their relation became clear and comprehensible. In this respect our pragmatic naturalist account of judgment, knowledge, and art is fully in a Gadamerian spirit, and intended to complement his contributions. This is also not a new point, in that the American philosopher Richard Bernstein made this observation long ago.⁵

The upshot at this point is that an epistemology that allows us to speak meaningfully about knowledge and truth in relation to art is called for, and our theory of judgment enables us to provide it. First, knowledge as we are all aware is not only “knowledge that” something is the case. There is also “knowledge how” and, as Shusterman and others have pointed out, there is also “interpretive knowledge” and “knowledge through”. The latter three are particularly important for us because they indicate that knowledge is not so much a matter of belief or believing, at least in many cases, but of enabling and making.⁶

William James had talked about “truth” as happening to an idea, and truth happens to an idea when it becomes able to do something, or when it enables us to do something. James scandalized much of the intellectual world at the turn of the twentieth century when he first used this locution, but in many respects he observed something profoundly important about truth, and by implication knowledge. Leaving aside the question of how to justify his conception in relation to propositional knowledge and truth, the idea that truth happens is very nicely applicable to knowledge and truth that are not propositional, which is to say to art. Shusterman has said

⁵ Richard J. Bernstein, *Beyond Objectivism and Relativism: Science, Hermeneutics, and Praxis*, Philadelphia: University of Pennsylvania Press, 1983. See especially Part Three, From Hermeneutics to Praxis.

⁶ See Richard Shusterman, *Pragmatist Aesthetics*, Cambridge, MA: Blackwell Publishers, Inc., 1992, and *Performing Lives*, Ithaca, NY: Cornell University Press, 2000; Buchler uses the expression “knowledge through” to refer to poetic knowledge. See Justus Buchler, *The Main of Light*, New York: Oxford University Press, 1974. See pages 150 ff.

that interpretive knowledge is a matter of evoking in us a “meaningful response”, and this is a very nice way of describing how knowledge and truth happen in and through art. The query that exhibitive judgment undertakes is a manipulation of elements of a medium such that their arrangement brings into focus something new, something we had not seen or heard, and therefore not realized, before.

The reason Malevich’s *Black Square* shook the Russian *avant garde* to the degree that it did is that those who saw it, in the context in which it was produced and experienced, learned something from it. They learned, among other things, about the purposes and possibilities of art, about the weight of history on their own artistic processes and judgments, and it pointed them in new directions. This is as good an example as we could want of the generation of a meaningful response, and it is in this response that the cognitive power of the *Black Square* and its truth lie. This is knowledge in and through art, and we are able to understand how it can be an instance of knowledge because we can see how the form of query undertaken through the manipulation of formal visual elements constitutes exhibitive judgment; moreover we can see how exhibitive judgment generates products that are capable of provoking a meaningful response because we can now understand how those judgments function in and constitute a dimension of experience.

Illustrations of this point can be multiplied many times through all the arts. Music, dance, and film are as capable of evoking knowledge and of being truthful as are painting and the visual arts generally. The same is true of poetry, fiction, and drama. Because philosophers have too often been trapped by a propositional epistemology that assumes that only assertions can convey knowledge and truth, they have had a good deal of trouble with all the arts. Some have been willing to ascribe the possibility of knowledge to literature because it alone among the arts is linguistic, though this still leaves such philosophers unable to account for

knowledge and truth in non-linguistic art works. Others have assumed that despite the fact that literature consists of linguistic utterances, because the context is fictional the linguistic propositions must in a literal sense be false.

The extent of the confusion in such cases as these is mind-boggling. The initial confusion comes from thinking that only linguistic utterances can be cognitive and can convey truth, while the second confusion comes from thinking that all linguistic utterances are propositional assertions and therefore are subject to the same truth conditions. With respect to the first, once we have a broader theory of judgment that allows us to understand that in experience we produce meaningfully not only in and through assertions but also through exhibitiv and active judgments, we are no longer tempted to think that only linguistic utterances can be cognitive, and by implication we are no longer inclined to limit knowledge and truth in art to literature. If exhibitiv and active judgments are as capable of generating knowledge as are assertive judgments, then we are free to understand how all the arts may engage with knowledge and truth.

With respect to the second confusion, we would say that all utterances in a work of literary fiction are literally false only if we feel compelled to say that all linguistic utterances are assertions that refer to some state of affairs, and that literal truth may reside in linguistic utterances made only in non-fictional contexts. And presumably we would say that literal truth may reside in linguistic utterances made only in non-fictional contexts only if we thought that knowledge and truth may be conveyed only by assertions that refer to non-fictional states of affairs. But pretty much all of this is wrong, or so stultifying that to accept it forces us to ignore much of the experience we often have in our engagement with works of art and artistic processes, which is operationally equivalent to being wrong. First, as the theory of judgment helps us to understand, not all linguistic utterances are assertions – some of them are exhibitiv judgments and some are active judgments – and

therefore not all linguistic utterances refer. Second, knowledge and truth, as we have been attempting to demonstrate, are not exclusively, or perhaps even primarily, about reference, belief, or propositional assertions. There is simply no reason to accept the idea that knowledge and truth may be conveyed only by assertions that refer to non-fictional states of affairs because knowledge and truth do not require assertions, reference, or states of affairs. In that case, there is no good reason to say that the linguistic utterances that constitute a work of fiction are literally false.

Any good poet, novelist, or playwright may engage the truth in his or her work and therefore be a source of knowledge, and we can be confident in saying this because our conceptions of knowledge and truth are couched in a theory of judgment that does not require us to limit knowledge to assertion nor truth to non-fictional contexts. Furthermore, we may extend our understanding of knowledge and truth in the arts well beyond literary art to accommodate all the arts because we have grounded our understanding of knowledge and truth in a theory of judgment that does justice to the richness of our experience.

Before closing I would like to turn briefly to a related issue, one that is suggested when we say, as we sometimes do, that a work of art may 'argue' for a certain idea or point. There is a temptation to use this locution once we are confident that art may be cognitive, but I think it is a misleading way to speak and so we ought not to talk about art as offering arguments. One way to think about this is to say that argument is a form of judgment that is characteristic of inquiry, but that it is a mistake to say of art that in its cognitive capacity it is engaging in inquiry. It would be more appropriate, following Buchler again, to say that art is or can be a form not of inquiry but of query, which is to say that it explores a subject matter but that it does so differently than the typical forms of inquiry, for example science or those disciplines based in rational

investigation.⁷ Art queries through the methods that define its medium, and those methods differ from the standard forms of inquiry. A painting, or a play, or a dance, or a novel, or a film, does not assemble propositions in some sort of logical relations typical of an argument and of inquiry. It judges in different ways. But because it is nevertheless query, we may reasonably say that art, and here we are thinking primarily though not exclusively of narrative art, can make a case for an idea or a point of view. But if it is not inquiry, how does this work?

We can illustrate the point through a consideration of film. Because it is temporal, linguistic, and visual, film more than most other forms of art, together with literature and theater, can be said to 'make a case' for an idea, or a point of view, or a proposition or set of propositions. Presumably this is what someone would mean by saying that a film can 'argue'. I will take it to be non-controversial to say that a film can make a case for something, in the general sense that a film maker may intend that a viewer come away from a film more convinced of a specific idea or proposition as a result of having seen the film.

The question we would like to ask here is whether, because a film can make a case in the sense of rendering an idea or proposition more plausible or even compelling, it is reasonable for us to say that a film argues for that case. As it happens I had the occasion recently to see *Westside Story* again, so we will use that as a case in point. What I will say here applies to the film, but it would equally well apply to the musical when staged; I will speak little about technical aspects of film making unique to it, for example the editing process, though I think that such technical features of the film maker's art may be absorbed into the analysis I propose. And the fact that what we will say applies equally well to

the stage version of the musical should not be a surprise because the same question of argument can come up in relation to the stage.

Westside Story can be understood to make a case. Specifically, the case it makes is for a rejection of racist stereotypes of ethnic groups and sociological stereotypes of youth gangs; it also makes a case for greater attention to be paid to the social and economic problems of cities. The setting in this case is a certain neighborhood of Manhattan in the 1950s, but the case is probably generalizable to other places and times. I should like to say that though it makes its case cleverly and compellingly, it does not argue for its case. Surely it does not argue in a literal sense of advancing propositions in logical relations to one another, but I want to say that we risk too much even if we talk about it as arguing in a metaphorical sense. The only thing 'argument' in this case can mean as metaphor is 'making a case', and the latter locution risks much less confusion than the former.

How does the film make its case? First, the aesthetic elements are of the highest caliber, and thus compel our attention. The music, choreography, and book are all brilliant, with some debt to Shakespeare of course, all of which lends credence to the exhibit product that is the film's 'case'. The various dimensions of the film's case are offered in a range of ways. The roughness of the streets in this part of Manhattan are clear in their visual representation, an effect made possible by editing decisions and camera angles; the music and choreography embody in turn both the jagged edges of street life and the elegance embedded in ethnicity, in family life and in the community that comes from the gangs; a certain silliness of standard sociological and psychological accounts of such gang life is overtly articulated in the music, lyrics, and choreography of the song *Gee, Office Krupke*, which manages to ridicule the police, the courts, psychoanalysis, social work, and the prison system all at once; the police are summarily dismissed in the person of the unsavory detective

⁷ The understanding of query and inquiry described and utilized here is developed in Buchler, *Nature and Judgment*, op. cit., and Justus Buchler, *The Concept of Method*, New York: Columbia University Press, 1961.

Schrank; in *America* the Puerto Rican characters contrapuntally convey an economic and a social perspective, as the young women sing of the economic opportunities they have in America while the young men sing of the racism they all face; and in *Cool* we can sense the anger the Jets and their girlfriends feel not only at having lost their leader but at the desperate nature of their lives, an anger conveyed vividly through the acting, the music, the lyrics, the choreography, and the camera angles. And in the midst of all this is the tragedy of the doomed love affair of Tony and Maria, an affair made impossible by forces well beyond the control of any of the film's characters.

The force of the case that *Westside Story* makes is due in part to the masterly way it is exhibited. It does not argue; it offers, it portrays, it exhibits, and it does so clearly and relentlessly. The film makes no attempt to convey the logical relations among the elements of its case, specifically racism, urbanization, economic opportunity and inequality, not to mention love. For that we need the analyses and arguments of sociology and economics and philosophy, though through what it conveys the film makes us wonder whether any of those activities are capable of coming to terms with the problems. The power of the film, and the strength of its case, derives not from argument in any sense, literal or metaphorical, but precisely from its distinctive aesthetic traits, which is to say the exhibitiv force of its elements.

It presumably goes without saying, though I am saying it anyway, that a good deal more work can be done to elaborate all this more thoroughly and to provide even stronger rationale and justification. The theory of judgment itself needs to be more fully ramified, as does its place in experience and a general theory of the human process, not to mention in the broader context of nature, which is itself the ultimate context of our lives. More also needs to be done to work out the various senses of knowledge with which we are working. It is easy enough to talk quickly about "interpretative knowledge" and "knowledge through" as broadening our

sense of what can legitimately count as knowledge, but in the end we need to develop those ideas more than they have been developed to date. The same must be said of our conception of truth, for which in the end we must be able to articulate a number of meanings and senses. When I speak of the truth of the claim that the sun is shining I must mean something different by the word "truth" than when I speak of the truth available to us through Malevich's *Black Square*. We would not be the first to suggest that the term "truth" is and should be a rather flexible one. When a religious mystic refers to experiencing a profound truth, for example, he or she must also mean something different than the truth of the proposition that the sun is shining. "Truth" must indeed be flexible, but to remain significant it cannot be infinitely flexible. It remains our task to sort all this out.⁸

All that said, however, I have been attempting to make a case here for a theory of judgment that has a consistent conceptual home within the pragmatic naturalist understanding of nature, experience, and the human process; that does justice to the richness of our experience; that accounts for the many ways in which our experience is creative and introduces novelty into nature; that enables a more adequate understanding of knowledge and truth; and that allows us to make sense of aesthetic experience and the ways art may generate knowledge and insight.

⁸ Some of this has been more fully developed in John Ryder, *The Things in Heaven and Earth: An Essay in Pragmatic Naturalism*, New York: Fordham University Press, 2013. See especially Chapter Seven, Art and Knowledge.