



# InterPARES 2 Project

International Research on Permanent Authentic Records in Electronic Systems

## Domain 1 Research Questions

### Case Study 15: *Waking Dream*

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**1.1** What types of documents are traditionally made or received and set aside (that is, created) in the course of artistic, scientific, and government activities that are expected to be delivered on-line? For what purposes? What types of electronic documents are currently being created to accomplish those same activities? Have the purposes for which these documents are created changed?

- Because *Waking Dream* is a unique creative work, it is not possible to speak of a traditional activity that is replaced or altered as a result of changes to technology; however, previous creative works of a similar type may have made use of analogue technologies where *Waking Dream* uses digital technology to record and save film, photographic and sound components of the work. Where the *Waking Dream* team makes use of a website both to promote their work and to preserve evidence of it, more traditional performers may have used printed brochures and posters for promotional purposes, and analogue video for preservation purposes.
- During the creation, performance and promotion of *Waking Dream* several types of digital entities are created. These include:
  - a program code which allows the dancer to remotely drowse the shutter on the video projector;
  - a Power Point file which allows the team to switch between two video files; video footage (stored as an AVI file);
  - sound samples and a soundtrack;
  - a website which is used to promote the work;
  - and text files and email related to grant applications, finances and the creative process.
- Specifically, the *Waking Dream* team uses digital technology to help create the effect for the audience of having entered a waking dream state. More generally, the digital entities are created to realize the team's vision for *Waking Dream* and to enable its performance.

These purposes are consistent with the general purposes of artistic activity in any medium.

**1.2** What are the nature and the characteristics of the traditional process of document creation in each activity? Have they been altered by the use of digital technology and, if yes, how?

- As stated above, there is no traditional activity that the activity under investigation replaces. Neither is there a traditional process of document creation that is replaced.
- No formal procedures were followed during the creation of *Waking Dream*. The three co-authors conceived of the idea together, and then divided tasks according to each person's creative talent and area of expertise.
- The ad-hoc process of creation has been broken down as follows:
  - Form initial creative ideas (all participated, led by Fels)
  - Devise conceptual narrative (all participated, led by Fels)
  - Capture sound samples (Neubauer)
  - Edit sound samples to create soundtrack (Takahashi)
  - Capture and edit video footage (Neubauer)
  - Build remote control devices, head-mounted video camera, and video projector dowsers (Fels, with assistance of his students)
  - Write program code to allow remote control of video projector dowsers (Fels, with assistance of his students)
  - Develop choreography and more general movement on stage (Takahashi)
  - Determine stage requirements (Takahashi and Fels)
  - Create informational website (Fels)
  - Perform *Waking Dream*

**1.3** What are the formal elements and attributes of the documents generated by these processes in both a traditional and a digital environment? What is the function of each element and the significance of each attribute? Specifically, what is the manifestation of authorship in the records of each activity and its implications for the exercise of intellectual property rights and the attribution of responsibilities?

- There is limited information in the case study final report about the formal elements and attributes of the various digital components of *Waking Dream*:
  - The computer code used to read the remote control dowsers is written in a version of Visual Basic Project Manager developed to run on a Windows 98 platform. The code can only run on a Windows 98 box because it requires access to the EP and LP, a function which has been disabled in subsequent Windows operating systems.
  - Edited video footage is stored as an AVI file.
  - A Power Point file is created to allow for the alternation of the two video feeds. The Power Point file currently only works on a Mac computer running OS9.
  - Sound samples are edited using Q-Base to master the soundtrack.
  - Administrative documents are created in Word and Excel.

- The question of authorship is interesting in this case. The *Waking Dream* team consists of three people, and each is responsible for the creation of certain components. Fels created the computer code, the power point file and the website, Neubauer captured the video footage, edited the video, and captured the sound samples, and Takahashi edited the sound samples to make the soundtrack and determines the choreography of the piece. Though the work was conceived and planned collaboratively, it is based on an intellectual rationale developed primarily by Fels. The diplomatic analysis has identified each of the contributors as authors of the piece, as each has the necessary authority and capacity to issue the parts of the piece for which they are responsible, and because for the performance to be considered complete, each of the components must be present. Where the question of authorship becomes interesting is in the disagreement between Fels and Takahashi about future performances of the work. Takahashi believes that the work can only ever be performed by her, that her role as dancer and the dance moves she improvises are critical to the nature of the piece. Fels believes that it should be possible for others to perform the piece. In essence, the argument is over whether *Waking Dream* is a theatrical performance or a piece of performance art. Fels also acknowledges a concern regarding the amount of change that the video and soundtrack elements can sustain before the work is no longer Neubauer's. Neither of these issues has been resolved, and authorship has not been made manifest in any of the formal attributes of any of the digital components.

**1.4** Does the definition of a record adopted by InterPARES 1 apply to all or part of the documents generated by these processes? If yes, given the different manifestations of the record's nature in such documents, how do we recognize and demonstrate the necessary components that the definition identifies? If not, is it possible to change the definition maintaining the theoretical consistency in the identification of documents as records across the spectrum of human activities? In other words, should we be looking at other factors that make of a document a record than those that diplomatics and archival science have considered so far?

- The diplomatic analysis for this case study concludes that though the performance of *Waking Dream* and the public website must be considered as end products rather than by-products of the activity of creating and publicizing the work, records are created during the activity.
- These records include: the original video footage, the edited video that is projected onto the screen during performance, the original sound samples, the different versions of the edited soundtrack, the computer code used to operate the remote control dowser, the Power Point file used to switch between videos, and administrative records related to the funding, planning and promotion of the work.
- However, the creation of an additional record is required if the piece is to be re-performed. Currently, no description of the piece exists except for a brief description of the general idea behind the performance that is posted on the website. In order for *Waking Dream* to be re-created by other performers, a document will have to be created that describes the characteristics of each of the components and explains how they work together. Fels states that he is not concerned with the particular type of technology used

to re-create *Waking Dream*, but is instead concerned that future performances of the piece will be capable of achieving the team's vision for the piece. For this to be possible, the team must ensure that the instructions they create describe in detail this vision and the intended effects of the technologies they have used. If Takahashi is successful in her bid to have the piece recognized as performance art and therefore incapable of performance without her presence, this step will not be necessary.

**1.5** As government and businesses deliver services electronically and enter into transactions based on more dynamic web-based presentations and exchanges of information, are they neglecting to capture adequate documentary evidence of the occurrence of these transactions?

- The *Waking Dream* team does not have the same responsibilities to capture documentary evidence of its actions as governments and businesses mandated to provide services to clients. However, it is clear that if the team intends for *Waking Dream* to continue to be performed in the future – and in particular, if they hope to have performers other than themselves do so – better documentation of the team's intentions, and of the methods and technologies used to realize those intentions, will be required.

**1.6** Is the move to more dynamic and open-ended exchanges of information blurring the responsibilities and altering the legal liabilities of the participants in electronic transactions?

- The *Waking Dream* team has no legal liabilities or responsibilities, besides compliance with grant stipulations.
- As mentioned above, one legal issue has arisen; Takahashi, the dancer, and Fels, disagree over whether the work is a theatrical performance or a piece of performance art. If the piece is considered a theatrical performance, it can be performed by other dancers and/or actors. If the piece is considered a piece of performance art, it can only be performed by Takahashi. However, this issue revolves around the nature of the performance, not the nature of the technology used to create it and would manifest itself in the same way in a non-digital environment.

**1.7** How do record creators traditionally determine the retention of their records and implement this determination in the context of each activity? How do record retention decisions and practices differ for individual and institutional creators? How has the use of digital technology affected their decisions and practices?

- The creators of *Waking Dream* have not considered record retention.