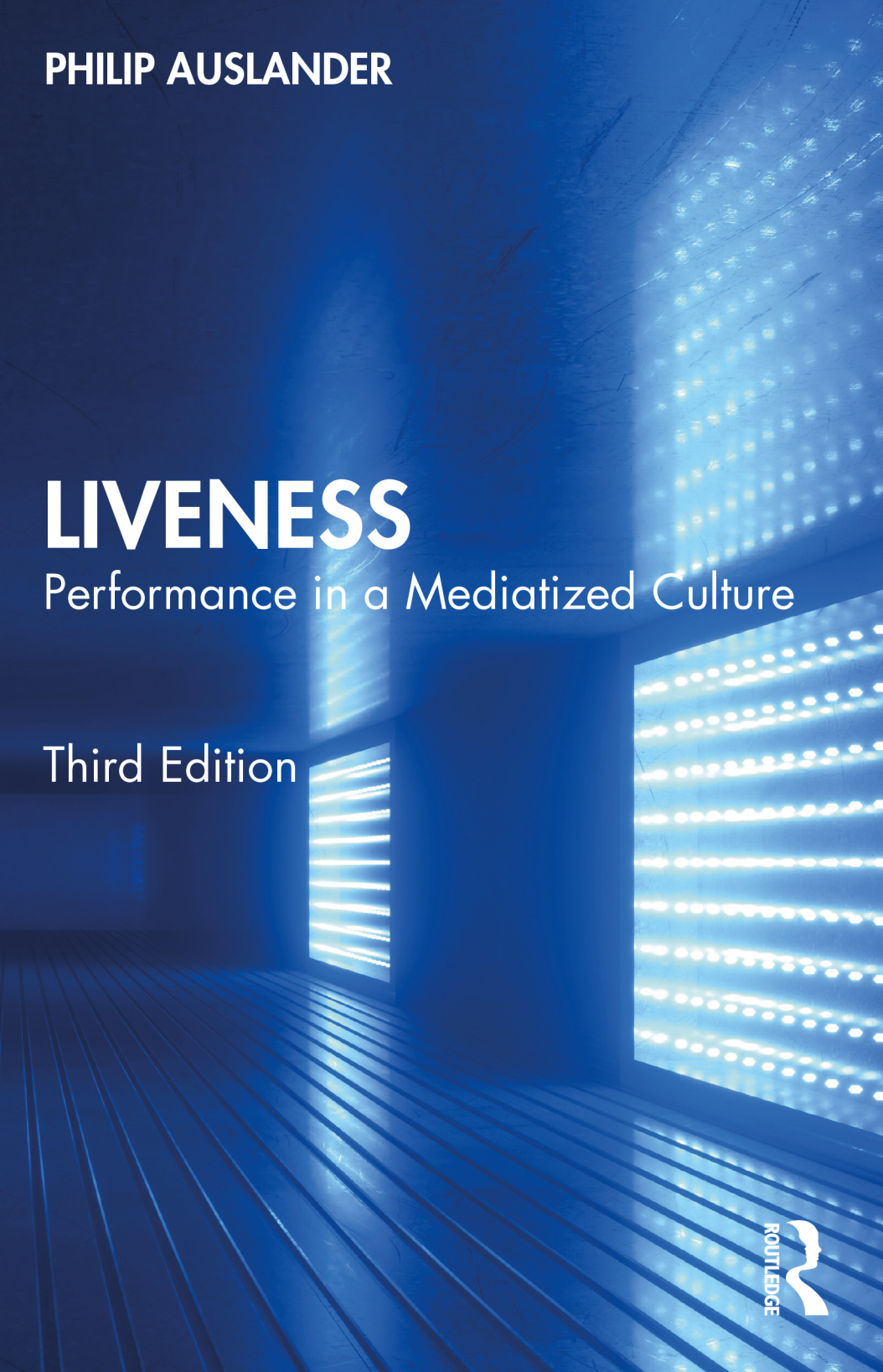
PHILIP AUSLANDER

LIVENESS

Performance in a Mediatized Culture

Third Edition



ROUTLEDGE

Liveness

Liveness: Performance in a Mediatized Culture addresses what may be the single most important question facing all kinds of performance today. What is the status of live performance in a culture dominated by mass media and digital technologies?

Since its first appearance, Philip Auslander's groundbreaking book has helped to reconfigure a new area of study. Looking at specific instances of live performance such as theatre, music, sport, and courtroom testimony, *Liveness* offers penetrating insights into media culture, suggesting that media technology has encroached on live events to the point where many are hardly live at all. In this new edition, the author thoroughly updates his provocative argument to take into account the impact of the internet, and cultural, social, and legal developments. He also addresses the situation of live performance during the COVID-19 pandemic. In tackling some of the last great shibboleths surrounding the high cultural status of the live event, this classic book will continue to shape opinion and to provoke lively debate on a crucial artistic dilemma: what is live performance and what can it mean to us now?

This extensively revised, new edition of *Liveness* is an essential read for all students and scholars of performance-based courses.

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Liveness

Performance in a Mediatized Culture

Third Edition

Philip Auslander

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For Deanna,
my everything

Contents

Preface to the third edition

This is not entirely the book I set out to write. When Ben Piggott, editor at Routledge, contacted me in 2019 to discuss the viability of a third edition of *Liveness: Performance in a Mediatized Culture*, I assumed I could go about the third edition using a process similar to the one I used to produce the second. Justifying a new edition entails more than cosmetic alteration. It involves a thorough-going reconsideration of the issues the book addresses and the ways it does so. Some parts may seem stale or no longer relevant, while others may merit further attention in light of new developments. In the 13 years that have passed since the previous edition, many scholars have addressed this work, many new sources have appeared, the world has changed, and I have changed. I wanted in the new edition to extend my narrative of liveness as a historical phenomenon that is continually redefined and renegotiated in relation to the development of media and communications technologies in ways that would address these changes.

And then there was the global pandemic.

COVID-19 fundamentally altered the picture. In an instant, the phenomenon that has always been at the heart of this book, live performance, became impossible, at least in anything resembling its traditional forms. It seemed equally impossible to carry on with business as usual, to act as if the question of live performance could be discussed apart from the impact of the pandemic, especially since I worked on this book while in lockdown and while emerging from it. Writing about the situation from the inside as it unfolded made my work feel at certain times more like reportage than scholarship. It felt as if things were happening on a daily basis that I needed to address. I generally believe that temporal and critical distance are assets to cultural criticism, but neither was entirely possible in this instance. Although I do not want this book to be the "pandemic edition" of *Liveness*, I feel that the context surrounding its creation and the impact of this context on live performance cannot be ignored. I have,

therefore, included discrete sections devoted to the consequences of the pandemic for live performance in Chapters 2 and 4. In both cases, I sought to integrate these discussions as ways of revisiting issues already under consideration. Please note that as a gesture of optimism and an acknowledgment of a dynamic situation, I have chosen to speak of the pandemic in the past tense, particularly in Chapter 2.

I intended the original 1999 edition of *Liveness* to be a provocation, a polemic, and a conversation-starter. It seemed to me then that although liveness was often cited as a crucial defining characteristic of performance of all kinds, theatre scholars and performance theorists had subjected the concept to little critical, theoretical, or cultural analysis. In my initial research, I discovered that media theorists, particularly those studying television, had developed a discourse around liveness in their context that was singularly absent in mine. The two impulses that led to my writing the book were: to open up the question of liveness in the context of theatre and performance studies and to use it as a concept that could bridge those fields and media studies. The first version of the book clearly did the work I had intended for it. It and the second edition have become standard references for most discussions of liveness and related topics in theatre and performance studies as well as in communications and media studies, new media studies, fan studies, musicology, technology studies, opera studies, and even geography.

Considering the prospect of a third edition, I found I quite like the idea of *Liveness* as a living book, a permanently unfinished text that is subject to continual revision. This lack of fixity is inherent in the approach I took to the question of liveness from the start. By refusing to treat liveness as a stable ontological characteristic of performance or media, I positioned it as a perpetually moving target, a way of describing experience that is continually redefined in relation to cultural change and technological development. This third edition reflects my own changing interests and shifting intellectual priorities also apparent in the two books I published since the second edition of *Liveness*: *Reactivations: Essays on Performance and Its Documentation* (2018) and *In Concert: Performing Musical Persona* (2021). The tricky thing has been to write a new edition of *Liveness: Performance in a Mediatized Culture* that acknowledges how so many things have changed while maintaining continuity with the previous editions of the book.

I provide conventional chapter summaries in the introduction. Here, I will outline some of the alterations I made to arrive at this edition and the reasons behind them. I have retained the original structure of the book as well as the three main topoi of the central chapters: an overview of the position of live performance in a mediatized culture; an examination of

how this question plays out in the context of live and recorded music; and an analysis of the significance of the context of liveness in the legal arena, particularly with respect to intellectual property law and testimony.

Those who are familiar with *Liveness* will realize that the new version of Chapter 2 is a remix that incorporates elements from the previous edition rearranged and combined with new material. I now begin with a critique of traditional understandings of liveness, then move to a discussion of the historical relationship between theatre and television and the resulting mediatization of live performance, especially theatre, using updated examples. The last two sections of this chapter are entirely new. The first brings the narrative concerning television and theatre into the age of the internet, while the second addresses the impact of the COVID-19 pandemic on understandings of liveness and its value.

Chapter 3 underwent the most change for this new edition. Originally, it looked at the role of liveness in determining musical authenticity in the context of rock culture, where recorded music is the primary experience. Of all the chapters in the book, this is the one that seemed the most dated and in need of extensive revision, partly because rock music no longer occupies the position of dominance in popular music and its study that it once held, and because music video, the third form I introduced into the discussion alongside of live and recorded music, has undergone a significant change in cultural status. It is not at all the case that music video has disappeared or that it has become unimportant. To the contrary: videos are one of the primary means by which new music is distributed and are perhaps even more important as vehicles for artistic expression than in the past. Consider, for instance, the impact of Beyoncé's "visual album" of 2016, *Lemonade*, which premiered as a full-length film on HBO, or of Childish Gambino's "This is America" (2018). Nevertheless, music videos are no longer institutionalized as in the past. MTV is no longer the central outlet, and video distribution has become decentralized, taking place largely on YouTube. In revising this chapter, I retained the focus on the dialectical relationship between live and recorded music in the establishment of musical authenticity, but have moved beyond rock music to talk about multiple genres, with a particular emphasis on electronic music, a contemporary form that raises specific questions in this context. The material in the chapter related to rock music was carried over from previous editions. Most of the rest is new writing.

The fourth chapter lent itself more than the others to straightforward updating. I have added consideration of some more recent cases and acknowledged new scholarship, particularly in the sections on the right of publicity, tribute bands, and digitally cloned performers. As a follow-up to the historical discussion of a proposal in the 1970s to conduct trials via

videotape, I have added a section on the debate around the idea of conducting trials using teleconferencing during the pandemic, a prospect that raised many of the same issues as videotape trials.

Needless to say, those who are interested in earlier arguments that have been excluded from this edition will have no difficulty finding them in the earlier ones. It is my hope that this new edition can both sustain the ongoing discussions of performance in a mediatized culture initiated by the first two and start some new ones.

Philip Auslander,
Atlanta, February 2022

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Materials in this book were published previously as "Pandemic proceedings: legal performance in the time of Covid-19," *PAJ: A Journal of Performance and Art* 43, 3 (2021): 77–86 and Review of *That Show Was Epic! Phil Lesh and The Terrapin Family Band, 3/16/18*, by Phil Lesh, *Theatre Journal* 73, 3 (2021): 409–10.

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1 Introduction

The prospectus for a conference entitled "Why Theatre: Choices for the New Century"[1] posed a question that goes straight to the heart of the matter that concerns me here: "Theatre and the media: rivals or partners?" My answer to this question is: both. Theatre, and live performance generally, partner with the media in a multitude of ways, beginning with the fact that live and mediatized forms are mutually defining: the distinction is meaningless without both. Often, there is a symbiotic relationship between the two within a given context, as is the case in the relationship between concerts and recorded music discussed in Chapter 3. At the level of cultural economy,[2] theatre and live performance and the mass media are often rivals. Historically, television usurped the theatre's cultural position and audience, and the general tendency of live performance to become more and more like mediatized performance through the incorporation of technology is a competitive strategy.

In an essay on theatre and cinema, Herbert Blau (1982:121) quotes Marx's *Grundrisse*:

> In all forms of society, there is one specific kind of production which predominates over the rest, whose relations thus assign rank and influence to the others. It is a general illumination which bathes all the other colours and modifies their particularity. It is a particular ether which determines the specific gravity of every being which has materialized within it.

Although Marx is describing industrial production under bourgeois capitalism, for Blau, "he might as well be describing the cinema." I would argue, *pace* Marx and Blau, that Marx might as well be describing the digital screen, whether of a television, computer, or smartphone. Marx's allusions to a general illumination and an ether (a word frequently used in early discussions of broadcasting to describe the medium through which

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electronic waves pass) are even more appropriate to the ubiquitous glow of those screens than to the cinema.

It is the case that broadcast television is now an embattled medium locked into competition with and seeking inroads into streaming media of all kinds. Nevertheless, television remains the statistically dominant medium for the moment. In addition, television long ago transcended its identity as a particular medium and is suffused through culture as "the televisual."

> What the televisual names … is the end of the medium, in a context, and the arrival of television as the context. What is clear is that television has to be recognised as an organic part of the social fabric; which means that its transmissions are no longer managed by the flick of a switch.
>
> (Fry 1993:13)

Even if television itself is no longer the culturally central institution it once was, the experience of digital media is still largely televisual. Because live performance is the category of cultural production most directly affected by the dominance of televisual media, it is particularly urgent to address the situation of live performance in our mediatized culture.

Investigating live performance's cultural valence for the present volume, I quickly became impatient with what I consider to be traditional, unreflective assumptions that fail to get much further in their attempts to explicate the value of liveness than invoking clichés and mystifications like "the magic of live theatre," the "energy" that supposedly exists between performers and spectators in a live event, and the "community" that live performance is often said to create among performers and spectators. In time, I came to see that concepts such as these do have value for performers and partisans of live performance. Indeed, it may even be necessary for performers, especially, to believe in them. But where these concepts are used to describe the relationship between live performance and its present mediatized environment, they yield a reductive binary opposition of the live and the mediatized. Steve Wurtzler (1992:89)[3] summarizes this traditional view well:

> As socially and historically produced, the categories of the live and the recorded are defined in a mutually exclusive relationship, in that the notion of the live is premised on the absence of recording and the defining fact of the recorded is the absence of the live.

In this tradition, "the live comes to stand for a category completely outside representation" (ibid.:88). In other words, the common assumption is that

the live event is "real" and that mediatized events are secondary and somehow artificial reproductions of the real. In Chapter 2, I will argue that this kind of thinking persists not only in the culture at large but also in contemporary performance studies. The arguments of this chapter are intended to challenge the traditional way of thinking about liveness and its cultural position by employing its terms (the traditional binary opposition), then opening those terms themselves to critique. This book as a whole is based on the premise that liveness must be examined not as a global, undifferentiated phenomenon but within specific cultural and social contexts and in relation to specific cultural forms.

Perhaps because of my impatience with the conventional wisdom, I have sometimes been mistaken for someone who does not value—who is even antagonistic toward—live performance. This is very far from being the case: my interest in the cultural status of live performance derives directly from my background as a theatre-trained actor and my sense of living in a culture in which the value of liveness is continually being renegotiated. Despite my own commitment to the theatre and other forms of live performance, I have tried here to take a fairly hard-headed, unsentimental approach that challenges received wisdom.

Performance artist and actor Eric Bogosian describes live theatre as:

> medicine for a toxic environment of electronic media mind-pollution … Theater clears my head because it takes the subtextual brainwashing of the media madness and SHOUTS that subtext out loud … Theater is ritual. It is something we make together every time it happens. Theater is holy. Instead of being bombarded by a cathode ray tube we are speaking to ourselves. Human language, not electronic noise.
>
> (Bogosian 1994:xii)

Bogosian's perception of the value of live performance clearly derives from its ostensible existence only in the moment ("every time it happens"), and its putative ability to create community (if not communion) among its participants, including performers and spectators. These are both issues I address in the chapters to follow. Most important for the present discussion, he sets live performance in a relationship of antagonistic opposition to mediatization and imputes to live performance the social, perhaps even political, function of opposing the oppressive regime of "electronic noise" imposed upon us by the mass media. This opposition, and live performance's supposed curative powers, presumably derives from significant ontological distinctions between live and mediatized cultural forms. This perception of an oppositional relationship between the live and the mediatized animates

my own discussion, for I wish to deconstruct this opposition in my discussion of the ontology of live performance in Chapter 2.

Several important premises are implied by my use of the word "mediatized." Initially, I borrowed the term from Jean Baudrillard (1981) who uses it not simply as a neutral term describing products of the media. Rather, he sees the media as instrumental in a larger, socio-political process of bringing all discourses under the dominance of a single code.

However, I am more interested in employing this word to indicate that a particular cultural object is a product of the mass media or of media technology. "Mediatized performance" is performance that is circulated on television, as audio or video recordings, and in other forms based in technologies of reproduction. For this reason, I have found Stig Hjarvard's definition to be more useful for my purposes than Baudrillard's. For Hjarvard (2013:2), mediatization theory departs from the premise that

> Contemporary culture and society are permeated by the media, to the extent that the media may no longer be conceived as being separate from cultural and social institutions. Under these circumstances, the task before us is instead to seek to gain an understanding of how social institutions and cultural processes have changed character, function, and structure in response to the omnipresence of the media.

Two of the central cultural mechanisms Hjarvard (ibid.:20) examines are what he calls "direct" and "indirect" mediatization.

> Direct mediatization refers to situations where formerly non-mediated activity converts to a mediated form, i.e., the activity is performed through interaction with a medium. A simple example of direct mediatization is the successive transformation of chess from physical chessboard to computer game.

In the realm of the performing arts, watching the streaming version of *Hamilton* or listening to recorded music exemplify direct mediatization. "Indirect mediatization is when a given activity is increasingly influenced with respect to its form, content, organization, or context by media symbols or mechanisms" (ibid.). An example of indirect mediatization I discuss in Chapter 3 is the YouTube Symphony Orchestra. Although the orchestra was a conventional musical ensemble, its cultural and economic relationship to YouTube, the fact that it was organized through online auditions and developed through a process tracked online that led to a live performance at Carnegie Hall that was also presented as a video all mark it

as an indirectly mediatized version of an orchestra. I employ Hjarvard's vocabulary at various points throughout this book.

In the sense that I am treating live and mediatized performance as parallel forms that participate in the same cultural economy, my usage of "mediatization" also follows Fredric Jameson's definition of the term as: "the process whereby the traditional fine arts … come to consciousness of themselves as various media within a mediatic system" (Jameson 1991:162). Susan Sontag (1966:25), in her essay on theatre and film, contrasts the two forms by saying that: "theatre is never a 'medium'" in the sense that "one can make a movie 'of' a play but not a play 'of' a movie." Part of my argument in Chapter 2 is intended to prove Sontag wrong: there have long been plays "of" movies and television programs, and live performance can even function as a kind of mass medium. Whereas the traditional view represented by Sontag's comment sees theatre and the live performance arts generally as belonging to a cultural system separate from that of the mass media, live forms have become mediatized in Jameson's sense: they have been forced by economic reality to acknowledge their status as media within a mediatic system that includes the mass media and information technologies. Implicitly acknowledging this situation, a number of theatres have displayed signs similar to the banner that flew at one point outside the Alliance Theater in Atlanta declaring that its offerings are "Not Available on Video," demonstrating that the only way of imputing specificity to the experience of live performance in the current cultural climate is by reference to the experience of mediatization.

There is no question that live performance and mediatized forms compete for audiences in the cultural marketplace, and that mediatized forms have gained the advantage in that competition. Broadway producer Margo Lion's observation about the position of theatre within this competitive cultural economy can be applied to live performance generally: "we have realized that we are all competing for the same entertainment dollars in a climate where theater isn't always first on the list" (quoted in Rick Lyman, "On stage and off," *New York Times*, December 19, 1997:B2). Blau (1992:76) elaborates:

> [The theatre's] status has been continually threatened by what Adorno named the culture industry and … the escalating dominance of the media. "Do you go to the theater often?"
>
> That many have never gone, and that those who have, even in countries with established theater traditions, are going elsewhere or, with cable and VCRs, staying home, is also a theatrical fact, a datum of practice.

As Blau recognizes, theatre and other forms of live performance compete directly with mediatized forms that are much more advantageously positioned in the marketplace. By calling the pressure of live performance's competition with the mediatized "a datum of practice" he suggests that performance practice inevitably reflects this pressure in the material conditions under which performance takes place, in the composition of the audience and the formation of its expectations, and in the forms and contents of performance itself.

An important consequence of thinking about live and mediatized performance as belonging to the same mediatic system is the inscription of live performance within the historical logic of media identified by Marshall McLuhan (1964:158): "A new medium is never an addition to an old one, nor does it leave the old one in peace. It never ceases to oppress the older media until it finds new shapes and positions for them." Jay Bolter and Richard Grusin (1996:339) have refined this analysis with their concept of "remediation"—"the representation of one medium in another." According to their analysis, "new technologies of representation proceed by reforming or remediating earlier ones" (ibid.:352). My discussion in Chapter 2 of the relationship between theatre and early television and the consequent displacement of live performance by television is an attempt to describe how this historical logic plays out in this instance. Chapter 3 tells a similar story in the context of music. To put it bluntly, the general response of live performance to the oppression and economic superiority of mediatized forms has been to become as much like them as possible. From ball games that incorporate instant-replay screens, to rock concerts that re-create the images of music videos, to live stage versions of television shows and movies, to the incorporation of video into dance and performance art, evidence of the incursion of mediatization into the live event is available across the entire spectrum of performance genres.

This situation has created an understandable anxiety for those who value live performance, and this anxiety may be at the root of their need to say that live performance has a worth that both transcends and resists market value. In this view, the value of live performance resides in its very resistance to the market and the media, the dominant culture they represent, and the regime of cultural production that supports them. For many reasons (which will be elaborated in the following chapters), I find this view untenable. The progressive diminution of previous distinctions between the live and the mediatized, in which live events are becoming ever more like mediatized ones, raises for me the question of whether there really are clear-cut ontological distinctions between live forms and mediatized ones. If live performance cannot be shown to be economically independent of, immune from contamination by, and ontologically

different from mediatized forms, in what sense can liveness function as a site of cultural and ideological resistance?

The chapters

Chapter 2 presents an overview of these issues and a general consideration of the status of live performance in a culture dominated by mass media. I begin by challenging the way in which the distinction between live and mediatized cultural forms has been defined traditionally by interrogating the concepts of ephemerality and distribution that underpin these definitions. I argue against seeing liveness as an ontological condition and in favor of understanding the concept as contingent, situated, and historically ductile. I turn then to historical analyses, first of the relationship between theatre and early television in the United States to show that television originally modeled itself on the live form then usurped the theatre's cultural position by offering itself as a substitute for the theatrical experience. After discussing the progressive mediatization of live performance, especially the theatre, following on the dominance of television, I continue this narrative into the age of the internet. Here, I find that the internet has not had the same direct impact on live performance forms as did television before it but that types of performance have arisen in its wake that seem to address spectators as computer users. I end this chapter with a meditation on the absence of live performance during the COVID-19 pandemic.

Chapter 3 offers a case study of the meaning of liveness within the context of music, the performance of which was redefined by mediatization beginning in the late nineteenth century with the advent of recording technology. I discuss this mediatization of musical experience as an ongoing historical process, with some emphasis on its economic dimensions, and focus on the concept of authenticity in musical performance and its relationship to liveness. Once recorded music became the normative experience, the need arose for a way of establishing the authenticity of a performance that was heard but no longer seen. The relationship between recorded and live performances is paradoxical in the sense that the authenticity of the recording derives from a vestigial sense of its liveness, while the authenticity of the live performance resides in part in its relationship to the recording. The process of authenticating musical performance is therefore dialectical. I end this chapter with a consideration of the further intricacies contemporary electronic music has introduced into this already complicated picture.

Chapter 4 resumes the critique of liveness as a site of cultural and ideological resistance begun in Chapter 2, this time by way of a discussion

of the status of live performance in two fields of American jurisprudence. I begin with an examination of the effort in the early 1970s to instate prerecorded videotape trials and discuss the failure of that effort in terms of the law's preference for live courtroom proceedings, a preference that is deeply rooted in constitutional and procedural issues. My purpose there is to show that the legal arena has proved more resistant to the incursion of mediatization than the other cultural sites examined here. I continue this narrative by looking at a similar discussion around the possibility of conducting trials via teleconferencing during the COVID-19 pandemic. I then turn to copyright law, which is pivotal to a discussion of the legal status of live performance. While it is true that live performance cannot be copyrighted, other legal theories have been brought to bear to make performance "ownable" nevertheless. Whereas an influential strain of performance theory suggests that live performance's disappearance and persistence only in spectatorial memory make it a site of resistance to the authority of law, I argue that those very same qualities make performance available and useful to the law as both a policed site and a mechanism of regulation. Live performance and its putative ontology of disappearance (which I challenge on other grounds in Chapter 2) are in fact central to the theory and practice of American law. Indeed, the legal arena may be one of the few remaining cultural contexts in which live performance is still considered essential.

I hope this study will be received in the spirit in which it is offered. Drawing on a mixed bag of disciplines, including media theory, cultural theory, sociology, performance studies, economics, and legal studies, it is the product of what Jacques Attali (1985:5) calls "theoretical indiscipline." I have tried to balance theoretical speculation with arguments based in material reality and empirical evidence. I find that the texts I value the most, many of which are cited here, are those in which I can find much with which to agree and much with which to disagree. I believe *Liveness: Performance in a Mediatized Culture* has served others in this way and I expect it will continue to do so.

Notes

1 The conference, which took place in the fall of 1995 in Toronto, was sponsored by the University of Toronto and Humboldt University in Berlin.
2 I use the phrase "cultural economy" to describe a realm of inquiry that includes both the real economic relations among cultural forms, and the relative degrees of cultural prestige and power enjoyed by different forms.
3 Wurtzler (1992:89–90) challenges this binary opposition by asserting that "the socially constructed categories live and recorded cannot account for all representational practices." He offers a chart in which various kinds of events are

positioned according to spatial and temporal vectors. Two categories of representations that are neither purely live nor purely recorded emerge: those in which performance and audience are spatially separate but temporally co-present (e.g., live television or radio) and those in which performance and audience are spatially co-present but elements of the performance are pre-recorded (e.g., lip-synched concerts, instant replays on stadium video displays).

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