

**„Alexandru Ioan Cuza” Iași University**  
**Faculty of Philosophy and Social-Political Sciences**

**ETHICAL DILEMMAS**  
**IN CONTEMPORARY ART**

**Abstract**

PhD coordinator:

**PhD Prof. Carmen COZMA**

PhD Student:

**Dorin BABA**

**2015**

# **TABLE OF CONTENTS**

## **INTRODUCTION**

### **CHAPTER I. ART FOR HUMAN EXCELLENCE**

- I.1 The concept of art generalized also from an areteic perspective
- I.2 The aesthetic experience and moral judgment
- I.3 Teleological vs. deontological in art
- I.4 Dialogical aesthetics: art and community

### **CHAPTER II. AUTONOMISM AND MORALISM IN CONTEMPORARY ART**

- II.1 Ethics and aesthetics in contemporary art
- II.2 The artistic text, means for moral manipulation
- II.3 Radicalist and moderate positions of autonomism and moralism in art
- II.4 Eticism and moderate moralism in contemporary art

### **CHAPTER III. ETHICAL DILEMMAS IN CONTEMPORARY ART**

- III.1 Art, a way of reacting; subversive art
- III.2 Negative aesthetics; the theme of the impure in art
- III.3 Synthetic reality in relation to moral experience
- III.4 Aesthetization of ethics; the virtual world and the social contract
- III.5 Ethical-legal Considerations in the art world

### **CHAPTER IV. POSSIBILITY OF ETHICAL CRITICS OF ART**

- IV.1 Evaluation of aesthetic attitude
- IV.2 Visibility as final result
- IV.3 The legitimacy of ethical criticism in art
- IV.4 Ethical criticism, a way of censorship in art?

## **CONCLUSIONS**

## **REFERENCES**

## **ANNEXES**

## INTRODUCTION

At the beginning of 21<sup>st</sup> century we recognize in art a split in the relationship between *ethics* and *aesthetics* and implicitly between the audience and the artist. Stuck in a *radical actionism*, that segment of art corresponding to contemporaneity, in its intent to go beyond the traditional creative and understanding area, explicitly defies *aesthetics* as an *aura* of the work of art.

Gifted with the ability to *aesthetically* filter reality and to *re-create* it by *de-creation* and *re-composition*, the contemporary artist *steps* into the sphere of communication networking and new IT technologies. Through its unusual experimental concerns, the artist *has managed*, in recent decades, to be accused of attacks on human dignity, violations of moral norms or ethical and legal rules.

Nowadays, the contemporary artistic act may include, in carrying out its performative actions, people or animals that are in explicit action, direct references to sexual abuse, references to bodily injury or self-harm. The series of works of art that have caused great public scandals in recent decades has led the way to contemporary philosophers towards the development of the first ethicists theories which support the idea of observing ethical rules in public art manifestations, in a fierce opposition with those who support total autonomy of speech and expression for artists.

Contemporary philosophy has welcomed the newly appeared phenomenon with greater attention and addressed this problem by two opposing theories: *moralism* and *autonomism*. Moralists support the view that the aesthetic value of art should be determined by or reduced to the moral value of the work of art. At the opposite end, autonomist theories claim that it is inappropriate to apply moral evaluation categories to the works of art; aesthetics should be the only benchmark.

Artistic expressions, by excessive methods, techniques and procedures, define the cynicism of affirmation at any cost also in art, through attitudes which lack cultural perspectives, stopping or perverting the balance and development of moral values, of *humanity* needed in society, spraying the concept of the instinctive, natural, harmonic.

The foundation of such visions, ranging from freedom of art and transgression of every ethical limits (in accordance with a phrase circulated in the consumer society: *everything is possible*) stirs the interest in a possible art evaluation also from the ethical perspective.

Polemics were shaped over the interpretation that the ethics should rule on art or merely be concerned to obey ethical norms.

## **CHAPTER I**

### **ART FOR HUMAN EXCELLENCE**

#### **I.1 The concept of art generalized also from an areteic perspective**

Amid an interdisciplinary approach: moral philosophy and contemporary art, we focus our attention on the possibility of an artistic areteology, i.e. identifying a route for human restoring on the path of ethical values, *virtue / arete* from the philosophy of the ancient Greeks, considering that path a necessity of the present time where there is a moral crisis, an obvious de-spiritualization and consumerism, artificiality, and an influx of superficiality in contemporary human existence.

Our approach has several key moments: highlighting the virtues that can sustain the aspiration to human excellence (also) due to contemporary art; learning a life lesson full of wisdom according to the evolution of culture, from antiquity to the present day; focusing on aspects related to the role that art can play in human becoming, in general, and in restoring the human being, in particular, namely the educational function of art; considering artistic behavior in terms of moral – amoral - immoral interaction.

To stress the importance of the approach from a philosophical-moral point of view of art, we refer, as a priority, to the general concept of art, defined by the philosophers Mortimer Adler and Ayn Rand. The suitability of ethical expressions issues to the issues that modern time artist is facing could overcome *the moral warnings* launched during public debates or limited specialized areas, through an understanding and acceptance of human activity as manifestation of creativity through art.

According to the American philosopher Mortimer Adler, the concept of *art* is directed towards all objects *artificially created* by man and refers to qualified artificial production, used for different purposes, from theories and concepts that prepare and support action, to objects or complex relationships between being, time, space and creative consciousness, materialized by imitative descriptions in the works of painting, sculpture, literature, music and theater.

Until the late 18th century, the word *art* is limited to artificial (hand-made) categories of products with utility or ideological purpose, often used in secular or religious

rites. In the 20th century, the two concepts are fundamentally differentiated; the term *art* is attributed restrictively to the ideological nature of human creation, differentiating *the work of art* from other objects, with natural or acquired aesthetic potential. This criterion was included, for the first time, in a definition of selective reality re-creation, according to the metaphysical value judgment of an artist through a material support, in 1961, by the American philosopher Ayn Rand. The author selects, by the concept of re-creation, art that isolates and integrates aspects of reality, which represents the perception of man about himself, in relation to his own existence, and an attempt to *raising moral awareness*, bringing out the limits, through which the *creator man* can contribute to the primordial act of creation.

In this sense, the concept of *re-creation*, in the definition of art, can be considered a tool for raising awareness of our real possibilities to create reality, through re-ordering within the existing realities and perceived as a cognitive way of abstraction. Defining an imaginary microcosmos of re-creation, art can be presented as an illusion of a miniatural metaphysical reality, a gesture imitating *space* reported to *time*, described by a simple graphical relationship between the subject, object and creative conscience of man, hence translating the reality of our evolution, through a complex relationship between *aesthetic re-creation* and *moral re-engagement*.

## **I.2 The aesthetic experience and moral judgment**

Capturing the moral sense in art involves an analysis of the conditions and factors that converge in shaping the relationship between ethics and aesthetics.

The ratio between morality and art is considered to be a symptom of modernity. The fact that there are relationships between these values suggests that these values do not coincide.

However, one can capture a link between art and morality, in that these values resemble, through the work of the deed, intent or willingness enriched by the aesthetic argument. As in art, gesture, imagination and talent are of great importance to ethics, along with reason, measure and common sense.

In the field of aesthetics, virtuosity is the quality that belongs to the aristocratic character; in morals, courtesy, common sense and measure count for each man. While *aesthetic life* is intermittent, *moral life* is continuous and establishes limits of manifestation: Aesthetic Life is but a moment of existence. Ideal moral life takes the entire

life, notes Vladimir Jankélévitch. If aesthetics can be analyzed from an outer perspective, in the moral area the subject is embedded, in the Kantian sense, so that *the moral law must command respect, not arouse admiration*.

The work of art forms in progressive, gradual stages; towards the *moral work* we do not exercise the making of good, *moral life claims a conversion, a total and sudden mutation*. In this sense, aesthetic life is an option that includes lifestyle, including moral life. Pretending respect means to follow the rules on your own turn, says Jankélévitch. The separation between what is good and what is beautiful, aesthetic discontinuity and moral discontinuity build intermittence in art. The aesthetic, associated to a complex development of intellectual and emotional facts, is associated to the term *aesthetic experience*, in the Hermeneutics grid of each individual, through the artistic experience. In *depth*, the art object is the heteronomous argument of intellectual satisfaction and dissatisfaction, joys and sufferings, commemorations and celebrations, defining the sensitive involvement of our being.

### **I.3 Teleological vs. deontological in art**

Ethical interrogations in the art of the last century paved the way to questions asked by moral philosophy through two general types of ethical systems: teleological and deontological ethics. Teleological ethics suppose that the moral value of every act consists of its ability to make something good or bad relative to the intention for which the action was done, the result being weighed against the good achieved the goal toward which any behavior with moral value aims.

The aggressive nature through which the artist wants to build his work, the ways of expression and communication and the desire of the spectacular at any cost pose the dilemma of many questions that we can answer by means of semiotic levels close to the reality of the sensitive world.

In the early writings of the philosopher William James we find ideas on the cognitive processes in terms of teleology, that help us meet our interests in *the desire to believe through thinking*, a vision that can justify *the way of thinking beyond the evidence*. Deontological theories lay the foundation of morality as a principle of obligation, also called non-consequentialist, because these principles are mandatory, regardless of the consequences resulting from our actions, and not particularly aim to produce an intrinsically good result.

The distinction between teleology and deontology is that teleology reduces rules to moral values as their practical implications, while deontology considers that ethical value is generated by the unconditional respect of the principle, reducing values to moral norms. Some acts are morally correct in through themselves; they are not right just because of the intention to achieve something good.

As Charles Fried argues, good is not before correctness and correctness does not define the good. Contemporary deontology supports the importance of moral rules and the way we live, their compliance, even if it could create consequences for our actions.

#### **I.4 Dialogical aesthetics: art and community**

The notion of *commitment*, found in the artistic creation sphere, the theory of *committed art*, a conception about art seriously criticized by *traditionalists*, in defense of the purely formal *imperatives* of creation (aestheticism), can be found in the dialogic art in the form of aesthetic *modus operandi*, transferrable to communities or decision makers. We find the influence of aesthetics on society also in social conceptions referring to an aesthetic dimension of communication and relationships between individuals.

The dialogic art, a practice described by the participative concern of the artist in the process of restoring contemporary values, shows the *state of awareness* of the artist with the state of society and of his peers, the value of his creative aesthetic work being related to the value of human life and social activity.

The constituent element of these practices is the dialogue between the artist and subjects who are part of the reality that he represents and shapes. In the practice of dialogic art, the starting point of aesthetics is the issue of ethics in the representation used in participatory arts activities. Based on dialogue and reciprocity, dialogic practices can be a model of communication and mediation, both between the community and the ruling power and between individuals.

Habermas argues that the *discursive interaction* between individuals already constituted as *political subjects*, morally justifies the process during which *the audience*, consisting of individuals, uses its reason, appropriates the public sphere under the control of authority and transfers it into a sphere where criticism is exercised against *power*.

Grant H. Kester considers artistic interaction to be a way of active participation in community interests, a way able to produce alternative forms of communication and knowledge that go beyond the usual form.

## CHAPTER II

### AUTONOMISM AND MORALISM IN CONTEMPORARY ART

#### II.1 Ethics and aesthetics in contemporary art

The terms *ethical* and *moral* are used in art, in most cases, as synonymous.

We will consider what Bernard Williams called *morality system* (partially) specialized only on assessments of moral norms, conduct and behavior that could help us understand the reasons why the artist would commit immoral or punishable acts. Challenging the truth of the facts in relation to *feelings* and *personality* we can speak more clearly about intention, will, and character.

In this light, the question of ethics can become a real problem in the field of art, while immoral problems may be related to the response of facts, constituting a profound attitude to the world that the artist may propose. This responsible attitude in the face of concrete realities poses the artist in a position to respond to new questions that may arise in relation to *synthetic* reality created by the technologies of the modern world.

The French esthetician and phenomenologist Mikel Dufrenne observes: to produce itself, in the human world, aesthetics must mobilize both both the aesthetic life of the creator and the viewer's aesthetic experience.

Frank Sibley refers to formal (non referential) properties, contemporary properties for the aesthetic notion and differentiates, in this way, the current debate from the existing classic, the artistic subject from the performative action.

#### II.2 The artistic text, means for moral manipulation

The use of text as a means of expression in the work of art, originally represented a way by means of which the artist brought forward the artistic message, for the collaboration and completion of his work with new meanings from the public.

The work of art containing *image* and *text* is a construct that calls into question the representation of a visual reality, to propose the viewer a dialogue of networking and collaboration, the subject being subordinated to a semiotic system of visual representation, *a representation of representation*.

Through this process, the artist wants to better understand for *what he tells* and *how he tells it*, emphasizing the role of the signifier and meaning.

### **II.3 Radicalist and moderate positions of autonomism and moralism in art**

There are two distinct positions regarding the relationship between *art* and *morality*: *autonomism* and *moralism*. Autonomism, through its theories, argues that it is not appropriate to apply ethical evaluation categories to works of art, aesthetics being the only criterion that should be considered. Conversely, *moralism* shows that aesthetic objects or art actions should be judged in relation to attitudes or facts that promotes it, involving ethical assessment. Both *autonomism* and *moralism* are recognized as problematic, as they are based on radical concepts that prove to be inadequate to assessments on the artistic phenomenon.

Therefore, the *radical moralism* supports the view that the aesthetic value of a work of art should be determined or reduced to its moral value, in opposition to the *autonomist* theories, which appreciate the moral value as a mere non-instrumental consequence, as outlined by Richard Posner.

A *moderate moralism* position was proposed by James C. Anderson and Jeffrey T. Dean, who admit the existence of *moral merits or flaws* in the work of art, with the amendment that moral and aesthetic arguments, being defined through the *moral defect argument*, respectively the *aesthetic defect argument*, should be separated.

With roots in Greek antiquity, moderate realism claims the idea that art is a means of moral education and has instrumental value. *Autonomism*, especially being found in the modern theories of Kant, supports the view that art is distinct and autonomous, moral value being only a non-instrumental consequence. In the autonomist sense, the aesthetic value of a work of art should not be reduced to its moral value, even if the work contains to a certain degree, moral *defects*, so that, together with aesthetics assessments, moral judgments may occur somehow.

### **II.4 Eticism and moderate moralism in contemporary art**

The contemporary debate on this issue has focused on narrative art, which describes the action concretely and, therefore, can be assessed also ethically. It is very difficult or impossible to decide whether an abstract paper is immoral or not. Accordingly, narrative art is seen as the most suitable for this type of analysis, having features which are particularly suitable for evaluation.

*Postautonomy* is rooted in systems theory, being used in various scientific disciplines, in *Philosophy* and, more recently, in Art. This theory can be used to create a *heterogeneous* framework for the assessment of a reality, where the system allows us to use different definitions, concepts and assumptions, to recognize and clarify various theoretical objections frequently occurring in the definition of the aesthetic in the field of contemporary art.

Postautonomism as a concept was introduced in the field of art after 1990, by the theorist and artist Michael Lingner, in response to the work of R. Barthes, *The Author's Death*, through two texts, stressing both the consequences of misperceptions on assessing the contemporary artistic phenomenon and the need to rethink the auctorial autonomist theory.

Peter Osborne made a speculative claim, under this theory, stressing that *contemporary art is a post-conceptual art* and should not be associated to the concept of production. The purpose of these theoretical claims was to free art from any moral or aesthetic purpose and restore the artist the freedom to create freely, without constraints, external rules and influences, a creation of freedom and the talent with which he was naturally endowed.

## **CHAPTER III**

### **ETHICAL DILEMMAS IN CONTEMPORARY ART**

#### **III.1 Art, a way of reacting; subversive art**

Subversive art aims at transforming the functional parameters of a reality through the occupation of the existing context with fictional loads, in order to introduce undermining potencies of a *manufactured* reality. This course of action, *contaminating* the internal order of reality, shall produce changes in the perception of the individual and lead him to another reality.

Subversive artistic practices are based on a *ludicrous conflictual* style, amazing and truly disarming, displacing fields and stakes, opening new worlds of understanding for the individual, through questions such as: Are we really free or controlled by certain powers? Who determines my actions, can I choose or am I subjected to the discipline of a corporatist-capitalist system of laws, am I in control of my life? Our possibilities to act are regulated, and, by this measure, also limited.

Subversive actions therefore focus on disrupting the rules governing an action and the transgression of conventions. But how can art become subversive, undermining some situation or norms of behavior accepted as legitimate? How can it create opportunities for investigation into society or the political arena?

Based on these experiences, Brian Holmes elaborated the theory of generative diagram under the title *Potential*. Subversion means occupying the experimental space with fictional loads, to come into contact with the *potential* of new experiences. The transformation of parameters of existing realities, by means of conceptual artistic slogan, distorts that reality, producing a specific type of hallucination that can generate change for the individual, even the attitude towards the social space.

### **III.2 Negative aesthetics; the theme of the impure in art**

For millennia, mankind witnesses the idea of the *pure* to cover the anxiety of flesh degradation, a convention by which the man denies the existence of *the impure* in its viscera. The excess, says Aldo Marroni, does not emerge from rational knowledge, but rather from instant impulses, which powerfully supplies a reasoning. The defiance of aesthetics, in contemporary art, can be seen symbolically as a *perversion*, because *defiance* is not a confrontation of ideas and concepts that would bring the result of the interpretation of how *we feel* and differentiate emotion from impulse (positive or negative).

Gilles Deleuze states that exacerbated *sensitivity* is a manifestation of the *impure* and excessive *narration* of reality is a way towards the celebration of the *sensational*, as an end in itself.

The brutalization of aesthetics, by the introduction in art actions of flesh, blood and body fluids, of human or animals cadavers, can be categorized as a transgressive form of circumventing the aesthetic traditional system, for the validation of violent and shocking artistic behavior as a creative response to negative emotions produced by actions of the *external*, the social, where the artist belongs.

The *impure*, approached in the art of the last decades, through *a culture of the subcutaneous*, has replaced the game of ideas and representation, corollary of our thinking, with the primitive-grotesque presence of matter unaesthetically *torn apart* and *hung*, for the chaining our spirit eager for knowledge and ascension.

This way of negative feeling and expression, manifested in society and reflected in art, causes aesthetic preoccupation with the widespread assertion of *the raw* and *the*

*impure*, not only as themes of feeling and performance, but more recently as an intent to be declared values of the human.

### **III.3 Synthetic reality in relation to moral experience**

Art and technology have been, over the time, inseparable, stimulating the imagination and thought provoking.

The revolution of *virtual world*, new *synthesis image*, participatory interactivity connects individuals to an *artificial universe*, *synthetic sensations* replacing old ways of perception and behavior patterns, requiring a new evaluation system which exceeds the usual way of moral thinking.

The importance of respecting moral rules *is the responsibility* of the social individual. As moral subject, he assumes *obligations* and *commitments*, to avoid *moral evil* according to the new framework in which technology and virtual image tend to become reality itself. This foreground of the *synthetic reality* development causes a new ethical dimension in reporting to technological art.

The realism of image, its strange power to persuade and its novelty induce admiration and suspicion at the same time while this formidable force of representation infiltrating in the individual's mind, as in life and in collective activities.

The *synthetic real* fades or dissolves the nature of the true world, technology and robots becoming models which are superior to humans, without feelings or resentments, no conscience, with artificial behaviors, without being morally responsible in their actions.

### **III.4 Aesthetization of ethics; the virtual world and the social contract**

The development of rapid communications and information technologies has created unprecedented new opportunities for networking, interconnecting individuals from different spaces in social networks or working groups, declassing the classical system of communication and networking.

Structured into groups of interests, on various levels of social affiliation, education and culture, this virtual entity operates within a society, which functions under the *social contract of negotiation, best advantage*, to maximize profits, avoiding responsibility, rules, moral or ethical principles.

Ethical normativity, by which the individuals of a community undertake to respect the rules of coexistence based on a *social contract* to be protected, was described by Thomas Hobbes as a *mechanism of selfish prudence*, motivating contradictory human nature which, in relation to others individuals, conflicts for *supremacy*.

The theory of *private ethics* proposed nowadays by the philosopher Richard Rorty argues that the individual can shape his life to be accomplished as a person and the ethical ideal of society would involve (if not support) ensuring the possibility of living a life that is aesthetically satisfactory.

In this context, the artist could promote the idea of *ethical ideal* through his art, namely the *aestheticized ethics*.

The new strategy of cooperation by which the artist undertakes to intervene voluntarily in community actions artistic under a *free rational contract* to comply with a set of *reasonable moral requirements*, proved in many cases to be flawed because there were inconsistencies between the promoted ideology and artistic practice, which created true public disputes.

### **III.5 Ethical-legal Considerations in the art world**

The question is whether it is legitimate or not to apply ethical-legal evaluation categories to artists so that they assume their responsibilities also in relation to artistic actions carried out in public. If this is plausible, we must justify this and we establish the limits where we can do this. Is art a field open to assessments and public sanctions?

From what angle we could also address assessment: in terms of autonomy and immunity, or accountability? We need to introduce into the equation critical field, the aesthetic assessments, or should we focus only on civil liability, such as assessments and ethical-legal sanctions?

*Attitude*, as a form of manifestation in art actions, causes awareness of the subject in front of specific realities and initiates of admiration or rebellion closely connected with the artist's intentionality.

*Intentionality* and *attitude* describe the artist's will and purpose. Even if purpose is *noble*, to intervene in favor of the peers by an artistic action of protest, this action can be sanctioned as inappropriate if it violates social norms and rules of conduct.

Before making an ethical evaluation based on attitudes, we must consider the conditions, circumstances and reasons that created and promoted the action. We cannot

condemn the attitude expressed by some visual art or narrative art performance, as we cannot propose sanctions for a theatre play that disapproves immoral acts. For a proper assessment, we need to make a distinction between *practical attitudes* and *moral concerns*, says Danto.

Art is the subjective result of feelings, decisions and, ultimately, of our judgments; accordingly, it may be subject also to ethical evaluations, the aim of this paper. Some positions enshrined in the theory of the ethical-aesthetic link is of interest here.

## **CHAPTER IV**

### **POSSIBILITY OF ETHICAL CRITICS OF ART**

#### **IV.1 Evaluation of aesthetic attitude**

What is the *attitude* in art manifestations and to what extent it outlines the nature of a work or influences human behavior?

If attitude has (implicit or explicit) intentional aspects, claims Monroe C. Beardsley, the intrinsic aesthetic qualities can include moral qualities, being a argument for moral virtuosity, but, in agreement with the supported moralist-radicalist theory, purely ethical qualities may not include aesthetic qualities.

Berys Gaut speaks about the capacity of the work to teach us something particular about morality and states that the property of the attitudes manifested by the work are closely connected with the virtuosity or viciousness of the artist, which influences the degree of beauty or ugliness of that work.

For an ethical aesthetic balance and with the view of proper evaluation, Gaut proposes an interpretation of the aesthetic term in *a broad sense through two* distinct properties of the *attitude* projected by the work: *intrinsic attitude* and *attitude gained*. Intrinsic attitude is governed by beauty, unity, complexity and intensity, the attitude gained describing a series of elements that are not necessarily aesthetic, but which induce the work complex causal properties, such as, for example, the *symbolic or economic value*.

Therefore, the question is whether the negative attitude of a work can affect a person's behavior and whether it should be censored. This brings us to the conclusion that *the assessment of aesthetic attitudes* is influenced by a *generative framework* and can be applied only to certain manifestations of art. However, there are situations where critical narrative works of art refer to real situations and characters. Thus, we can conclude that any

work of art, which through its attitude refers to a real character or to a real situation, should be morally evaluated.

## **IV.2 Visibility as final result**

Exploiting new forms of expression, often provocative or shocking, the contemporary artist, through his actions, has expressed too often, in recent decades, disgust, fear, anger or indignation, demanding his right to instant press and visibility.

The idea of moral and or legal responsibility of the contemporary artist, opposed by theories that argue for the judgement of the artistic act only from an internal position, manages to argue for, through clever theoreticians, the immunity of artists, who will only rarely respond for their actions. The question is whether a category of ethical-legal rules could be applied legitimately to artists in their process of creation without disturbing or inhibiting the act of creation, as we see how the direction of contemporary art was defined through the intransigent concern for autonomy and their refusal to respond to public or legal judgments. Repeated attacks on human dignity or life of animals through ethical violations cannot be regarded as an *aesthetical exception* of contemporary art.

In the practice of contemporary art, the artist may include, in carrying out the artistic act, people, animals, human or animal corpses or parts, explicit sexual images and references to self-harm or physical or psychological abuse. Given the experiments that are very often in art, in order to finally get through the end, through visual and theoretical arguments, on participatory work of art, with direct applications in social or political layer, this paper proposes a research on the ethical-artistic approach, using concrete cases, arguments for and against in some cases already known, scientifically analyzed, by philosophical research methods, a research based on *hermeneutic interpretation*, in the immediate reality and a *symbolistic interpretation* of the artistic performance.

## **IV.3 The legitimacy of ethical criticism in art**

Ethical criticism assessments in art are relatively recent. The first draft positions for artistic actions were deemed inappropriate, offensive, obstructing and inhibiting the act of creation.

Ethical criticism in art is now considered an *appropriate* and *legitimate* activity. Berys Gaut observes that, in some cases, the aesthetic value should be determined or

reduced to the moral value of work because, often, some moral flaws are considered by public or aesthetic critics to be *aesthetic contributions*; so that, whenever the narrative work of art displays moral characteristics, merits or defects, they will have an impact on the aesthetic value of a certain degree.

Although the *new criticism* is permeated by ethical values, Monroe Beardsley rejects the idea of including ethical *particles* in aesthetic assessments because he argues that the *right attitude* cannot guarantee the success of the work of art.

If we incorporate moral criteria, we should reconfigure the canon of assessment, so that when a work of art has moral characteristics, merits or *flaws*, it should be analyzed from an ethical perspective as well. To outline a framework for assessing the moral perspective, corresponding to the new criticising trends at the late twentieth century, we should create a trail of questions of morality, such as: What kind of works or artistic actions should be evaluated, all or only those that have moral characteristics (merits or flaws)? Can ethical art critics become a practice that is independent from the aesthetic interpretation environment, or generally opposite the traditional criticism of art?

The moral *defects* of the works must be clearly defined, because they differ considerably from those specialized to the social field. The whole interaction between social actors, institutions and artists generate this special energy of involvement, called art. We also observe that investigation, documentation, archiving art actions attempt to *document* the present time. Therefore there is no longer a focus on *art and society*, or on *art in society*, but on *art as a society*, meaning all the interactions of social stakeholders.

#### **IV.4 Ethical criticism, a way of censorship in art?**

Ethical criticism in art concerns the inclusion of an ethical component in the interpretation of *art action* being based on two evaluation positions represented by *radical moralism* and *autonomism* positions. Based on considerations of the two fields, ethical criticism in art cannot be legitimate because both moral value and aesthetic value are autonomous. In compliance with this principle aesthetic value cannot be reported or reduced to some moral values.

How do we make ethical considerations in art?

Firstly, we have to establish an assessment criteria related to the facts alleged. A disclaimer should be that the public works of art must comply with certain rules of public

consensus, and the works that will be exhibited to private spaces will have full freedom of expression.

The connection between the moral value of works and censorship is a false problem.

It was found, many times, that the need to make moral assessments of certain works of art is justified, by its very effects the work can have on the individual or on the public opinion.

Judging a work in view of a certain cause shows that we already recognize the existence of a particular problem, which creates an effect of suspicion to the public, who will try to find as many negative elements of the action or artistic object and, which, in the end, will affect the work. And if we demonstrate, based on theories or a certain logic, that a certain work has negative potential, which can corrupt or influence the public, in a certain sense, this cannot lead to censorship.

## CONCLUSIONS

The integration of ethical research in the contemporary artistic approach is a necessity. Through this study, we sought to highlight a state of fact marked by serious problems, many times incertitudes and even dissatisfaction about certain artistic events of the past. We tried to find a beneficial and profitable relationship between a philosophical-moral vision and contemporary art, to mitigate tendencies in excess claiming for creative freedom and eliminate ambiguities concerning the rights and obligations of the artist when he manifests or exposes his creations in public.

Questions directed us to several topics which were approached in the four chapters, ending with the claim that, like any citizen, the artist has the same rights and obligations, when manifesting or acting with *artistic* purpose, in the public; keeping, of course, the complete freedom of expression when *exposing* in private areas to approved categories of recipients.

We were interested in reporting art to morality, the duality of the good and the nice, the unity and tension between the ethical and the aesthetic. *Art can exist without morality and morality without art*; the connection between the two remains the work of the deed, which highlights the interaction between talent, reasoning and intent. Also, the relationship between art and morality implies an environment that generate them, where they can *occur*; namely, *social life* as an environment for being. Normativity, condition of living

together in a community, entails the obligation to respect the rules, based on a *social contract*; *moral life* itself becomes a continuous duty, to fix the limits of manifestation of individuals, to protect them.

Gifted with the ability to select from reality, to re-create it, the artist can evaluate his own creation for aesthetic reasons. In relation to the *ideal* moral which is *continuous*, life in its *aesthetic* side is intermittent, an option of a style of being. The ethical-aesthetic intersection remains an important issue, on which we stopped in an effort to capture the manifestations of art according to the theoretical field, but also to the social environment and action.

Through *participatory art*, we aimed to see how the aesthetics of the coexistence and communication between individuals can catch *moral models* - ideological support to the elevation of aesthetic to the rank of ethical ideal, using as support the reasoning of the *private etics* theory proposed by Richard Rorty.

We reached the conclusion that the artist can promote, by what he does, the *ethical ideal* through the *aesthetics* of relationships between individuals for the purpose of recovering the freedoms that were ceded in favor of living together in an organized social form which should provide security and stability, along with / together with other members of the community.

Following the ethical-legal evaluation in the art world – as a practice that, in some cases, is used-, we have formulated a number of ethical considerations concerning the civic responsibility of the artist in relation to the immunity factor.

In terms of liability, we have we have created a query route on the accountability in the field of art and the public manifestation of the artist, with a focus of ethical dilemmas that are outlining. Questions that may arise may be whether an artist must be morally or legally liable for his actions or, in agreement with the freedom of creation, whether the artist can go beyond the legal and ethical obligations.

*Immunity, attitude* and *purpose of action* are substantive factors in such an evaluation; concluding that the artist must be liable for his works of art, if he exceeded the legal framework of manifestation. For example, we analyzed several subversive artistic actions.

We used statistics that highlight moral warnings, assessments based on ethical norms, the appeal to legal sanctions, statements generally related to the proliferation of illegal acts in the manifestations of art. The presentation of case studies attests the veracity of the facts analyzed.

A dilemma is represented by the liability and the sanctioning of the artist. Are sanctions applied to artists justified? Can we affect or inhibit creativity or generate another area for speech and manifestation? Which are the upper limits to admit ethical-legal evaluation in art? What is autonomy and why should the artist must have autonomy?

The answers we have reached summarize the consideration that art does not have to be aggressive or vulgar to reflect one or other reality; it should be neither contemplative nor idyllic; art must be free and decent, serving the humanity of man.

The *impure* in art has generated the pretext of highlighting the public taste for an art of the disgust, grotesque and spectacular, an art of scandalous and negative subjects. We tried to find out where this power of denial comes from, causing the artist to express this way. Does he act in close connection to the outside, or is he a factor of negativism propagation?

For millennia, mankind witnessed *the pure* to cover the anxiety of carnal degradation, an agreement by which the man denies the existence of *the impure* in its viscera. Is the *purity* of the core to the attention of mankind, do we still have visceral anxieties after the theories derived from scientific discoveries that are more precise, more plausible, or is there an imbalance in the way we feel and act?

Today there are phrases such as *fanatics of the pure* and *supporters of impure* - ways people see reality; At the same time, ways we could understand how artists think, why they choose positive or negative, aesthetic or non-aesthetic representations.

We see contemporary individual reporting *in an arbitrary and unequal* manner, towards two realities: the *synthetical reality* created by the power of information technologies, and *social reality*; they are conjugated with respect to moral experience.

Obviously, the technology art in fusion with traditional artistic means has generated a shift in terms of *perception* of the individual, as well as his behavior and attitudes.

The development of rapid communications and information technologies has created unprecedented new opportunities for networking, interconnecting individuals from different spaces in social networks or working groups, declassing the classical system of communication and networking.

The virtual world formed in this way, working behind the monitors, dispenses from a real interaction with the real ordained community, governed by norms, built to protect the individual throughout hi life and to provide him security, freedom and prosperity. In this way, it is possible to recover freedoms ceded to ruling power so as to live under the protection of the system that promises safety and welfare.

Structured into groups of interests, on various levels of social affiliation, education and culture, this virtual entity operates within a society, which functions under the *social contract of negotiation, best advantage*, to maximize profits, avoiding responsibility, rules, moral or ethical principles.

In this case, we have concluded that ethical normativity, by which individuals of a community undertake to respect the rules of coexistence based on a *social contract* to be protected, no longer meets the new moral requirements, and no longer motivates a specific cause, which unanimously applies to all social groups or communities, including the arts.

Through the voluntary involvement of *participatory arts* in the social field, in recent decades, and the aesthetic dimension of the relations of coexistence and communication between individuals in the community, the contemporary artist tried to determine new *moral models* to enhance freedom and human quality of the individual in particular, using as an ideological support the idea of bringing *the aesthetic* to the rank of *ethical ideal*.

To elucidate this moment, we used the rortyan theory of *private ethics*, raising questions about how the individual can shape his life to be accomplished as a person and the ethical ideal of society would involve (if not support) ensuring the possibility of living a life that is aesthetically satisfactory.

Moreover, interrogations took shape regarding who has the jurisdiction to hear an artistic action of a social nature and which are the types of *reasons* and types of *conditions* that can cover an *artistic action*, not to define another concept of representation, or not fit it into an ordinary social action.

From our point of view, artistic freedom is closely related to a better understanding of what it means *to be moral - elementary act of conduct and primary fact of consciousness*, in the sense conveyed by Vasile Morar when referring to "elementary morality": the artist as well must be liable for for what he makes "alone, not by *delegation*"; he can not afford to do anything under the pretext of special freedom.

The dilemmas relating to the legal-ethical evaluation of the artistic actions carried out in the public space have been subjected to a sort of assessment of facts in terms of autonomy and immunity or accountability.

Subversive artistic actions often damaged human dignity or institutions; in some cases they have caused significant material damage. The idea of irresponsibility in the field of art cannot be easily accepted in a society full of rules and restrictions; nor can we accept any actions alleged to be viewed as a work of art.

The issue of "ethical dilemmas in contemporary art" remains open. It is important to be aware that we cannot appreciate art on aesthetic grounds and at the same time to apply legal enforceability judgments: the artistic action is beautiful, but at the same time causes damage and / or moral, or creates psychological problems. We must always demonstrate discernment and choose and assume the consequences, to be accountable.

## REFERENCES

- Adămuț, Anton, *Cum visează filosofii*, Editura Bic All, București, 2008
- Adler, Mortimer, *Great Ideas from the Great Books*, New York: Washington Square Press, Inc., 1961.
- Adorno, Theodor W., *Teoria estetică*, Editura Paralela 45, Pitești, 2005
- Adorno, Theodor W., *Kirkegard. La costruzione dell'estetico*, Editrice Longanesi, Milano, 1983
- Anderson, James C. and Dean, Jeffrey T., "Moderate autonomism", în *British Journal of Aesthetics*, Vol.38, Issue 2, 1998
- Aristotel, *Etica nicomahică*, Editura IRI, București, 1998
- Austin, J.L., *Cum să faci lucruri cu vorbe*, Editura Paralela 45, București, 2003
- Bakhtin, Mikhail M., *Dialogical Imagination*, University of Texas Press, Austin, 1981
- Bauman, Zygmunt, *Etica postmodernă*, Editura Amarcord, Timișoara, 2000
- Beardsley, Monroe C., „Aesthetics: Problems in the Philosophy of Criticism-Postscript 1980 Some Old Problems” în *New Perspectives*, Hackett Publishing Company, Indianapolis, 1981
- Bejan, Petru, *Amurgul frumosului*, Editura Fundației Axis, Iași, 2012
- Bejan, Petru, *Hermeneutica prejudecăților*, Editura Fundației Axis, Iași, 2004
- Bejan, Petru, „Artă și estetică în paradigma comunicării”, în *Hermeneia, Revistă de studii și cercetări hermeneutice*, Editura Fundației Axis, Iasi, nr. 8/2008
- Bell, Clive, *Art*, New York: Frederick A. Stokes Company Publishers, 1914
- Bissel, Roger E., „The Essence of Art”, în *Objectivity*, Volume 2, Number 5, 1997
- Booth, Wayne C., *The Company We Keep: An Ethics of Fiction*, University of California Press, 1988
- Botez, Angela, (coordonator) *Filosofia mentalului, Intenționabilitate și experiment*, Editura Științifică, București, 1996
- Berlin, Isaiah, *Puterea ideilor*, Editura Humanitas București, 2012
- Brady, Emily, *Aesthetics of the Natural Environment*, Edinburgh University Press Ltd., 2003
- Branden, Nathaniel & Branden, Barbara, *Who is Ayn Rand?*, New York: Paperback Library, 1964
- Carroll, Noël, *Beyond Aesthetics: Philosophical Essay*, Cambridge University Press, 2003
- Carroll, Noël, "Moderate Moralism", în *British Journal of Aesthetics*, Vol. 36, No. 3, 1996
- Carroll, Noël, *Philosophy of Art: A Contemporary Introduction*, Routledge, 1999
- Cioran, Emil, *Pe culmile disperării*, Editura Humanitas, București, 1990
- Conolly, Oliver, "Ethicism and Moderate Moralism", în *British Journal of Aesthetics*, Vol. 40, Issue 3, 2000
- Cozma, Carmen, *Elemente de etică și deontologie*, Editura Universității „Al.I.Cuza”, Iași, 1997

- Cozma, Carmen, *Introducere în aretologie. Mic tratat de etică*, ediția a 2-a, Editura Universității „Alexandru Ioan Cuza”, Iași, 2004
- Cozma, Carmen, *Studii de filosofie a educației umanității*, Editura Junimea, Iași, 1997
- Croce, Benedetto, *Aesthetica in nuce*, Editrice Laterza, Bari, 1966
- D'Angelo, Paolo, *Ars este celere artem, Da Aristotele a Duchamp*, Editrice Quodlibet, Roma, 2005
- Dancy, Jonathan, „Etica îndatoririlor prima facie”, în Peter Singer (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006
- Danto, Arthur C., *The Transfiguration of the Commonplace: A Philosophy of Art*, Cambridge Massachussets and London: Harvard University Press, 1981
- Davis, Nancy (Ann), „Deontologia contemporană”, în Peter Singer (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006
- Debord, Guy, *Societatea spectacolului*, Editura Est, București, 2001
- Deleuze, Gilles, *Diferență și repetiție*, Editura Babel, București, 1995
- Deleuze, Gilles, *Francis Bacon. Logica della sensazione*, Editrice, Quodlibet, Macerata, 1995
- Deleuze, Gilles and Félix Guattari, *A Thousand Plateaus: Capitalism and Schizophrenia*, University of Minnesota Press, Minneapolis, 1987
- De Mèredieu, Florence, *Arta și noile tehnologii: Arta video, arta digitală*, Enciclopedia RAO, București, 2004
- Devitt, Michael; Kim Sterelny, *Limba și realitate. O introducere în filosofia limbajului*, Editura Polirom, Iași, 2000
- De Zays, Marius, „The Sun Has Set”, *Camera Work*, 1912, Nr. 39
- Diggs, B.J., „A Contractarian View of Respect for Person”, în *American Philosophical Quarterly*, 1982
- Dufrenne, Mikel, *Fenomenologia experienței estetice*. Editura Meridiane, București, 1976
- Dumitrescu, Marius, *Psihanaliza aplicată în filozofie și artă*, Editura Sedcom Libris, Iași, 2014
- Durkheim, Emile, *L'Éducation morale*, Paris, Librairie Felix Alcan, 1934
- Emerling, Jae, *Theory for Art History*, New York / London, Routledge, 2005
- Feyeraben, Paul K., *Contro l'autonomia, IL Cammino delle scienze e delle arti*, Editrice Mimesis, Milano-Udine, 2012
- Foucault, Michel, „Aceasta nu este o pipă”, în *Ce este un autor? Studii și conferințe*, Cluj, Ideea Design and Print, 2014
- Fried, Charles, *Right and Wrong*, Harvard University Press, Cambridge, MA., 1978
- Gadamer, Hans-Georg, *Adevăr și metodă*, Editura Teora, București, 2001
- Gaut, Berys, *Art, Emotion and Ethics*, Oxford University Press, 2007
- Gaut, Berys, „The Ethical Criticism of Art”, în *Aesthetics and Ethics: Essays at the Intersection*, edited by Jerrold Levinson, Cambridge University Press, 1998
- Gethmann-Siefert, Annemarie, *Einführung in die Ästhetik*, Munich, Wilhelm Fink, 1995
- Habermas, Jürgen, *Sfera publică și transformarea ei structurală*, Editura Comunicare.ro,

București, 2005

Hanson, Karen, "How bad can good art be?", în Jerrold Levinson (ed.), *Aesthetics and Ethics: Essays at the Intersection*, Cambridge University Press, 1998

Hare, Richard M., *The Language of Morals*, Part I, Oxford University Press, 1952

Hare, Richard M., "Prescriptivismul universal", în Peter Singer (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006

Hegel, G. W. Fr., *Fenomenologia spiritului*, Editura Univers Enciclopedic, București, 2000

Heidegger, Martin, *Originea operei de artă*, Editura Univers, București, 1982

Heidegger, Martin, *Probleme fundamentale ale fenomenologiei*, Editura Humanitas, București, 2006

Heinich, Nathalie, *Le triple jeu de l'art contemporain*, Les Editions du Minuit, Paris, 1998

Hobbes, Thomas, *Elementele dreptului natural și politic*, Editura Humanitas, București, 2005

Hopkins, Robert, "Speaking through silence: conceptual art and conversational implicature", în Peter Goldie & Elisabeth Schellekens (eds.), *Philosophy and Conceptual Art*, Oxford University Press, 2007

Hugo, Victor, *Sul grotesco*, Guerini, Milano, 1990

Hume, David, *A Treatise of Human Nature* (1739), Oxford: Clarendon Press, 1978

Husserl, Edmund, *Cercetări logice II. Cercetări asupra fenomenologiei și teoriei cunoașterii*, Editura Humanitas, București, 2009

James, William, *Pragmatismul*, Editura Timpul, Iași, 2000

Jankélévitch, Vladimir, *Curs de filosofie morală*, Editura Polirom, Iași, 2011

Jankélévitch, Vladimir, *Paradoxul moralei*, Editura Echinoc, Cluj-Napoca, 1997

Kant, Immanuel, *Critica facultății de judecare*, Editura TREI, 1995

Kant, Immanuel, *Observații asupra sentimentului de frumos și sublim*, Editura ALL, București, 2008

Kester, Grant H., *Conversation Pieces, Community and Communication in Modern Art*, University of California Press, 2004

Lamarque, Peter, "On Perceiving Conceptual Art", în *Philosophy and Conceptual Art*, Peter Goldie & Elisabeth Schellekens (eds.), Oxford University Press, 2007

Lippard, Lucy, *Six years: the dematerialization of the art object from 1966 to 1972; a cross-reference book of information on some esthetic boundaries*, University of California Press, 1997

Lipovetsky, Gilles, *Amurgul datoriei. Etica nedureroasă a noilor timpuri democratice*, Editura Babel, București, 1996

Locke, John, *Eseu asupra intelectului omenesc*, Vol. 2, Editura Științifică, București, 1961

Loewen, Gregory, "Aesthetic Subjectivity", în *Glimpsing the Shared Soul*, Old Moon Academic Press, 2011

Marcus, Solomon, *Paradigme universale*, Editura Paralela 45, Pitești, 2011

Marroni, Aldo, *La decivilizzazione estetica della società*, Editrice Bruno Mandatoni, 2014

Marroni, Aldo, *La sfida dell'estetica nella società, nella sessualità e nell'arte*, Carocci,

- Roma, 2007
- Mauss, Marcel, *Eseu despre dar*, Editura Polirom, Iași, 1997
- McConigal, Andrew, "Art, Value and Character", în *The Philosophical Quarterly*, Vol. 60, Issue 240, 2010
- Michaud, Yves, *La crise de l'art contemporain. Utopie, démocratie et comédie*, PUF, Paris, 1997
- Michaud, Yves, *La crise et comédie*, Paris, PUF, 1997
- Moore, G.E., *Principia Ethica*, Editura DU Style, București, 1997
- Morar, Vasile, *Etic și estetic*, Universitatea din București, 1981
- Morar, Vasile, *Moralități elementare*, ediția a II-a, Editura Paideia, București, 2004
- Osborne, Peter, *Anywhere Not At All : Philosophy of Contemporary Art*, Verso Books, London, 2013
- Osborne, Peter, "Art beyond aesthetics: philosophical criticism, art history and contemporary art", *Art History: Journal of the Association of Art Historians*, 27 (4), 2004
- Pareyson, Luigi, *Iniziativa e liberta*, Ugo Murisi, Milano, 2005
- Posner, Richard, „Against Ethical Criticism”, în *Philosophy and Literature*, Vol. 21, 1997
- Rațiu, Dan Eugen, *Disputa modernism-postmodernism*, Editura EIKON, Cluj-Napoca, 2012
- Rawls, John, *A Theory of Justice*, Harvard University Press, Cambridge, MA., 1971
- Rorty, Richard, *Contingency, Irony and Solidarity*, Cambridge University Press, 1989
- Rosenberg, Harold, *The De-Definition of Art*, University of Chicago Press, 1972
- Ross, W. D., „What Makes Right Acts Right?”, în David Ross and Philip Stratton-Lake (eds.), *The Right and the Good*, Oxford University Press, 2002
- Rousseau, J. J., *Despre Contractul social sau Principiile Dreptului Politic*, Editura Mondero, București, 2007
- Schneewind, J. B., *Inventarea autonomiei*, Editura Polirom, Iași, 2003
- Singer, Peter, (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006
- Shusterman, Richard, *Estetica pragmatistă. Arta în stare vie*, Institutul European, Iași, 2004
- Smith, Michael, „Realismul”, în Peter Singer (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006
- Sircello, Guy, "How Is a Theory of the Sublime Possible?", în *The Journal of Aesthetics and Art Criticism* Vol. 51, No. 4, 1993
- Sibley, Frank, „Aesthetic Concepts”, în *The Philosophical Review*, 68, 1959
- Talon-Hugon, Carole, *Morales de l'art*, PUF, Paris, 2009
- Tolstoi, Lev, *What Is Art ?*, Funk & Wagnalls Company, New York, 1904
- Van Assche, Cristine, "People Die of Exposure", în *Bruce Nauman. Exhibition Catalogue*, Hayward Gallery, London, 1998
- Vianu, Tudor, *Estetica*, Editura pentru Literatură, București, 1968
- Williams, Bernard, *Ethics and the Limits of Philosophy*, Routledge, 2006

Williams, Bernard, *Moralitatea - o introducere în etică*, Editura Punct, București, 2002

Wood, Allen, „Marx împotriva moralei”, în Peter Singer (ed.), *Tratat de etică*, Editura Polirom, Iași, 2006

Wittgenstein, Ludwig, *Despre Certitudine*, Editura Humanitas, București, 2013

Wittgenstein, Ludwig, *Lecții și convorbiri despre estetică, psihologie și credință religioasă*, Editura Humanitas, 1993

Young, Robert, „Implicațiile determinismului”, în Peter Singer, *Tratat de etică*, Editura Polirom, Iași, 2006

Zaharia, D.N. (coordonator), *Estetica analitică. Noi prefigurări conceptuale în artele vizuale I*, Editura Artes, Iași, 2010