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'Open Source Choreography?'

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In August 2001, I received an invitation from composer and digital media consultant Michael Century to contribute to a volume he was editing for MIT press as a follow up to the April 2001 CODE (Collaborative Ownership in the Digital Economy) conference which we both attended.[1] He was planning to including "a number of new pieces, mainly from artists but not solely, to widen the artistic terrain and make the whole thing more vivid. It occurs to me that your thinking on notation, performance arts, and open source really would/could suit this context well."[2]

In December 2001, I sent him the article, but for some reason he did not continue as editor and the book was eventually published without my contribution. In May 2003, after I had been invited to give a presentation at the Ars Electronica Festival that year, I suggested to editor Ingrid Fischer-Schreiber that the article would fit the festival theme which was CODE and she accepted it for their annual catalogue.

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[1] Documentation site: http://www.cl.cam.ac.uk/CODE/ (accessed 7 May 2010).
[2] Email to the author, 1 Aug 2001.

Open Source Choreography?

Scott deLahunta

This essay is an exercise in applying concepts derived from the Open Source software movement to the creative processes and products of contemporary choreography.[1] Across its three sections, comparison and contrast is used to open up and explore some questions related to issues of authorship and originality, whether or not choreographic methods are decoded through forms of discourse, and if the sharing of these methods could constitute a form of Open Source.

The Art of Making Dance

The history of contemporary, modern or "post modern" dance is usually written as a 20th century affair that originates in America and Western Europe and has a canonical sequence beginning at the turn of the century with Isadora Duncan. There is a tendency to organise this canon in two parts, early modern dance and post modern dance, along the lines of the general shift from modernism to postmodernism in the arts and architecture and on either side of a particularly iconoclastic rupture in the early 1960s known as the Judson Church movement that broadened tremendously the scope for choreographic methods.[2] Prior to the 1960s, documentation of specific choreographic methods for contemporary dance is minimal. Just before her death in 1958, a member of the early canon of modern dance, choreographer and teacher Doris Humphrey, completed a small book entitled *The Art of Making Dances.* This book, published in 1959 and again in 1987, is widely perceived to be the "first" book to comprehensively present the art of choreography in a "how to manual" for dance making.[3] As such it is likely to be found in the bibliography of most dance composition courses in higher education in the United States, the United Kingdom and some dance programs in continental Europe.

In her introduction to the book, Humphrey contends that there were no theories of craftsmanship or form for dance making before the 1930s. Missing, she writes, was something equivalent to what music had "with its counterpoint and harmony, or painting with its laws of perspective and proportion". In *The Art of Making Dances,* Humphrey produces her theory on the "craft" of choreography organised around the concepts of ingredients and tools, design and dynamics, rhythm, motivation and gesture, words, music, sets and props and form.

As it is one of the original reference points for the discourse on how to make dances, the book marks the beginning of a period when the compositional techniques, strategies and methods of dance making begin to gather momentum. Interestingly, new books written by subsequent generations of choreographers do not follow. What does is that the discourse begins to evolve through the multiple accumulating acts of writing and publishing of a growing number of dance writers, critics and increasingly scholars. Sometimes the writings are explicitly "about" choreographic methods, such as Sally Banes on the "Choreographic Methods of the Judson Dance Theatre".[4] Insight into how a particular choreographer makes dances occasionally comes through in an interview with a writer; at other times a close description of the work carries methodological information.[5] It is
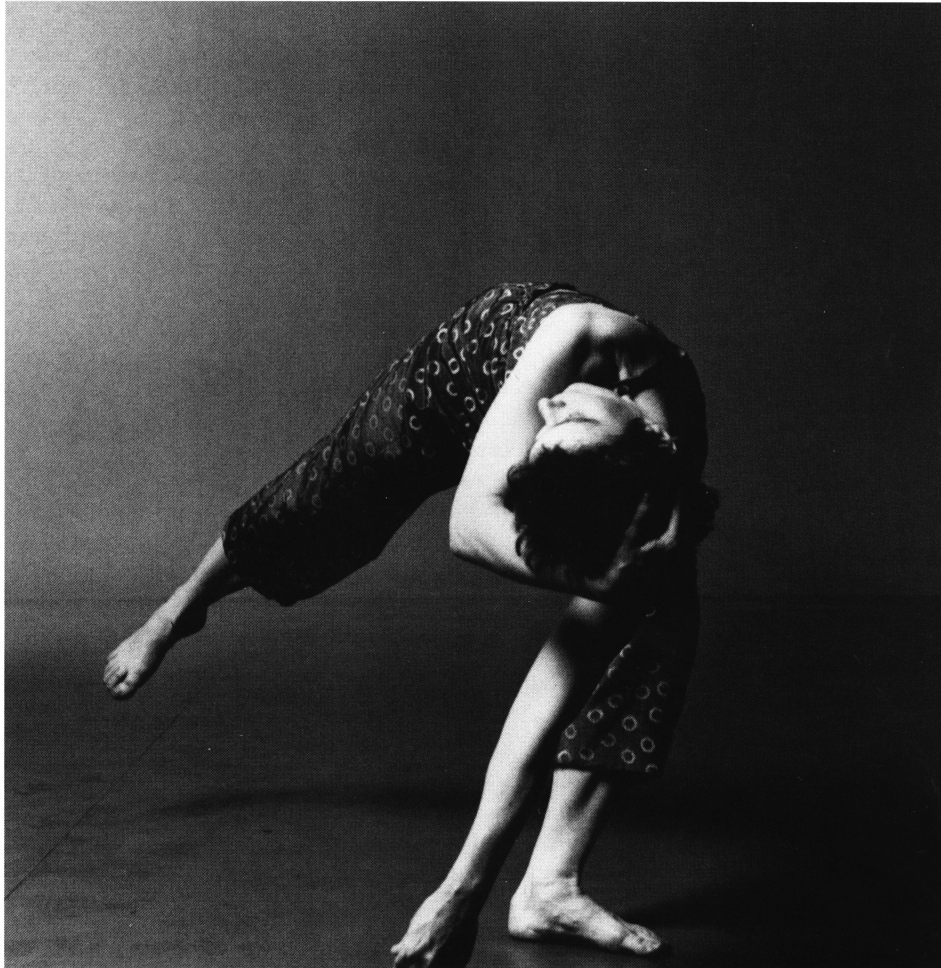
important to note that plenty of choreographers were also involved in documenting their making processes, and some were producing sizeable publications either solely or in edited collections filled with scores, sketches, notes, etc. However, the point I wish to make is that this figure of the writer / interviewer, someone standing alongside and observing the actual practice, becomes instrumental in exposing and disseminating the methods of choreography without them our collective understanding of how to make dances would be significantly diminished.

To summarize briefly up to this point: Prior to the 1960s, lacking a discourse, information about how to make dances would have come from watching dances or taking workshops with the artist. Subsequent to the publication of *The Art of Making Dances* there begins a collective process of knowledge building about choreographic process through the growth of a variety of forms of discourse in the field of dance (in parallel with a growth in the practice of making dances and public interest in the art form). Some choreographers contribute documentation, notes and some larger works to this discourse, but much of its production enters the domain of the writer / interviewer.

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Open Source Software is software that is freely available not only as its executable binary code, but also as its source code. This way the software can be modified and used for other programs by anyone. Within the concept of Open Source resides the notion that some form of collective creativity produces and maintains the software product. This product is owned by everyone and no one—as intellectual property this software can be protected by various licensing agreements that preserve this freedom of ownership and the rights of the user to adapt the software to his or her needs. It would be difficult to apply this concept of collective creativity as it might relate to choreography. I have suggested that choreographers and writers / interviewers work together collectively to provide open access through discourse to explanations and explications of choreographic method (a type of intellectual property), but I would not refer to this as a form of collective creativity as the dances that are made are almost always reconfigured as objects of individual choreographic authorship. As such, in fact, copyright law in many countries protects these dances, a topic I will address below.

Neither could one say that "open access" to discourses about dance making is anything like open access to software code despite some correspondence between choreographic methods and code that can be teased out by looking at the work of choreographers who have at some point in their career made dances based almost entirely on a set of rules or instructions or an "algorithm" and as such their "source code" is freely available. In the 1970s, New York choreographer Trisha Brown and member of the Judson Church group did two performances in particular which were based on instructions. These were *Accumulation* and *Locus* (and their various manifestations). The instructions for these dances are published in several books, and nothing prevents me from placing the algorithm for *Accumulation* here in this text with the appropriate citation:

> The accumulation is an additive procedure where movement 1 is presented; start over. Movement 1; 2 is added and start over. 1,2; 3 is added and start over, etc., until the dance ends. Primary Accumulation accumulates thirty movements in eighteen minutes. The 29th and 30th movements each cause the figure to revolve 45 degrees, making a 90-degree turn with each completion of the sequence. Therefore, a 360-degree revolution occurs in the last two minutes of the dance, giving the audience three alternate views of the dance before finally stopping.[6]

Despite the fact that with this algorithm, the "source code" so to speak, one could recreate a dance that was performed in 1975, only Trisha Brown is entitled to compile and perform it as *Accumulation,* due to the extending of American copyright law to protect abstract choreography in 1976. Prior to 1976, copyright protection could be extended to dance works if they could be classified as "dramatic or dramatico-musical compositions".[7] However, the copyright in either case has only applied to the finished work, not to its underlying rules.[8] This further interrupts any direct correspondence between software source code that can be protected by law and choreographic methods that would not be considered intellectual property at the point prior to the finished performance. On the other hand, the "algorithm" for *Accumulation* can be pulled from the field of discourse around making dances (just as I have done here in this essay) and used to generate movement material that is going to be transformed in subsequent stages of the making process into something unique to another choreographer. Seen in this light, it is possible to suggest that there is some aspect of Open Source software in operation

in the practice of sharing choreographic methods. I will return to this notion at the end of the essay.

In order to identify a dance so as to defend a copyright, there must be some objective method of fixing the choreography in a stable form as evidence. The Copyright Office in Washington D.C. distributes the following guidelines: "for choreography, the work may be embodied in a film or video recording or be precisely described on any phonorecord or in written text or any dance notation system such as Labanotation, Sutton Movement Shorthand or Benesh Notation." The notation systems listed here come closest to the concept of software in terms of intellectual property. Unlike the audio video recording devices, dance notation systems are made up of a flexible classification of discrete symbols that can be recombined to form increasingly larger units of information relating to particular movements over time. The simplest unit of information in Labanotation for example is referred to as the "staff" (as in music) and within this staff one can combine the symbols necessary to indicate the direction, part of body, level and length of time. Out of the syntactical combinatorial strength of this fairly simple symbol language, complex information about movement can be represented.

This description of how dance notation works bears similarities to how software code functions. However, what distinguishes the dance notation system from software code is that in the practice of making dances, dance notation is not used as a generative device while software code is by its nature inherently generative; it produces the effect. Notation systems were created with the intention of preserving and restaging choreographies, not generating them. Choreographers would not devise a dance by writing it out in dance notation symbols first. However, in intellectual property terms notation functions as part of the system of owning choreographies; and this is similar to software code.

To review briefly from the last summary: The way that information about making dances is collectively aggregated from a variety of individual sources is not the same as the collective creativity practiced in the creation of Open Source software. Dances ultimately tend to resolve into objects of individual authorship and can be protected as such by recent copyright adaptations. While some choreographers may work with rule based systems for making dances, these algorithms themselves are not likely to be considered as intellectual property. In order for the copyright act to be used to protect a finished dance, the choreography of that dance must be fixed in the form of an audio and / or video recording or some form of written dance notation. Dance notation systems by their nature perhaps bear a closer resemblance to software than other features of dance—but they are used primarily to record choreographies, not to generate them.

Choreography and Open Source

Just as particular choreographers have worked with rule based systems in their dance making, something approximating a "copy" of a dance may be used by some choreographers to explore the philosophical implications of intellectual property laws applied to dance. Well known now in Europe for creating provocative conceptual dance works, French choreographer Jérôme Bel intended his 1998 piece *The Last Performance* to be made up of short sections or "quotes" from dances by other choreographers that have influenced him in some way.[9] He obtained permission to use some of this material, but also some rejection letters citing copyright laws. These were read aloud at the first performances of *The Last Performance.*

One of the choreographers who provided permission for Bel to use her material was German choreographer Susanne Linke, and one of the dancers in *The Last Performance* wears a white dress and states, "I am Susanne Linke." In this context, the significance

of the "copy" is the set of references it holds for the viewers at the moment of its representation in the performance. No longer bound by the logical structures of language or the code of software or law, this "copy" begins to play on the blurry edge of mimesis — to claim to be the original performer is to perhaps step into the role as an actor or as an imitator. Dancing bodies are extremely complex in informational terms and will resist reified readings. *The Last Performance* illustrates the point at which the relationship between contemporary choreography and Open Source diverges and a comparison becomes too inconsistent to be worthwhile. To bring this essay to a close, just as the example of *The Last Performance* can be used to illustrate a situation in which comparisons between choreography and Open Source can unravel, another choreographer can provide a clear case for carrying through with the exercise. I wish to return to the suggestion that some aspect of Open Source software is in operation in the practice of sharing choreographic ideas of which the following is an example.

William Forsythe, the artistic director and primary choreographer of the Frankfurt Ballet since 1984, has made elements of his choreographic process available through the distribution of an interactive multimedia CD-ROM entitled *Improvisation Technologies: A Tool for the Analytical Dance Eye.*[10] His motivation for starting the CD-ROM project was to provide new dancers to the company with a way of studying the basics of his innovative improvisation techniques. Unlike Doris Humphrey's *The Art of Making Dances,* Forsythe had no intention of producing a publication that would address all aspects of dance making, but to provide information about what he refers to as "building blocks" for developing a way of analysing motion while moving improvisationally. In Forsythe's view, these building blocks represent concepts or ideas more than techniques or strategies. From this perspective, choreographic methods resolve into choreographic thinking.

The CD-ROM presents four categories of information: lines, additions, reorganising and writing. Within each category there are up to five subcategories (e.g. point point line, rotating inscription, isometries, etc.) and within these several more. This hierarchical organisation of the information allows the reader / user to proceed easily along a learning trajectory that goes from simple to more complex principles. The reader / user also has the option of entering the information through watching these building blocks or ideas danced by members of the company. There are a total of sixty-three separate building blocks represented on the CD-ROM and many of these contain other building blocks within them. They represent a small but important portion of William Forsythe's choreographic thinking. Because they are disseminated and made accessible through this electronic document, they are in the public domain as a form of Open Source code not only providing insight for those who wish to understand more about the process of making dances in general, but making the building blocks themselves available for anyone else to use. When asked if he felt he is giving something away by publishing this information in the form of the CD-ROM, Forsythe has responded:

> Well, the CD-ROM doesn't tell you how I choreograph, it doesn't teach you anything other than how to observe motion. (…) It shows just some of the ways of thinking about analyzing motion. I think there is a whole new attitude towards work. Put it this way: work is not some sort of secret. It's rather superstitious to think one has to keep one's method secret. (…) At the end of the 20th century, work doesn't need to be kept secret. It won't disappear just because we communicate. We might be apprehended, so to speak, and that could force us to abandon our own methods, which is not such a bad thing either. (…) I would hope that the users would actually discover their own dancing en route to understanding ours.[11]

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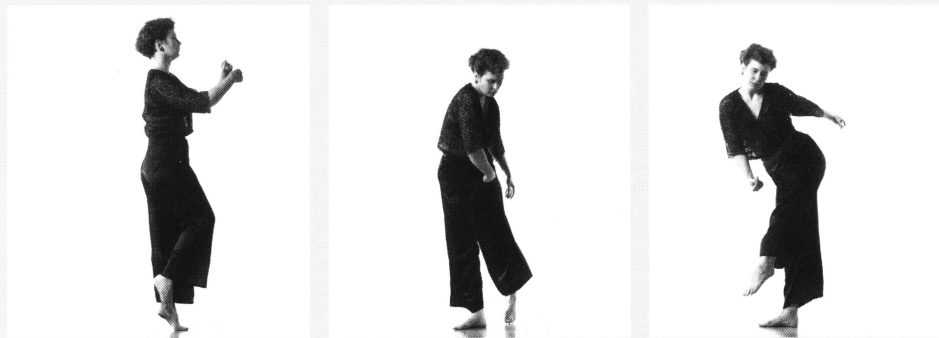
Dance critic Jennifer Dunning describing a choreography by Susan Rethorst in the *New York Times,* 21 September 1995: "The dance is packed with exquisite movement phrases and striking small gestures, fleeting though they may be."

To review briefly from the last summary: when finally produced as a performance, a dance can be registered for copyright, and it is possible for the choreographer to refuse to allow other choreographers to reproduce any section of that dance as happened with *The Last Performance* by Jérôme Bel. However, when on stage the dancing body does not easily conform to the neat fixed entity that the institution of copyright might prefer. The dancing body on stage also resists being compared to the dynamics of Open Source. Connections between choreography and Open Source as a particular set of concepts and practices are more likely to be found in the conditions of openness as manifest in the *Improvisation Technologies* CD-ROM of William Forsythe.

Conclusion

The creative processes and products of contemporary choreography practice can only be inconsistently aligned with those of the Open Source software movement. Forsythe suggests that the days of keeping one's methods secret are disappearing, but I am not sure to what degree this is contingent upon or simply coincident with the Open Source movement (both are in the same historical time frame). Different types of questions emerge: do the software licenses that preserve free access to source code suggest any adaptations to the choreography copyright law? In seeking to answer this question, we would find our comparison rapidly breaking down as it has occasionally in this essay. Another type of question: wouldn't one need to know how to choreograph or be a choreographer to make use of the source code of a particular dance? This asks us to consider the possibilities of knowledge as something other than property. Perhaps understanding how a dance is made, having access to its "source code", could help us deepen our grasp of creative processes in general. A dance performance then might begin to be widely perceived as inseparable from the process—an executable of choreographic thinking. Perhaps if choreographic processes are better understood, they could be used to produce things other than performances. If comparing the world of choreography to the world of Open Source software inspires this shift, then it's an exercise well worth doing.

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1 This essay was originally written for an MIT Press book (as yet unpublished) inspired by the CODE conference organised in April 2001 *(http://www.cl.cam.ac.uk/CODE/)*. I have chosen Open Source rather than Free Software as my term of reference for the concept of software that is freely available not only as its executable binary code, but also as its source code. However, it's important to note that while both may fit this same technical description, Open Source and Free Software have divergent histories and in some contexts are ideologically opposed. Both have their own websites, and for additional clarifying reading I suggest some of Florian Cramer's essays: *Free Software (http://www.fsf.org);* Open Source *(http://www.opensource.org/);* Florian Cramer *(http://userpage.fu-berlin.de/~cantsin/).*

2 The Judson Church movement refers to a series of dance composition classes and performances in New York City that took place in the 1960s. At the start of the decade at the suggestion of John Cage, the composer Robert Dunn conducted a small number of influential composition classes in New York City out of which some of the best-known and most innovative contemporary choreographers of the second half of the 20th century emerged. The classes created the conditions for moving away from the choreographic formulas that had been developed by early 20th century theorists like Doris Humphrey. Names of dance artists who participated in the classes include Trisha Brown, Lucinda Childs, David Gordon, Douglas Dunn, Kenneth King, Yvonne Ranier, Steve Paxton, Simone Forti and Deborah Hay. A selection of this group gave their first in a famous series of performances that would last four years on 6 July 1962 at the Judson Memorial Church in Lower Manhattan, thus earning them the title of the Judson Dance Theater group.

3 Doris Humphrey. *The Art of Making Dances.* Edited by Barbara Pollack. Princeton Book Company, Hightstown, NJ, 1959 / 1987.

4 Sally Banes. "Choreographic Methods of the Judson Dance Theater". in *Writing Dancing in the Age of Postmodernism.* pp. 211-226. Wesleyan University Press, February 1994.

5 For example see: 1) this edited book of interviews with choreographers: Jo Butterworth and Gill Clarke, eds. *Dance Makers Portfolio: conversations with choreographers.* Bretton Hall, Wakefield, UK: Centre for Dance and Theatre Studies, 1998.; and 2) any issue of a dance journal that often includes feature articles on particular choreographers such as *Ballet International / Tanz Aktuell (http://www.ballet-tanz.de/)* or *Dance Theatre Journal (http://www.laban.org/dance_theatre_journal.phtml).*

6 One source for this dance "algorithm" can be found in an interview with Trisha Brown in *The Drama Review, Post-modern Dance Issue.* T-65, March 1975.

7 Julie Van Camp. "Copyright of Choreographic Works." *1994 – 95 Entertainment, Publishing and the Arts Handbook.* edited by Stephen F. Breimer, Robert Thorne, and John David Viera. pp. 59 – 92. Clark, Boardman and Callaghan, New York,1994. This article can be found on line at *http://www.csulb.edu/~jvancamp/copyrigh.html.*

8 Actual litigation involving dance and copyright law has only occurred occasionally. One example is a written court case over the use of the name of iconic modern dance figure Martha Graham. David Finkle. "The Future of Dance's Past: Graham Center Wins a Round in Court and Wakes Up Choreographers". *The Village Voice.* Week of August 15-21, 2001. This can be found on line by searching on David Finkle at *http://www.villagevoice.com/.*

9 Gerald Siegmund. "The Endgame of Dance: 'The Last Performance' by Jérôme Bel in Nuremberg." *Ballett International Tanz Aktuell.* January 1999.

10 William Forsythe. *Improvisation Technologies: A Tool for the Analytical Dance Eye* (CD-ROM). Hatje Cantz Verlag (ISBN: 3775708502), Ostfildern, June 2000.

11 These quotations are extracted from an interview with William Forsythe conducted by Nik Haffner on 22 April 1999 that is published in the booklet that accompanies the *Improvisation Technologies* CD-ROM. Nik Haffner, Volker Kuchelmeiser and Christian Ziegler made major contributions to the conceptual and technical aspects of the CD-ROM.