

Kind of Borrowed, Kind of Blue

P.D. Magnus

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In late 2014, the jazz combo Mostly Other People Do the Killing released “Blue”— an album which is a note-for-note remake of Miles Davis’ 1959 landmark album “Kind of Blue”. MOPDtK (to abbreviate the band’s cumbersome name) transcribed all of the solos and performed them with meticulous care so as to produce a recorded album that replicates, as much as they could, the sound of the original. This is a thought experiment made actual, the kind of doppelgänger which philosophers routinely just imagine— a “thought-experiment-cum-album” (Elliott and Elliott 2014).

Philosophers of art typically entertain doppelgänger scenarios when considering the ontology of artworks. Such reflections motivate the conclusions of Jerrold Levinson (1979) and Arthur Danto (1981), among others. John Andrew Fisher (1995) poses it generally as the problem of indiscernible counterparts. Given two indiscernible counterparts, an object and its doppelgänger, how can one be an artwork but another not? Or, more relevant to this case, how can they be different artworks? For “Blue”, this puzzle is what to make of it metaphysically.

A further puzzle is what to make of it aesthetically. A common reaction, when someone hears about the project, is to think that it must be awful— that it could not sound as good as the much-celebrated “Kind of Blue”. But even if it were to sound as good, it seems redundant. We can already easily listen to the original. Whatever one thinks of the concept of the new album, there is a lingering question of what value there could possibly be in listening to it.

In the first section, I review some details of the project and distinguish it from some other common practices. In the second section, I consider the metaphysical puzzle. In the third section, I consider the aesthetic puzzle. I argue in the end that what makes “Blue” rewarding, beyond the mere thought of it, is the respects in which it is not a perfect replica.

Background: Mostly other people do the cloning

In recording “Kind of Blue”, Miles Davis’ combo played together and improvised. MOPDtK played many takes in an attempt to play the solos precisely as transcribed. Although their rhythm section recorded together, other parts were recorded separately so as to allow them to select from the best takes. MOPDtK saxophonist Jon Irabagon plays both Cannonball Adderley’s alto sax part and John Coltrane’s tenor sax part. Yet the resemblance is achieved just by careful performance, rather than by splicing together multiple takes for a given instrument, digital manipulation, or sampling directly from “Kind of Blue”. Each part is the best take for that instrument, and the effect is entirely achieved by performance in the studio.

It is certainly possible to hear differences between the two albums. It is tempting, listening to them, to think that the performances on “Blue” lack the liveliness and energy of the original solos on “Kind of Blue”. Some of this is expectancy, because the original is a classic and we expect jazz improvisation to be singular and unrepeatable. We could try to overcome expectancy by conducting blind trials— having people listen without knowing which they were listening to— but that would miss the point.¹ MOPDtK band leader Moppa Elliott readily admits that the new album sounds different than the classic. He says, “no matter how closely we transcribe it, or how meticulous we are about our details, it is impossible to play ‘Kind of Blue’ exactly the way those guys played ‘Kind of Blue’ ” (Elliott and Elliott 2014). The point was not to actually make an album that sounded precisely the same as the original, but to make the album that resulted from trying to do so and failing.

For their part, MOPDtK are aware that the exercise is as much conceptual as musical. The booklet which comes with the album consists entirely of Jorge Luis Borges’ famous story about Pierre Menard, an author who tries to write a novel that is a word-for-word doppelgänger of Cervantes’ *Don Quixote* (Borges 1964). Nevertheless, there is an important difference between “Blue” and Menard’s *Quixote*. If I were to do for *Don Quixote* what MOPDtK did for “Kind of Blue”, I would transcribe all of the words in Cervantes’ original and write them out using my own skills with a pen. The result would be a handwritten copy of Cervantes’ original novel, a laborious but theoretically banal

¹ There are other worries about such an experiment. Listeners unfamiliar with jazz will not have the perceptual expertise to listen carefully to either album. Conversely, listeners with the appropriate expertise have surely heard “Kind of Blue” before and so cannot be entirely blind as to how the classic version should sound. Discerning fans draw distinctions between various editions and reissues of the original, but that does not lead us to say that only one edition is legitimate.

product. It is crucial that Menard's goal in the story was not to copy the original in that way but instead to put himself in a state of mind where he would write words that coincided with the words in Cervantes' original. The parallel exercise would be if the band had tried to live their lives in a way which led them to improvise just the same notes which Miles Davis and the rest improvised back in the 1950s. That exercise would not have produced this album, because that exercise would not have led to something which sounds as much like "Kind of Blue" as "Blue" does. Such an odd lifestyle might fail to lead to any recordings at all.

It is also important to distinguish what is going on with "Blue" from a more mundane practice. It is common for jazz musicians in training to perform a transcribed solo. This is a technical exercise, a student's demonstration that they have mastered musical skills. Although MOPDtK did their own transcription, there was already a published sheet-music transcription of "Kind of Blue" (Davis 2000). As Elliott explains, "the idea behind transcription is that by learning that vocabulary, you then take what you've learned and play it again" (Elliott and Elliott 2014). A jazz musician who learns a transcribed solo can make use of elements from that solo in part and in other contexts. A number of jazz efforts have taken famous solos as their starting place. The group Supersax, for example, played ensemble arrangements patterned after Charlie Parker solos. Like a recital, "Blue" is a demonstration of technical skill rather than a creative act— but the technical demonstration in a recital makes sense precisely as a resource for later creation.

Ontology: Kinds of things and Kind of Blue

There is a certain absurdity in the very concept of Blue. Imagine that MOPDtK had successfully echoed every sound of Kind of Blue to produce a recording that was identical at the digital level, so that the data on compact discs of each were identical. A recording of "Blue", considered not as an historical object but instead as a physical thing or record of data, would be the same kind of thing as a recording of "Kind of Blue". This is why philosophers love such thought experiments— they suggest immediately that a work of art is not just a physical thing or a record of data, but that history matters. But what difference does history make?

It is not the difference between a spontaneous live performance and a mastered studio recording. It is true that each of the tracks on "Kind of Blue" represents one take and that there were people present who heard the improvisations live. However, almost everybody who has heard "Kind of Blue" has only heard recordings of it. In discussions of jazz, it is natural to refer to recordings themselves as performances (Magnus 2008). We can consider the details of how Miles Davis plays on "So What"— the first track on "Kind of Blue"— because we can listen and re-listen to the track.

Yet this might itself reveal an important distinction: When we listen to “Kind of Blue” we hear Miles Davis and his group play, but when we listen to “Blue” we only hear MOPDtK.

Kendall Walton (1984) famously argues that photographs are transparent; for example, I literally see the pope when I look at a photograph of the pope. The same does not hold for paintings or sketches, Walton argues, because the details in a painting or sketch are mediated by the beliefs of the artist. In the same way, the transcription and performance in “Blue” is mediated not just by recording technology, playback, and speakers, but also by the doxastic states of MOPDtK. They played the notes which they had transcribed, the ones that they believed had been played in “Kind of Blue”. The MP3 files of “Kind of Blue” may fail to reproduce qualities of the original performance, but they are not mediated by intentional states in the same way.

One could deny this difference by rejecting Walton’s claim of transparency. For example, Jonathan Cohen and Aaron Meskin (2004) argue that seeing a photograph is different than directly seeing because the latter involves being able to place the object in one’s egocentric space. If I see the pope some distance ahead of me, for example, I learn that the pope is now over there. I get no such information when I see a picture of the pope in the newspaper, so seeing the picture does not count as seeing the pope. In a parallel fashion, one may argue that I am unable to place Miles Davis’ trumpet in either space or time when I listen to the album. I hear “So What” as now over there, but it is only the speaker over there which is now playing the track.

Regardless, playing “Kind of Blue” provides us with information about the recorded performance event. Moreover, sufficiently accurate playback of a sufficiently accurate recording would provide us with all of the aesthetically relevant information. It does not matter, for appreciating Davis’ trumpet playing, whether I can experience it as truly being now over there. Even accepting Cohen and Meskin’s point, there is still a sense in which we hear Davis’ performance when we listen to the album— qua aesthetic object, if not qua historical event. This means that “Blue” also provides a kind of access to Davis’ performance. It preserves information about “Kind of Blue”, even though it does so less well than the original album does itself. Imagine the following possible future: Civilization collapses, and only a small selection of recordings survive. The jazz technopriests of the dystopian future do not have copies of “Kind of Blue”, but they have a copy of “Blue” and know about the circumstances of its creation. They might listen to it as an impoverished way to appreciate how Davis and his band played, rather than with any particular concern for how Elliott and his band played.

One might argue that single-take studio recordings are different kinds of entities than carefully selected and mastered tracks, which would mean that “Kind of Blue” and “Blue” are different in their basic ontology. Resources for this distinction might be drawn from Stephen Davies 2001 and Andrew Kania

2006. I will not follow this line of thinking any further, though, because it is obvious both that there is a difference between the two albums but also that they have something in common. The copies of "Blue" and copies of "Kind of Blue" differ in whether they do or do not causally depend on the studio sessions of MOPDtK, but the same notes played out in one are played out in the other. If we think of "Kind of Blue" and "Blue" as distinct universals, there is a superordinate universal which includes both. If we think (in a more nominalist vein) that copies of "Kind of Blue" share the same-album relation, then there is another sameness relation shared by copies of "Kind of Blue" and copies of "Blue". As an ontological matter, they are kinds unto themselves and also a kind together.

If the original had been composed classical music rather than improvisatory jazz, we would say that MOPDtK played the works that Davis' band played. Perhaps we can still say that, or something like it. I am sympathetic with Christopher Bartel, who writes that music ontology "has tended to overemphasize the differences between classical music and jazz, and that this overemphasis has led some to dismiss the role of the *work* concept in jazz" (2011, p. 396). We do recognize works in jazz, as when we talk about different renditions and performances of the standard. Bartel argues that works in jazz do not have rigid identity conditions. This does not quite resolve the puzzle, because recognizing the same work just requires recognizing (for example) that "So What" is the first track on both albums. The versions of "So What" on these albums share something more than just that. They have something in common that they do not share with other recordings and performances of "So What". The fact that MOPDtK transcribed "Kind of Blue" is the key here. If we were to listen to the first track from either album while following along in the score, we could recognize that the musicians were playing those notes. There is a thinly specific tune or song (instantiated by every performance or recording of "So What"); a thicker series of notes (the interpretation or arrangement which is played just on "Kind of Blue" and "Blue"); and thickly-specified performances or tracks.

These might be understood as separate abstract objects, but they need not be. Any ontology of music must allow for multiple copies of the same recording and distinct recordings of the same song or arrangement. A Platonist will understand these in terms of types or universals, while a nominalist will understand them in terms of concrete records or sound events that stand in same-recording or same-work relations. The distinctions required to recognize the continuity and difference between "Kind of Blue" and "Blue" are ones that both should accept, even though they disagree as to the deep metaphysical structure which sustains them. For my own part, I am neutral as to fundamental metaphysics.

In what follows, I argue that the crucial difference between "Kind of Blue" and "Blue" is not one of ontology but one of aesthetic evaluation. We will

have cause to reflect further on differences between jazz and classical music, between composed works and improvised performances.

Aesthetics: Concepts and covers

Appreciating “Blue” requires knowing how it was made, that it is a remake rather than an original improvisation. However, although we might count it as a work of *conceptual art*, it is crucial to note several features which distinguish “Blue” from other familiar examples of conceptual art.

First, “Blue” is not an instruction piece. MOPDtK did not simply suggest the idea of remaking “Kind of Blue”. A late Fluxus artist could have written, “Record a note-for-note remake of ‘Kind of Blue’”, but that would not be an album you could listen to.

Second, more than just being something you can listen to, the sound of “Blue” is what resulted from trying to sound like “Kind of Blue”. The narrator in Borges’ story says that he sometimes reads the original *Quixote* and imagines that it is Menard’s. Doing the parallel thing— listening to the original “Kind of Blue” and imagining that it was a note-for-note remake— would be a different experience than listening to “Blue”, even if the pretense were so intense as to be as-if real.

Third, “Blue” is the result of MOPDtK’s particular attempt to sound like “Kind of Blue”. If another band were to record using the same methods, or even if MOPDtK were to do it again, the result would be a different album. Contrast a Sol LeWitt wall drawing, perhaps the paradigm case of conceptual art (LeWitt 1967). A wall drawing is posed as a set of instructions and must be drafted on an actual wall, but different draftsmen may make equally legitimate instances of it by independently following the rules. If other musicians were to make a note-for-note remake of “Kind of Blue”, they would produce a different album than the one that MOPDtK produced.

More than just the concept, “Blue” is this particular album. Even if we consider the concept sublime, why go to the trouble of actually getting a copy of the album and listening to it?

In a review of “Blue”, Marc Myers (2014) speculates that, “If ‘Blue’ is even moderately successful, jazz, rock and soul musicians may be motivated to clone other pivotal works like the Beatles’ ‘Rubber Soul,’...” He poses this as the possibility that musicians will “clone” the Beatles without noting that clone versions are familiar in rock under the rubric of *covers*. Plenty of musicians already cover Beatles songs. Although many musicians play the songs in their own way, there are cover bands who do try to sound just like the Beatles. In earlier work (Magnus, Magnus, and Mag Uidhir 2013), my coauthors and I distinguish these two kinds of cover version as *rendition covers* (where the band attempts to play the same song in a different way)

and *mimic covers* (where the band attempts to sound just like the original). As we comment, mimic covers are usually only performed live.²

An album made up entirely of mimic covers would be an odd novelty precisely because one can just as easily listen to the original. Todd Rundgren's 1976 album "Faithful" is a rare specimen, with an A-side that consists of six mimic covers of tracks by various artists from the previous decade. Yet the fact that "Faithful" is a selection of mimic covers on half an album makes it conceptually different than "Blue". By choosing the songs he did, Rundgren meant to recreate 1960s radio play. Looking back, he comments, "I wanted to reproduce that era, so I just took a handful of songs at random that were all hits on the radio and that you were likely to hear wherever you went" (Gleason 2013). And "Faithful" itself is still an odd novelty.

Myers is not the only critic commenting on "Blue" to miss the connection to covers. Almost none of the reviews of "Blue" describe it as a cover of "Kind of Blue". One reason may be that the category of *cover* is part of the versioning practices of rock music, not jazz. Jazz works which have been recorded many times before are *standards* rather than covers. Gabriel Solis (2010) even characterizes covers as defined by and defining rock as a musical tradition.³

MOPDtK are self-consciously exploring the nature of jazz. When a musician performs a standard, they typically perform it in their own way— like a rendition cover. They improvise, and improvisation is one of the hallmarks of jazz. MOPDtK are not improvising on "Blue", but instead playing specific notes that are transcribed from improvisations. Elliott asks, "Is what we did even jazz? If it isn't, what does that make it? If it's not jazz, why not?" (Elliott and Elliott 2014). This plays on an ambiguity between different senses of "jazz". Jazz is a performance practice, but also a category of musical recording and an institution. As a recording, "Blue" is jazz because the album clearly goes with other "jazz" albums at the music store. As an institution, jazz has a

² We also distinguish transformative and referential covers. These instantiate a derivative but nevertheless distinct song from the one instantiated by the original. In a referential cover, the new song is in part *about* the canonical original. The very possibility of a cover which instantiates a different song than the original is somewhat controversial, however, so I will not rely on this further distinction. This is not to deny the important referential element in "Blue": It is about the original in a way that the original is not about itself.

³ I am not an essentialist about covers. If one disagrees with Solis and thinks that jazz recordings can be covers, then "Blue" just is an album of mimic covers. Considerations that follow show, in any case, that it is different than familiar mimic covers.

place alongside other established, serious genres of music. It is idiomatic to say that jazz is America's classical music (Taylor 1986). Elliott comments that "the canonization and institutionalization of classical music winds up killing classical music. ... Orchestras that have to play five to nine concerts a week, and all the people I know who are in those orchestras talk about, you punch in a time clock. You're basically a factory worker. Maybe that's not the best model for canonizing jazz" (Elliott and Elliott 2014). So MOPDtK punched their time cards and did their shifts in the factory to play the songs from "Kind of Blue" in the way that they are canonically played on the famous recording, precisely to illustrate the tension between jazz as institution and jazz as art. Institutions are produced by practices, and producing "Blue" was a particular practice. Maybe it is jazz in the sense of jazz as institution. Maybe it is not. The album is meant to raise the question, not to answer it.

Even though the term "cover" does not strictly apply, we can ask whether the lessons that my coauthors and I draw about rendition and mimic covers generalize to jazz. The crucial difference between rendition covers and mimic covers, we argue, is that different evaluative criteria are relevant in the two cases.

For a rendition, we can adopt two different critical standpoints. From the first standpoint, we consider the rendition cover in relation to the canonical original. We ask whether the cover departs from the original in interesting and rewarding ways. From the second standpoint, we can consider the rendition without reference to the original. We ask whether it is a worthwhile performance or interpretation of the song.

A mimic cover, in contrast, can only be evaluated from one standpoint: in relation to the original. We ask how faithfully it reproduces the sound of the original, canonical version. Any deviation is a defect. Insofar as we consider the interpretative choices exhibited in a mimic cover, we are evaluating the choices which were made in the canonical track rather than the cover itself.

Considered critically, a performance of a jazz standard has a similar structure to a rendition cover: We can evaluate it on its own as an improvisation or performance of the song, or we can evaluate it in relation to other renditions played by other jazz musicians. In the former mode of evaluation, we consider its strengths and weaknesses. In the latter, we consider how it differs from other versions and renditions.

"Blue" is evidence of MOPDtK's craft skill, but it also evidence of what is played in "Kind of Blue" and how. Consider again the post-apocalyptic future, imagined in the previous section: "Blue" is the only evidence scholars have of the landmark album "Kind of Blue", so they listen to it precisely to consider the lost sessions.

This illustrates that listening to "Blue" as a work of art rather than just as evidence of craft means attending to the interpretive choices made in "Kind

of Blue". If we ask why MOPDtK trumpeter Peter Evans played a particular note or why he played it a particular way, the answer is *either* that Evans' skills at mimicry fell short in such-and-so a respect (a matter of craft) *or* that Miles Davis played it that way (a matter of the original, canonical version). Like a mimic cover, evaluating "Blue" on more than technical grounds ultimately means evaluating interpretive choices embodied in the original.

Mimic covers are performed live when the original group is unavailable and perhaps no longer even together, and they are rarely recorded— precisely because we have the original versions available for listening. Given that we do not live in a dystopian jazz wasteland, why should we ever listen to "Blue"?

Elliott suggests that the artistic value of "Blue" is that it can get people to listen closer to the original. "That's where the art is," he says, "getting people to think about the original by listening harder to the differences" (quoted by Myers 2014). If Elliott is right, then this marks a difference between "Blue" and a typical mimic cover.

Consider a typical case of listening to a mimic cover of a song played live at a bar. When a listener reflects on the original version, she does so by attending to the parts of the cover performance which match the original. She likes this riff, she finds this lyric grating, and so on. The mimic cover reflects the interpretive choices of the original, and it is a vehicle for encountering those interpretive elements. When listening to the mimic cover, the listener is a bit like the scholars in the post-apocalyptic scenario. What she has of the original, in the moment, is what is being played out in front of her.

Listening to "Blue" is different, if we approach it in the way Elliot recommends. We also listen for those features of the original which are *not* exhibited in the mimic rather than just to those features which are. And when we notice these divergences, we do not dismiss them as a technical failure of skill— as we would for a typical mimic cover. Instead, they highlight crucial features which distinguish "Kind of Blue".

This difference may partly be due to the improvisational nature of jazz. There is no clear line between the interpretive choices the band members made in performing the tracks on "Kind of Blue" and their artistic acumen in performing. Contrast the rock song "Good Vibrations", which Rundgren covers on "Faithful": We can distinguish the interpretive choices of Brian Wilson's arrangement from the expressive power of the beach boys execution of that arrangement. There is, in improvised music, a bigger gap between the performance and any performance specification. The transcribed scores of "Kind of Blue" were made from the original performances rather than used in making them. Commenting on reading the transcribed solos from "Kind of Blue", John Marks (2006) writes that "it's thrilling to follow along" and "shows how even the most accurate

transcription can only suggest what the music really is: tone color, dynamics, inflection, fine points of phrasing. They all don't just jump off the page and play themselves." Listening to "Blue" and "Kind of Blue" together is like following along with the score, but in a different modality: two acts of listening, rather than one act of reading while listening.

A different way of pointing out the contrast with a typical mimic cover is to note that the mimic cover played in a bar is poor if, when listening to it, I notice most the shortcomings of replication. If I want to go home and play the original album more than I want to keep listening, the simulacrum has failed. With "Blue", in contrast, we are invited to listen to the original straightaway. Even if the liner notes do not say to do it, MOPDtK made the album knowing we would.

Since the value which I suggest we can find in "Blue" is in line with what Elliot and MOPDtK had in mind, one might suppose that I am privileging what they intended. If so, then my conclusion would be tangled up with issues of artistic intention. However, the worry misfires. My argument is not that Elliot's suggestion has some special authority because he was the band leader. Rather, it is just for the hypothetical claim that "Blue" has a certain kind of value if we approach it as Elliot suggests. This conditional depends on the content of the suggestion rather than on its source.

Yet (one might reply) the conditional underwrites only the hypothetical imperative that we should approach the album in a particular way if we want to evaluate it under a particular aspect. By pointing to how the experience of the mimic "Blue" can enliven the experience of the original "Kind of Blue", I have only established a possible site of value. This leaves open the possibility that "Blue" fails to build at that site.

The philosophical puzzle, though, was how listening to "Blue" could possibly be worthwhile. The further question, whether "Blue" actually is worth listening to, is neither puzzling nor especially philosophical. Readers are invited to listen for themselves.

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