narrative." Indeed, Romaine suggests, "the mind we come closer to understanding is our own. The viewer is the central character of *Bad Boy*."

This kind of psychological subtext feels very distant from the Old Master figurative tradition, yet Fischl has expressed in interviews his affinity with such painters as Giotto, Fra Angelico, and Michelangelo, not so much for the doctrines of faith they depicted as for the spiritual drama they conveyed. He views himself as a "post-Fall Garden painter"—suburbia being only the latest effort to recreate Eden. His pictures are disturbing because the loss they portray reminds us of our own.

In *Tumbling Woman*, Fischl confronted America's greatest crisis in modern times. Inspired by the television images of people leaping from the World Trade Center, the nearly life-size sculpture was erected in Rockefeller Center around the time of 9/11's first anniversary. Within days, recounts Romaine, outcry over the work had reached such a fever pitch "that the sculpture had to be covered with a sheet and removed." The outrage was not universal; many viewers found the work profoundly moving. The conservative *New York Sun* defended Fischl.

Romaine believes that the sculpture embodies the ambivalence that has made Fischl such an important figure in the post-abstract art world. "*Tumbling Woman* confronts us not only with the disturbing and brutal facts of the fate of some on September 11, but it also challenges us to confront the collective spiritual cancer that lay behind that awful day. Her fall is a consequence of the Fall." Like all of Fischl's work, says Romaine, it "conveys a powerful visual manifestation of our fallen condition," and "holds a mirror up to the hidden self that many of us would rather hide under a sheet."

The Subterranean File-Sharing Blues

"Notes from the Underground" by Nicholas Thompson, in *The Washington Monthly* (Sept. 2003), 733 15th St., N.W., Ste. 520, Washington, D.C. 20005.

It's no secret that the music industry has been ailing lately: Revenues from sales of recorded music were down by 15 percent over the last three years. The industry blames young people who download copyrighted music for free from file-sharing networks, and is doing its best to stop them. But instead of fighting technological change, says Thompson, industry bigwigs should take a few pointers from him, a successful young subway musician.

Since releasing his new album in January 2003, he's sold about 500 CDs in the New York subways. Playing his Taylor acoustic guitar underground every few weeks, he's made more money per hour than he does as a journalist. To succeed, though, he's had to study his environment.

"When I first started playing in the subways, I experimented with different prices for my albums. The sweet spot seemed to be a price of $5." His conclusion: That's what people will pay for a CD with music they like by a musician they never heard of. "So why does the average CD sell for more than $17?" It's not the manufacturing cost: Thompson's latest album cost only $1.10 per disk. *Lesson 1* for the industry: For albums by artists other than the Rolling Stones or U2, which aren't going to sell millions of copies, stop paying so much to marketers and other middlemen, and cut prices.

Lesson 2: Get beyond the set formats (alt-music, hip-hop, modern country), and "micromarket heterogeneous bands to scattered audiences." In the subway, Thompson learned where to place himself to make sales. The hallways—where passersby hear the music only for a few seconds—are good for playing Beatles tunes or other familiar music. But his kind of instrumental guitar music does better on the subway platforms—which hold fewer people for a longer period of time.

Lesson 3: Embrace file sharing and figure out how to make a profit from the Internet, just as the movie industry did with videocassette recorders. Big artists lose with file sharing, which is why the industry is fighting it so hard. But it's a losing fight—and that won't be a bad thing for most bands or fans, Thompson says. "The Internet allows a wide audience to inexpensively sample a huge array of music. File-

sharing networks like Kazaa, and artists who allow free downloads off their web pages, are roughly like playing in the subway. I profit tremendously when people download my songs." It makes them more likely to go to his concerts and ask radio stations to play his songs—"which could one day be a source of album sales and my ultimate transition from a *Washington Monthly* contributing editor into a major music icon."

What's In a Fake?

"Talking about Fakes: The War between Aesthetic and Extra-Aesthetic Considerations" by Rochelle Gurstein in *Salmagundi* (Summer–Fall 2003), Skidmore College, Saratoga Springs, N.Y. 12866.

Hanging in New York City's Frick Museum is a wonderful painting called *The Polish Rider*. It bears the signature of Rembrandt, but some art experts say it's a fraud. If they're proved right, the painting will be virtually worthless in the art market. Yet for many art lovers, it will still be a wonderful picture.

Would the reaction be the same if the artwork were one of Andy Warhol's famous reproductions of a Brillo box?

That question sends Gurstein, author of *The Repeal of Reticence* (1996), on an inquiry into the history of aesthetics and the debate over the differences between art and imitation. She begins with philosopher Immanuel Kant's distinction in *Critique of Judgment* (1790) between aesthetic judgment and taste. Aesthetic judgment involves the appreciation of objects that are inherently beautiful, while taste involves the appreciation of objects in relation to ourselves. A cookie, for example, has no inherent beauty, but we can appreciate the delightful encounter of ingredients and taste buds.

The explication of taste led art historians and others to the question of forgeries. Hans Tietze, for example, argued in 1936 that a painting is more than its physical attributes: It is also "the expression of a personality, of an epoch, of a nation, and of a race." A forgery might appear beautiful to the untrained eye, but the connoisseur will detect its defects.

In *Languages of Art* (1968), Nelson Goodman took a more radical tack. He argued that there is no such thing as the disinterested appreciation of beauty. What happens if we are confronted with both a Rembrandt and a perfect copy of it, Goodman asked? Just knowing that one is a forgery shapes our perception of it. What we know always shapes what we see.

That argument was quickly "pushed to its further extreme," says Gurstein. While Goodman held that prior knowledge *shapes* how we perceive a work of art, "in today's art world, prior knowledge is everything; it determines whether an object qualifies as art or not." How do we know that Warhol's Brillo boxes are art? Because he (and the art cognoscenti) said so. Today, museums are full of such works—Marcel Duchamp's famous *Fountain* (1917) is a urinal, Damien Hirst's more recently controversial *This Little Piggy Went to the Market, This Little Piggy Stayed Home* (1996) is a bisected pig floating in formaldehyde.

There's a paradox in all of this, Gurstein notes: "In the quarrel over forgeries, those who love beauty for its own sake are sophisticated aesthetes and those who care more for the work's pedigree than its aesthetic qualities are philistines." But in today's culture wars over sensational contemporary art such as Hirst's, "those who expect to find beauty are now dismissed as philistine, while those who appreciate objects without aesthetic attributes and for reasons that have nothing to do with beauty turn out to be sophisticated, art-world insiders."

The decline of beauty as an ideal has many other causes besides the changes in aesthetic theory, Gurstein allows. Yet the "longing for aesthetic experience" has not declined, as the crowds jamming exhibits of Vermeer, Matisse, and other old and new masters show. The question, says Gurstein, is whether today's artists will arouse the same ardor a hundred years from now or whether their objects will, "with the passage of time, drift back into the realm of the commonplace from which they are momentarily lifted."