

Digital Technologies and the conundrum of copyright and choreography

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Contemporary Dance – An overview of the genre in the UK

- ❑ Niche, subsidised art form, i.e. profit motive not necessarily paramount
- ❑ Source of innovation in dance development
- ❑ Currently operating in a policy vacuum in the UK – prey to 'policy attachment'
- ❑ Pressure to harness technology for commercial purposes as well as innovation – but no clear guidance

Digital dance – the centrality of technology

- Multi-disciplinary, interactive art form
- Part of digital performance genre
 - Emphasises the live and interactive
 - Can include virtual worlds, computer games and CD-ROMs
 - Tends to exclude video, film, television and music
- Technology examples:
 - Motion capture and intelligent systems
 - Physiological sensors
- Technology key to dis-intermediation of the performative event – can incorporate audience responses in actual creation of the work

Key research questions

- Assignment of authorship rights in the context of multi-media, interdisciplinary collaboration
 - Authenticity, meaning and integrity of the work in a digitally mediated environment
 - Sensation, signification and making 'sense'
 - Symbolic power and bodily practice
- Dance policy priorities within a 'public interest' IP regime
- Impact of funding changes on subsidised dance sector – high/low art versus niche and mass markets
 - Impact at an institutional level – funding bodies
 - Role changes

Literature Review

- UK cultural policy documentation
- Cultural Economics
- Institutional Theory
- Cultural Production Theory
- Academic-Practitioners
- ACE; DCMS
- Towse (2006); Withers & Davies (www.ippr.org), Gray
- DiMaggio
- Bourdieu
- Birringer (2002, 1998); Lakes (2005); Broadhurst (1999)

Chronology of dance notation

- Variety of notation methods originated in 15th century
- Oral traditions and imitation used to pass on dance
- Choreographers relied on custom and contracts to protect their work commercially
- Tendency to favour video and film
- Mostly imprecise and inefficient
 - Assumed standard set of movements
 - Required a lot of interpretation
- Enabled flexible enforcement in the dance community, but not a strong method of control
- Accuracy compromised by static nature of recording and reconstructive abilities of dance

Complexity of copyrighting dance

- Various methods available to 'fix' dance to gain copyright protection
 - Film or video – audience perspective
 - Laban versus Benesh notation (requiring significant expertise)
- Blurred boundaries between content, creators and organisational factors (e.g. size, age, power structures)
- IPR enforcement – Copyright and DRM as a 'blunt' instrument ignoring market and organisational determinant, collaboration forms and incentives (other than economic) to innovate

Two animator-choreographers: William Forsythe and Merce Cunningham

- Method uses multiple axes of the dancer's body for articulating movement, making it impossible to record his choreographies in any medium other than through video or film capture
- Forsythe's facilitates the sharing of responsibility for the creation of a dance by offering 'choices' via information transmission using multiple media, e.g. clocks and video monitors
- Famous for his use of video and computers use of digital technology to compose composing choreography (LifeForms)
- Collaboration consists of the independent design of all three dance elements, i.e. the choreography, music and the visual décor

Key questions for further research

- ❑ Alternative forms of recognition for creative effort
- ❑ Are performing rights sufficient to justify a share of the creative 'credit' in a digitally mediated performative event?
- ❑ Licensing forms available for work shared on the Internet – potential use of Lessig's 'Creative Commons' initiative for digital dance?

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