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## *Plunderphonia*

CHRIS CUTLER

Chris Cutler (1947–) has been a key figure in vanguard music for more than three decades. In 1971, he began playing drums for experimental rock outfit Henry Cow, which combined rock, improvised music, avant-garde composition, and left-wing politics, and collaborated with like-minded groups such as Soft Machine, Slapp Happy, and Gong. Following Henry Cow's dissolution in 1978, Cutler went on to found a number of other groups (Art Bears, Casiber, etc.) and to perform with Pere Ubu and The Residents. In the past two decades, he has been a significant presence on the British free improvisation scene, working with Eddie Prevost, Eugene Chadbourne, Fred Frith, Zeena Parkins, and others.

Cutler has been equally important as a musical organizer, distributor, and theorist. In 1978, he formed "Rock in Opposition," a collective of musicians dedicated to resisting the power of the commercial music industry. The same year, he founded Recommended Records, "an alternative, independent, non-commercial record distribution, mailorder network and label." Cutler's essays have consistently pursued the ideal of a genuinely democratic culture. In this article, Cutler places sampling and "plunderphonics" in historical perspective, examining the ways in which recording and musical technology have altered the very nature of music and musical practice.

Until 1877, when the first sound recording was made, sound was a thing predicated on its own immediate disappearance; today it is increasingly an *object* that will outlast its makers and consumers. It declines to disappear, causing a great weight of dead music to press upon the living. What to do with it? An organic response has been to recycle, an answer strenuously resisted by traditional music thinking. Yet, plagiarism, once rejected as insupportable, has today emerged both as a standard procedure and as a consciously self-reflexive activity, raising vexed debates about ownership, originality, copyright, skill and cultural exhaustion. This essay attempts to sketch the history of plunderphonics and relate it to the paradigm shift initiated by the advent of sound recording.

## Introduction

"Sounds like a dive downwards as a sped up tape slows rapidly to settle into a recognisable, slightly high-pitched Dolly Parton. It continues to slow down, but more gradually now. The instruments thicken and their timbres stretch and richen. Details unheard at the right speed suddenly cut across the sound. Dolly is changing sex; she's a man already; the backing has become hallucinatory and strange. The grain of the song is opened up and the ear, seduced by detail, lets a throng of surprising associations and ideas fall in behind it. The same thing is suddenly very different. Who would have expected this extraordinary composition to have been buried in a generic country song, 1000 times heard already and 1000 times copied and forgotten?"

So I hear John Oswald's version of Dolly Parton's version of "The Great Pretender," effectively a recording of Oswald playing Parton's single once through, transformed via varispeed media (first a high speed cassette duplicator, then an infinitely variable speed turntable, finally a hand-controlled reel-to-reel tape—all seamlessly edited together). Apart from the *economy* of this single procedure of controlled deceleration, which is, as it were, *played* by Oswald, no modifications have been made to the original recording. However, although the source is plainly fixed and given, the choice, treatment and reading of this source are all highly conscious products of Oswald's own intention and skill. So much so indeed that it is easy to argue that the piece, although "only" Parton's record, undoubtedly forms, in Oswald's version, a self-standing composition with its own structure and logic—both of which are profoundly different from those of the original. Oswald's "Pretender" would still work for a listener who had never heard the Parton version, and in a way the Parton version never could. Though the Parton version is, of course, *given*—along with and against the plundered version. What Oswald has created—created because the result of his work is something startlingly new—is a powerful, aesthetic, significant, polysemic but highly focused and enjoyable sound artefact; both a source of direct listening pleasure and (for our purposes) a persuasive case for the validity and eloquence of its means.

John Oswald's "Pretender" and other pieces—all originated from existing copyright recordings but employing radically different techniques—were included on an EP and later a CD, *Plunderphonic*. Both were given away free to radio stations and the press. None was sold. The liner note reads: "This disc may be reproduced but neither it, nor any reproductions of it are to be bought or sold. Copies are available only to public access and broadcast organisations, including libraries, radio or periodicals." The 12" EP, consisting of four pieces—"Pretender" (Parton), "Don't" (Presley), "Spring" (Stravinsky), "Pocket" (Basie)—was made between 1979 and 1988 and released in May 1988, with some support from the Arts Council of Canada. The CD, containing these and 20 other pieces was realised between 1979–89 and released on October 31st 1989 and was financed entirely by Oswald himself. Between Christmas Eve 1989 and the end of January 1990 all distribution ceased and all extant copies were destroyed. Of all the plundered artists it was Michael Jackson who pursued the CD to destruction. Curiously Jackson's own plundering, for instance the one minute and six seconds of The Cleveland Symphony Orchestra's recording of Beethoven's Ninth which opens Jackson's "Will You Be There?" on the CD *Dangerous*, for which Jackson claims

no less than six credits, including composer copyright (adding plagiarism to sound piracy), seems to have escaped his notice.

### Necessity and Choice (Continued)

In 1980 I wrote that "From the moment of the first recording, the actual performances of musicians on the one hand, and all possible sound on the other, had become the proper matter of music creation."<sup>1</sup> I failed, however, to underline the consequence that "all sound" has to include other people's already recorded work; and that when all sound is just raw material, then recorded sound is *always* raw—even when it is cooked. This omission I wish now in part to redress.

Although recording offered all audible sound as material for musical organisation, art music composers were slow to exploit it, and remain so today. One reason is that the inherited paradigms through which art music continues to identify itself have not escaped their roots in notation, a system of mediation which determines both what musical material is available and what possible forms of organisation can be applied to it. The determination of material and organisation follows from the character of notation as a discontinuous system of instructions developed to model visually what we know as melody, harmony and rhythm represented by, and limited to, arrangements of *fixed tones* (quantised, mostly 12 to an octave) and *fixed durations* (of notes and silences). Notation does not merely quantise the material, reducing it to simple units but, constrained by writability, readability and playability, is able to encompass only a very limited degree of complexity within those units. In fact the whole edifice of western art music can be said, after a fashion, to be constructed upon and through notation,<sup>2</sup> which, amongst other things, *creates* "the composer" who is thus constitutionally bound to it.

No wonder then that recording technology continues to cause such consternation. On the one hand it offers control of musical parameters beyond even the wildest dreams of the most radical mid-20th century composer; on the other it terminally threatens the deepest roots of the inherited art music paradigm, replacing notation with the direct transcription of performances and rendering the clear distinction between performance and composition null.

Perhaps this accounts for the curious relationship between the art music world and the new technology which has, from the start, been equivocal or at least highly qualified (Edgard Varèse and later Karlheinz Stockhausen notably excepted). And it is why the story I shall have to tell is so full of tentative high art experiments that seem to die without issue and why, although many creative innovations in the new medium were indeed made on the fringes of high art, their adoption and subsequent extension has come typically through other, less ideologically intimidated (or less paradigmatically confused?) musical genres. Old art music paradigms and new technology are simply *not able* to fit together.<sup>3</sup>

For art music then, recording is inherently problematic—and surely plunderphonics is recording's most troublesome child, breaking taboos art music hadn't even imagined. For instance, while plagiarism was already strictly off limits (flaunting non-negotiable rules concerning originality, individuality and property rights), plunderphonics was proposing routinely to appropriate as its raw material not merely other people's tunes or styles but finished recordings of them! It offered a medium in which, far from art music's essential creation *ex nihilo*, the origination,

guidance and confirmation of a sound object may be carried through *by listening alone*.

The new medium proposes, the old paradigms recoil. Yet I want to argue that *it is precisely in this forbidden zone that much of what is genuinely new in the creative potential of new technology resides*. In other words, the moral and legal boundaries which currently constitute important determinants in claims for musical legitimacy, impede and restrain some of the most exciting possibilities in the changed circumstances of the age of recording. History to date is clear on such conflicts: the old paradigms will give way. The question is—to what?

One of the conditions of a new art form is that it produce a metalanguage, a theory through which it can adequately be described. A new musical form will need such a theory. My sense is that Oswald's *Plunderphonic* has brought at last into sharp relief many of the critical questions around which such a theory can be raised. For by coining the name, Oswald has identified and consolidated a musical practice which until now has been without focus. And like all such namings, it seems naturally to apply retrospectively, creating its own archaeology, precursors and origins.

### Originality

Of all the processes and productions which have emerged from the new medium of recording, plunderphonics is the most consciously self-reflexive; it begins and ends only with recordings, with the *already played*. Thus, as I have remarked above, it cannot help but challenge our current understanding of originality, individuality and property rights. To the extent that sound recording as a medium negates that of notation and echoes in a transformed form that of biological memory, this should not be so surprising.<sup>4</sup> In ritual and folk musics, for instance, originality as we understand it would be a misunderstanding—or a transgression—since proper performance is repetition. Where personal contributions are made or expected, these must remain within clearly prescribed limits and iterate sanctioned and traditional forms.

Such musics have no place for genius, individuality or originality as we know them or for the institution of intellectual property. Yet these were precisely the concepts and values central to the formation of the discourse that identified the musical, intellectual and political revolution that lay the basis for what we now know as the classical tradition. Indeed they were held as marks of its superiority over earlier forms. Thus, far from describing *hubris* or transgression, originality and the individual voice became central criteria of value for a music whose future was to be marked by the restless and challenging pursuit of progress and innovation. Writing became essential, and not only for transmission. A score was an individual's signature on a work. It also made unequivocal the author's claim to the legal ownership of a sound blueprint. "Blueprint" because a score is mute and others have to give it body, sound, and meaning. Moreover, notation established the difference and immortality of a work in the abstract, irrespective of its performance.

### Copyright

The arrival of recording, however, made each performance of a score as permanent and fixed as the score itself. Copyright was no longer so simple.<sup>5</sup> When John

Coltrane recorded his version of "My Favourite Things" (1961), a great percentage of which contains no sequence of notes found in the written score, the assigning of the composing rights to Rogers and Hammerstein hardly recognises the compositional work of Coltrane, Garrison, Tyner and Jones. A percentage can now be granted for an "arrangement" but this doesn't satisfy the creative input of such performers either. Likewise, when a collective improvisation is registered under the name, as often still occurs, of a bandleader, nothing is expressed by this except the power relations pertaining in the group. Only if it is registered in the names of all the participants, are collective creative energies honoured—and historically, it took decades to get copyright bodies to recognise such "unscored" works, and their status is still anomalous and poorly rated.<sup>6</sup> Still, this is an improvement: until the mid 1970s, in order to claim a composer's copyright for an improvised or studio originated work, one had to produce some kind of score constructed from the record—a topsy-turvy practice in which the music created the composer. And to earn a royalty on a piece which started and ended with a copyright tune but had fifteen minutes of free improvising in the middle, a title or titles had to be given for the improvised parts or all the money would go to the author of the bookending melody. In other words, the response of copyright authorities to the new realities of recording was to cobble together piecemeal compromises in the hope that, between the copyrights held in the composition and the patent rights granted over a specific recording, most questions of assignment could be adjudicated—and violations could be identified and punished. No one wanted to address the fact that recording technology had called not merely the mechanics but the adequacy of the prevailing *concept* of copyright into question.

It was Oswald, with the release of his not-for-sale EP and then CD who, by naming, theorising and defending the use of "macrosamples" and "electro-quotes," finally forced the issue. And it was not so much that the principles and processes involved were without precedent but rather that through Oswald they were at last brought together in a focused and fully conscious form.

The immediate result was disproportionate industry pressure, threats and the forcible withdrawal from circulation and destruction of all extant copies. This despite the fact that the CD in question was arguably an original work (in the old paradigmatic sense), was not for sale (thereby not exploiting other people's copyrights for gain) and was released precisely to raise the very questions which its suppression underlined but immediately stifled. Nevertheless, the genie was out of the bottle.

The fact is that, considered as raw material, a recorded sound is technically indiscriminate of source. All recorded sound, as recorded sound, is information of the same quality. A recording of a recording is just a recording. No more, no less. We have to start here. Only then can we begin to examine, as with photomontage (which takes as its strength of meaning the fact that a photograph of a photograph is—a photograph) how the message of the medium is qualified by a communicative intent that distorts its limits. Judgements about what is plagiarism and what is quotation, what is legitimate use and what, in fact if not law, is public domain material, cannot be answered by recourse to legislation derived from technologies that are unable even to comprehend such questions. When "the same thing" is so different that it constitutes a new thing, it isn't "the same thing" anymore—even if, like Oswald's hearing of the Dolly Parton record, it manifestly is the "same thing"

and no other. The key to this apparent paradox lies in the protean self-reflexivity of recording technology, allied with its elision of the acts of production and reproduction—both of which characteristics are incompatible with the old models, centred on notation, from which our current thinking derives, and which commercial copyright laws continue to reflect.

Thus plunderphonics as a practice radically undermines three of the central pillars of the art music paradigm: *originality* (it deals only with copies), *individuality* (it speaks only with the voice of others), and *copyright* (the breaching of which is a condition of its very existence).

### Recording History: The Gramophone

As an attribute unique to recording, the history of plunderphonics is in part the history of the self-realisation of the recording process; its coming, so to speak, to consciousness.<sup>7</sup> Sound recording began with experiments in acoustics and the discovery that different pitches and timbres of sound could be rendered visible, most notably in 1865 by Leon Scott de Martinville attaching a stylus to a membrane, causing the membrane to vibrate with a sound and allowing it to engrave its track on a glass cylinder coated with lampblack moving at a fixed speed. Such experiments were conducted only to convert otherwise invisible, transient sound into a "writing" (phono-graph means "voice-writer"), a fixed visible form that would allow it to be seen and studied. It was some ten years before it occurred to anyone that by simply reversing the process the sound thus written might be recovered. And it wasn't until the late 1870s that the first, purely mechanical phonograph was constructed, without clear purpose, speculatively appearing as a "dictaphone," sonic snapshot device, novelty item or talking doll mechanism. Interestingly all Edison's early cylinders were recording devices as well as reproducing devices, but he quickly lost the initiative to the mass reproducible flat Berliner disc, which was only a reproductive medium. Its mass production however fed the growing consumer market for music recordings. Though its reproductive quality was poorer than the Edison cylinder, the disc was cheaper and more accessible, and in the hands of entrepreneurs and users music quickly became the primary content of recorded media—a process accelerated after the electrification of the whole process in 1926 which resulted in improved recording techniques, superior reproductive quality and increasing uninterrupted playing times. The breakthrough for the record as a producing (as opposed to reproducing) medium, didn't come until 1948, in the studios of French Radio, with the birth of *musique concrète*. There were no technological advances to explain this breakthrough, only a thinking advance; the chance interpenetrations of time, place and problematic.

The first *concrète* pieces, performed at the *Concert de Bruits* in Paris by engineer/composer Pierre Schaeffer, were made by manipulating gramophone records in real time, employing techniques embedded in their physical form: varying the speed, reversing the direction of spin, making "closed grooves" to create repeated ostinati etc. Within two years the radio station, in the face of resistance from Schaeffer, had reequipped the studio with tape recorders; and Schaeffer, now head of the Groupe de Musique Concrète, continued to develop the same aesthetic of sound organisation and to extend the transformational procedures learned through turntable manipulations with the vastly more flexible resources of

magnetic tape. Other composers began to experiment with disc manipulation around the same time, including Tristram Cary in London and Mauricio Kagel in Buenos Aires. Tape had completely displaced direct-to-disc recording by 1950 and the studio that was to become an instrument was the tape studio. Disc experiments seemed merely to have become a primitive forerunner to tape work. It is curious that, in spite of the intimacy of record and recording, the first commercially available *musique concrète* on disc was not released until 1956.

## Tape

Where the gramophone was an acoustic instrument, the magnetic recorder, also invented at the end of the nineteenth century, was always electrical. The gramophone, however, had numerous initial advantages: it was easier to amplify (the energy of the recoverable signal was greater to start with), and as soon as Émile Berliner replaced the cylinder with the disc and developed a process to press copies from a single master (1895), records were easy to mass produce. Wire—and then tape—were both much more difficult. For these and other reasons, tape was not regularly employed in music until after the Second World War, when German improvements in recording and playback quality and in stable magnetic tape technology were generally adopted throughout the world. Within five years tape had become standard in all professional recording applications.

The vinyl disc meanwhile held its place as the principle commercial playback medium and thus the ubiquitous public source of recorded sound. This division between the professionally productive and socially reproductive media was to have important consequences, since it was on the gramophone record that music appeared in its public, most evocative form; and when resonant cultural fragments began to be taken into living sound art, it was naturally from records, from the “real” artefacts that bricoleurs would draw. But before we get to this part of the story, I want to take a quick look at plundering precedents in some other fields.

## History/Plunder

From early in the twentieth century conditions existed that one would expect to have encouraged sound plundering experiments as a matter of course. First, the fact of sound recording itself, its existence, its provision of a medium which offers the sonic simulacrum of an actual sound event in a permanent and alienable form. Moreover, in principle, a sound recording, like a photograph, is merely surface. It has no depths, reveals no process and is no palimpsest. It's just there; always the first, always a copy. It has no aura, nor any connection to a present source. And with its special claims toward objectivity and transparency, the tongue of a recording is always eloquently forked and thus already placed firmly in the realm of art.<sup>8</sup>

Secondly, montage, collage, borrowing, bricolage have been endemic in the visual arts since at least the turn of the century. The importation of readymade fragments into original works was a staple of cubism (newspaper, label samples, advertising etc.), futurism and early soviet art. Dada took this much further (Kurt Schwitters above all and the photomontagists) and as early as 1914 Marcel Duchamp had exhibited his bottle rack, a work in which, for the first time, a complete unmodified object was simply imported whole into an “art space.” Yet

strangely it waited 25 years for John Cage in his *Imaginary Landscape No. 1* (1939) to bring a gramophone record into a public performance as an instrument—and he still only used test tones and the effect of speed changes.

Having said this, I recently learned that at a Dada event in 1920 Stefan Wolpe used eight gramophones to play records at widely different speeds simultaneously—a true precedent, but without consequences; and of course Ottorino Respighi did call for a gramophone recording of a nightingale in his 1924 *Pina di Roma*—a technicality this, but imaginative nonetheless (though a bird call would have sufficed). Moreover, Darius Milhaud (from 1922), László Moholy-Nagy at the Bauhaus (1923) and Edgard Varèse (1936) had all experimented with disc manipulation, but none eventually employed them in a final work. Paul Hindemith and Ernst Toch did produce three recorded “studies” (*Grammophonmusik*, 1929-30), but these have been lost, so it is difficult to say much about them except that, judging from the absence of offspring, their influence was clearly small.<sup>10</sup> More prescient, because the medium was more flexible, were sound constructions made by filmmakers in the late 1920s and 1930s, using techniques developed for film, such as splicing and montaging, and working directly onto optical film soundtrack—for instance, in Germany, Walter Ruttmann’s *Weekend* (1928) and Fritz Walter Bischoff’s lost sound symphony, *Hallo! Hier Welle Erdball* (1928); and, in Russia, constructivist experiments including G. V. Alexandrov’s *A Sentimental Romance* (1930) and Dziga Vertov’s *Enthusiasm* (1931). There had also been some pieces of film music which featured “various treatments of sound recordings . . . probably created with discs before being transferred to celluloid—by such composers as Yves Baudrier, Arthur Honnegger and Maurice Jaubert.”<sup>11</sup>

The ideas were around, but isolated in special project applications. And strangely, optical recording techniques developed for film in the 1920s, although endowed with many of the attributes of magnetic tape, simply never crossed over into the purely musical domain, despite Edgard Varèse’s visionary proposal in 1940 for an optical sound studio in Hollywood—a proposal which, needless to say, was ignored.

With so many precedents in the world of the visual arts, and the long availability of the means of direct importation and plunder, it does seem surprising that it took so long for there to be similar developments in the world of music. And when, at last, the first clear intimations of the two principle elements crucial to plunderphonic practice did arrive, they arrived in two very different spheres, each surrounded by its own quite separate publicity and theory. The key works were Pierre Schaeffer’s early experiments with radio sound archive discs (e.g. *Étude aux tourniquets*, 1948) and John Cage’s unequivocal importation of readymade material into his *Imaginary Landscape No. 4* (1951) for twelve radios—where all the sounds, voices and music were plundered whole, and at random, from the ionosphere. In 1955, *Imaginary Landscape No. 5* specified as sound material forty-two gramophone records. Thus, although Schaeffer used pre-recorded materials, these were “concrete” sounds, not already recorded compositions; while Cage made his construction out of “copyright” works, although this fact was purely incidental to the intention of the piece.

It wasn’t until 1961 that an unequivocal exposition of plunderphonic techniques arrived in James Tenney’s celebrated *Collage No. 1* (“*Blue Suede*”), a manipulation of Elvis Presley’s hit record “Blue Suede Shoes.” The gauntlet was

down; Tenney had picked up a "non art," lowbrow work and turned it into "art"; not as with scored music by writing variations on a popular air, but simply by subjecting a gramophone record to various physical and electrical procedures.

Still no copyright difficulties.

### To Refer or Not to Refer

Now, it can easily be argued that performances with—and recordings which comprise—ready-made sounds, including other people's completed works, reflect a concern endemic in twentieth-century art with art media in and of themselves apart from all representational attributes. This can take the form, for instance, of an insistence that all that is imitation can be stripped away, leaving only sensual and essential forms with no external referents; or a belief that all semiotic systems consist of *nothing but* referentiality—signalled by the addition, as it were, of imaginary inverted commas to everything. But it is only a loss of faith, or illusion, or nerve, that stands between this century's younger belief in "pure" languages and today's acceptance of the "endless play of signification." Moreover, plunderphonics can be linked, historically and theoretically, to both perceptions. Thus a recording may be considered as no more than the anonymous carrier of a "pure"—which is to say a non-referential—sound; or it may be an instance of a text that *cannot exist without reference*. In the first way, as Michel Chion's "Ten Commandments For an Art of Fixed Sounds" makes clear, the composer "distinguishes completely sounds from their sonic source . . . he has done with mourning the presence of the cause."<sup>11</sup> Here the goal is to "purify" the sound, to strip it of its origin and memories (though it may well be that that same erased origin remains still to haunt it). In the second way, the recording—for instance a sample—may be no more than a fragment, a knowing self reference, a version, and may be used to point at this very quality in itself.

As a found (or stolen) object, a sound is no more than available—for articulation, fragmentation, reorigination; it may be given the form of pure "acousmatics" or made an instance of the availability and interchangeability—the *flatness*—of a recording, its origin not so much erased as rendered infinitely relative. These applications, of course, do not exhaust it: as a pirated cultural artefact, a found object, as debris from the sonic environment, a plundered sound also holds out an invitation to be used *because* of its cause and because of all the associations and cultural apparatus that surround it. And surely, what has been done with "captured" visual images (Warhol, Rauschenberg, Lichtenstein)—or with directly imported objects (Duchamp, the mutilated poster works of Harris, Rotella, De la Villegle and others)—all of which *depend upon* their actuality and provenance (as ready-mades)—can equally be done with captured "images" of sound.

Plundered sound carries, above all, the unique ability not just to *refer* but to *be*; it offers not just a new means but a new meaning. It is this dual character that confuses the debates about originality which so vex it.

### High and Low

Popular musics got off to a slow start with sound piracy. Nevertheless they soon proved far more able to explore its inherent possibilities than art musics, which

even after fifty years of sporadic experiment remained unable rigorously so to do. It is interesting perhaps that Tenney, who made the most radical essay into unashamed plunder, chose popular music as his primary source. In a later piece, *Viet Flakes*, from 1967, he mixed pop, classical and Asian traditional musics together and in so doing drew attention to another significant facet of the life of music on gramophone records, namely that, in the same way that they conceal and level their sources, records as objects make no distinction between "high" and "low" culture, "art" and "pop."<sup>12</sup> A record makes all musics equally accessible—in every sense. No special clothes are needed, no expensive tickets need be bought, no travel is necessary, one need belong to no special interest or social group, nor be in a special place at a special time. Indeed, from the moment recordings existed, a new kind of "past" and "present" were born—both immediately available on demand. Time and space are homogenised in the home loudspeaker or the headphone, and the pop CD costs the same as the classical CD and probably comes from the same shop. All commodities are equal.

For young musicians growing up in the electric recording age, immersed in this shoreless sea of available sound, electronics, Maltese folk music, bebop, rhythm and blues, show tunes, film soundtracks and the latest top ten hit were all equally on tap. Tastes, interests, studies could be nourished at the pace and following the desire of the listener. Sounds, techniques and styles could flit across genres as fast as you could change a record, tune a dial or analyse and imitate what you heard. A kind of sound intoxication arose. Certainly it was the ideas and applications encountered in recorded music of all types which led a significant fringe of the teenage generation of the late 1960s into experiments with sound, stylistic bricolage, importations, the use of noise, electronics, "inappropriate" instruments and—crucially—recording techniques.<sup>13</sup> The influence of art music and especially the work of Varèse, Schaeffer, Stockhausen and others cannot be overestimated in this context and, more than anything, it would be the crossplay between high and low art that would feature increasingly as a vital factor in the development of much innovative music. In plunderphonics too, the leakages—or maybe simply synchronicities—between productions in what were once easily demarcated as belonging in high or low art discourses, are blatant. Indeed, in more and more applications, the distinction is meaningless and impossible to draw.

But there are simpler reasons for the special affinity between low art and plundering. For instance, although the first plunder pieces (viz. the early *concrète* and the Cage works mentioned) belonged firmly in the art camp, blatant plundering nevertheless remained fairly off limits there, precluded essentially by the non-negotiable concern with originality and peer status—and also with the craft aspect of creating from scratch: originating out of a "creative centre" rather than "just messing about with other people's work." The world of low art had few such scruples: indeed, in a profound sense plundering was endemic to it—in the "folk" practices of copying and covering for instance (few people played original compositions), or in the use of public domain forms and genres as vessels for expressive variation (the blues form, jazz interpretations, sets of standard chord progressions and so on). The twentieth-century art kind of originality and novelty simply was not an issue here. Moreover, in the "hands on," low expectation, *terra nova* world of rock, musicians were happy to make fools of themselves "rediscovering America" the hard way.

What I find especially instructive was how, in a sound world principally mediated by recording, the high and low art worlds increasingly appropriated from one another. And how problems that were glossed over when art was art and there was no genre confusion (like Tenney's appropriation of copyrighted, but lowbrow, recordings) suddenly threatened to become dangerously problematic when genres blurred and both plunder and original began to operate in the same disputed (art/commercial) space.

### Low Art Takes a Hand

Rock precedents for pure studio tapework come from Frank Zappa, with his decidedly Varèse-esque concrete pieces on the albums *Absolutely Free*, *Lumpy Gravy* and *We're Only In It For The Money*, all made in 1967 (*We're Only In It For The Money* also contains an unequivocally plundered Surf music extract) and The Beatles' pure tapework on "Tomorrow Never Knows" from the 1966 album *Revolver*. "Revolution No 9" on *The White Album* is also full of plundered radio material. In the early 1960s radios were ubiquitous in the high art world and in some intermediary groups such as AMM and Faust (in the latter, on their second UK tour, guest member Uli Trepte played "Space Box"—a shortwave radio and effects—as his main instrument).

Such examples—taken in combination with, firstly, the increasing independence, confidence and self-consciousness of some rock musicians; secondly, a generation of musicians coming out of art schools; furthermore, the mass availability of ever cheaper home recording equipment; and, finally, a climate of experiment and plenitude—made straightforward plunder inevitable. This promise was first substantially filled by The Residents. Their second released album, *Third Reich and Roll* (1975), a highly self-reflexive commentary on rock culture and hit records, curiously employed a technique analogous to that used by Stockhausen in 1970 for his Beethoven Anniversary recording, *Opus 1970*, which had nothing to do with influence and everything to do with the medium. What Stockhausen had done was to prepare tapes of fragments of Beethoven's music which ran continuously throughout the performance of the piece. Each player could open and shut his own loudspeaker at will and was instantaneously to "develop" what he heard instrumentally (condense, extend, transpose, modulate, synchronise, imitate, distort). To different ends The Residents followed a similar procedure: instead of Beethoven, they copied well known pop songs to one track of a four-track tape and then played along with them (transposing, modulating, distorting, commenting on, intensifying), thus building up tracks. Though they subsequently erased most of the source material, you can often, as with *Opus 1970*, still hear the plundered originals breaking through.

In 1977 it was The Residents again who produced the first unequivocal 100% plunder to come out of pop, following in the high art footsteps of James Tenney's Presley-based *Collage No. 1*, and the later, more successful 1975 work *Omaggio a Jerry Lee Lewis* by American composer Richard Trythall (plundered from various recordings of Lewis's "Whole Lotta Shakin' Goin' On"). Trythall comments: "Like the table or newspaper in a cubist painting, the familiar musical object served the listener as an orientation point within a maze of new material . . . the studio manipulations . . . carried the source material into new, unexpected areas, while main-

taining its past associations."<sup>14</sup> The Residents' work was a 7-inch single titled "Beyond The Valley Of A Day In The Life" and subtitled "The Residents Play The Beatles/The Beatles Play The Residents." It came packaged as an art object in a numbered, limited edition and hand-silkscreened cover, but was sold to—and known by—a rock public. One side of this single was a cover version of The Beatles song "Flying." The other was pure plunderphonics. This whole side was assembled from extracts dubbed off Beatles records, looped, multitracked, composed with razor blades and tape. It is an ingenious construction, and remains a landmark.

### Sampling and Scratching

Although there were some notable experiments and a few successful productions, tape and disc technologies made plundering difficult and time consuming and thus suitable only for specific applications. What brought plundering to the centre of mass consumption low art music was a new technology that made sound piracy so easy that it didn't make sense *not* to do it. This development was digital sampling, launched affordably by Ensoniq in the mid-1980s. Digital sampling is a purely electronic digital recording system which takes samples or "vertical slices" of sound and converts them into binary information, into data, which tells a sound producing system how to *reconstruct*, rather than *reproduce* it. Instantly.

At a fast enough sampling rate the detailed contours of a sound can be so minutely traced that playback quality is compatible with any analogue recording system. The revolutionary power associated with a digital system is that the sound when stored consists of information in a form that can be transformed, edited or rewritten electronically, without "doing" anything to any actual analogue recording but only to a code. This really is a kind of a writing. When it is stored, modified or reproduced, no grooves, magnetised traces or any other contiguous *imprint* link the sound to its means of storage (by imprint I mean as when an object is pressed into soft wax and leaves its analogue trace). It is stored rather as discrete data, which act as *instructions* for the eventual reconstruction of a sound (as a visual object when electronically scanned is translated only into a binary code). Digital sampling allows any recorded sound to be linked to a keyboard or to a MIDI trigger and, using electronic tools (computer software), to be stretched, visualised on screen as waveforms and rewritten or edited with keys or a light pencil. All and any parameters can be modified and any existing electronic processing applied. Only at the end of all these processes will an audible sound be recreated. This may then be listened to and, if it is not what is wanted, reworked until it is and only then saved. It means that a work like Cage's four minute long *Williams Mix* (1952, the first tape collage made in America) which took a year to cut together, could now be programmed and executed quite quickly using only a domestic computer.

The mass application is even more basic. It simply puts any sound it records—or which has been recorded and stored as software—on a normal keyboard, pitched according to the key touched. The user can record, model and assign to the keys any sounds at all. At last here is a musical instrument which is a recording device and a performing instrument—*whose voice is simply the control and modulation of recordings*. How could this technology not give the green light to plundering? It was so simple. No expertise was needed, just a user friendly key-

board, some stuff to sample (records and CDs are easy—and right there at home), and plenty of time to try things out. Producing could be no more than critical consuming; an empirical activity of Pick'n'Mix. Nor was that all. Sampling was introduced into a musical climate where low art plundering was already deeply established in the form of “scratching”—which in its turn echoed in a radically sophisticated form the disc manipulation techniques innovated in high culture by Hindemith and Koch, Milhaud, Varèse, Honegger, Kagel, Cary, Schaeffer, Knizac et al., but now guided by a wholly different aesthetic.

### From Scratch

The term *scratching* was coined to describe the practice of the realtime manipulation of 12" discs on highly-adapted turntables. It grew up in US discos where DJs began to programme the records they played, running them together, cutting one into another on beat and in key, superimposing, crossfading and so on. Soon this developed to the point where a good DJ could play records as an accompanying or soloing instrument, along with a rhythm box, other tracks or singing. New and extended techniques emerged—for instance the rhythmic slipping of a disc to and fro rapidly by hand on a low friction mat to create rhythms and cross rhythms—alongside old *concrète* techniques: controlled-speed alterations and *sillons fermés* riffs. (“Two manual decks and a rhythm box is all you need. Get a bunch of good rhythm records, choose your favourite parts and groove along with the rhythm machine. Using your hands, scratch the record by repeating the grooves you dig so much. Fade one record into the other and keep that rhythm box going. Now start talking and singing over the record with your own microphone. Now you're making your own music out of other people's records. That's what scratching is.”—sleeve note to Malcolm McLaren's B-BU-BUFFALO GALS, 1982).

It was only after scratching had become fashionable in the mid-1970s in radical black disco music that it moved back toward art applications, adopted quite brilliantly by Christian Marclay. Marclay used all the above techniques and more, incorporating also an idea of Milan Knizac's, who had been experimenting since 1963 with deliberately mutilated discs, particularly composite discs comprising segments of different records glued together. Of course everything Marclay does (like Knizac) is 100% plundered, but on some recordings he too, like John Oswald on his seminal *Plunderphonic* recordings, creates works which, echoing Tenney and Trythall, concentrate on a single artist, thus producing a work which is about an artist and made only from that artist's sonic simulacrum. Listen, for instance, to the “Maria Callas” and “Jimi Hendrix” tracks on *More Encores* (subtitled “Christian Marclay plays with the records of Louis Armstrong, Jane Birkin & Serge Gainsbourg, John Cage, Maria Callas, Frederic Chopin, Martin Denny, Arthur Ferrante & Louis Teicher, Fred Frith, Jimi Hendrix, Christian Marclay, Johann Strauss, John Zorn”).

Marclay rose to prominence as a member of the early 1980s New York scene, on the experimental fringe of what was still thought of unequivocally as low art. He emerged from the context of disco and scratching, not *concrète* or other artworld experiments with discs (though they were part of his personal history). His cultural status (like the status of certain other alumni of the New York school such as John Zorn) slowly shifted, from low to high, via gallery installations and visual works and

through the release of records such as *Record Without A Cover* (1985), which has only one playable side (the other has titles and text pressed into it) and comes unwrapped with the instruction: "Do not store in a protective package." Or the 1987 grooveless LP, packaged in a black suede pouch and released in a limited and signed edition of 50 by Ecart Editions. Marclay's work appears as a late flowering of an attenuated and, even at its height, marginal high art form, reinvented and reinvigorated by low art creativity. It traces the radical inter-penetrations of low and high art in the levelling age of sound recording; the swing between high art experiment, low art creativity and high art reappropriation, as the two approach one another until, at their fringes, they become indistinguishable. This *aesthetic levelling is a property of the medium* and this indistinguishability signals not a collapse but the coming into being of a new aesthetic form.

### **Oswald Plays Records**

Curiously, the apotheosis of the record as an instrument—as the raw material of a new creation—occurred just as the gramophone record itself was becoming obsolete and when a new technology that would surpass the wildest ambitions of any scratcher, acousmaticist, tape composer or sound organiser was sweeping all earlier record/playback production systems before it. Sampling, far from destroying disc manipulation, seems to have breathed new life into it. Turntable techniques live on in live House and Techno. Marclay goes from strength to strength, more credits for "turntables" appear on diverse CDs and younger players like Otomo Yoshihide are emerging with an even more organic and intimate relation to the record/player as an expressive instrument.<sup>15</sup>

It is almost as if sampling had recreated the gramophone record as a craft instrument, an analogue, expressive voice, made authentic by nostalgia. Obsolescence empowers a new mythology for the old phonograph, completing the circle from passive repeater to creative producer, from dead mechanism to expressive voice, from the death of performance to its guarantee. It is precisely the authenticity of the 12" disc that keeps it in manufacture; it has become anachronistically indispensable.

### **Disc-Tape-Disc**

Applications of a new technology to art are often first inspired by existing art paradigms, frequently simplifying or developing existing procedures. Then new ideas emerge that more directly engage the technology for itself. These arise as a product of use, accident, experiment or cross fertilisation—but always through hands-on interaction. New applications then feed back again into new uses of the old technologies and so on. For a long time such dynamic inter-penetrations can drive aspects of both. Painting and film, for instance, have just such a productive history. A similar process could be traced in the tension between recording and performance. A particularly obvious example of this is the way that hard cuts and edits made with tape for musical effect inspire *played* "edits"—brilliantly exemplified, in the work of John Zorn. This process can be traced more broadly, and more profoundly, in the growth and refinement of the new sound aesthetic itself, which from its origins in the crisis in art music at the turn of the century through to contempo-

rary practices in many fields, is characterised by the dynamic interactions between fluid and fixed media. New instrumental techniques inform, and are informed by, new recording techniques. Each refines a shared sonic language, sets problems, makes propositions. Each takes a certain measure of itself from the other, both living and dead: "Records are . . . dead" as Christian Marclay carefully points out.<sup>16</sup>

### **More Dead Than Quick**

What is essential—and new—is that by far the largest part of the music that we hear is recorded music, live music making up only a small percentage of our total listening. Moreover, recording is now the primary medium through which musical ideas and inspiration spread (this says nothing about quality, it is merely a quantitative fact). For example, one of the gravitational centres of improvisation—which is in every respect the antithesis of fixed sound or notated music—is its relation to recorded sound, including recordings of itself or of other improvisations. This performance-recording loop winds through the rise of jazz as a mass culture music, through rock experiments and on to the most abstract noise productions of today. Whatever living music does, chances are that the results will be recorded—and this will be their immortality. In the new situation, *it is only what is not recorded that belongs to its participants while what is recorded is placed inevitably in the public domain.*

Moreover, as noted earlier, recorded music leaves its genre community and enters the universe of recordings. As such the mutual interactions between composers, performers and recordings refer back to sound and structure and not to particular music communities. Leakage, seepage, adoption, osmosis, abstraction, contagion: these describe the life of sound work today. They account for the general aesthetic convergence at the fringes of genres once mutually exclusive—and across the gulf of high and low art. There is a whole range of sound work now about which it simply makes no sense to speak in terms of high or low, art or popular, indeed where the two interpenetrate so deeply that to attempt to discriminate between them is to fail to understand the sound revolution which has been effected through the medium of sound recording.

Plunderphonics addresses precisely this realm of the recorded. It treats of the point where both public domain and contemporary sound world meet the transformational and organisational aspects of recording technology; where listening and production, criticism and creation elide. It is also where copyright law from another age can't follow where—as Oswald himself remarked—"If creativity is a field, copyright is the fence."<sup>17</sup>

### **Pop Eats Itself**

I want now to look at some of the many applications of plundering beyond those of directly referential or self-reflexive intent like those of Tenney, Trythall, The Residents, Oswald and Marclay.

First, and most obvious, is the widespread plundering of records for samples that are recycled on HipHop, House and Techno records in particular, but increasingly on pop records in general. This means that drum parts, bass parts (often loops of a particular bar), horn parts, all manner of details (James Brown whoops

etc.) will be dubbed off records and built up layer by layer into a new piece. This is essentially the same procedure as that adopted by The Residents in their Beatles piece, except that nowadays the range and power of electronic treatments is far greater than before and the results achieved of far greater technical complexity. Rhythms and tempi can be adjusted and synchronised, pitches altered, dynamic shape rewritten and so on. Selections sampled may be traceable or untraceable, it need not matter. Reference is not the aim so much as a kind of creative consumerism, a bricolage assembly from parts. Rather than start with instruments or a score, you start with a large record and CD collection and then copy, manipulate and laminate.

Moral and copyright arguments rage around this. There have been several high profile copyright infringement cases, and since 1990 bigger studios have employed departments to note and clear all samples and register and credit all composers, artists and original recording owners. "Sampling licences" are negotiated and paid for. This is hugely time consuming and slightly ridiculous and really not an option for amateurs and small fish. Oswald's CD *Plexure* (1993), for instance, has so many tiny cuts and samples on it that, not only are their identities impossible to register by listening, but compiling credit data would be like assembling a telephone directory for a medium sized town. Finding, applying, accounting and paying the 4000-plus copyright and patent holders would likewise be a full-time occupation, effectively impossible. Therefore such works simply could not exist. We have to address the question whether this is what we really want.

For now I am more interested in the way pop really starts to eat itself. Here together are cannibalism, laziness and the feeling that everything has already been originated, so that it is enough now endlessly to reinterpret and rearrange it all. The old idea of originality in *production* gives way to another (if to one at all) of originality in *consumption*, in hearing.

### **Cassiber**

Other applications use plundered parts principally as sound elements which relate in a constitutive or alienated way to the syntax of a piece. They may or may not carry referential weight, this being only one optional attribute which the user may choose to employ. The Anglo-German group Cassiber (comprising Chris Cutler, Heiner Goebbels and Christoph Anders) uses just such techniques in which samples act both as structure and as fragments of cultural debris. Cassiber creates complexities; no piece is reducible to a score, a set of instructions, a formula. Simultaneity and superimposed viewpoints are characteristic of much of the work—as is the tension between invention and passion on the one hand and "dead" materials on the other.

When the group was formed, singer Christoph Anders worked with a table stacked with prepared cassettes, each containing loops or raw extracts taken from all manner of musics (on one Cassiber piece, there might be fragments of Schubert, Schoenberg, The Shangri-La's, Maria Callas and Them). The invention of the sampler put in his hands a similar facility, except with more material and infinitely greater transformational power, all accessible immediately on a normal keyboard. It means that, in a way impossible—though desired—before, they can be played. They can be as unstable as any performed musical part—and as discontinuous.

Cassiber's use of familiar fragments, though these are often recognisable—and thus clearly referential—doesn't depend on this quality which is accepted merely as a possible aspect, but rather on their musical role within the piece. Where House and Rap use samples to reinforce what is familiar, Goebbels and Anders use them to make the familiar strange, dislocated, more like debris—but (and this is the key) as structural rather than decorative debris. It is an affect only plundered materials can deliver.<sup>18</sup>

### The Issue

What is the issue? Is it whether *sound* can be copyrighted or snatches of a performance? If so, where do we draw the line—at length or recognisability? Or does mass-produced, mass-disseminated music have a kind of folk status? Is it so ubiquitous and so involuntary (you *have* to be immersed in it much of your waking time) that it falls legitimately into the category of “public domain”? Since violent action (destruction of works, legal prohibition, litigation and distraint) have been applied by one side of the argument, these are questions we cannot avoid.

### A Brief Review of Applications

A. *There It Is*: There are cases such as that of Cage, in *Imaginary Landscapes 4 and 5*, where materials are all derived directly from records or radio and subjected to various manipulations. Though there are copyright implications, the practice implies that music picked randomly “out of the air” is simply there. Most of Cage's work is more a kind of listening than of producing.

B. *Partial Importations*: An example of partial importation is *My Life In The Bush Of Ghosts* (David Byrne and Brian Eno) and the work of Italians Roberto Musci and Giovanni Venosta. In both cases recordings of ethnic music are used as important voices, the rest of the material being constructed around them. The same might be done with whale songs, sound-effects records and so on. I detect political implications in the absence of copyright problems on such recordings. At least, it is far from obvious to me why an appeal to public domain status should be any more or less valid for “ethnic” music than it is for most pop—or any other recorded music.

C. *Total Importation*: This might rather be thought of as interpretation or re-hearing of existing recordings. Here we are in the territory of Tenney, Trythall, The Residents, Marclay and quintessentially, of plunderphonic pioneer John Oswald. Existing recordings are not randomly or instrumentally incorporated so much as they become the simultaneous subject and object of a creative work. Current copyright law is unable to distinguish between a plagiarised and a new work in such cases, since its concerns are still drawn from old pen and paper paradigms. In the visual arts Duchamp with readymades, Warhol with soup cans and Brillo boxes, Lichtenstein with cartoons and Sherry Levine with re-photographed “famous” photographs are only some of the many who have, one way or another, broached the primary artistic question of “originality,” which Oswald too can't help but raise.

D. *Sources Irrelevant*: This is where recognition of parts plundered is not necessary or important. There is no self-reflexivity involved; sound may be drawn as if “out of nothing,” bent to new purposes or simply used as raw material. Also

within this category falls the whole mundane universe of sampling or stealing "sounds": drum sounds (not parts), guitar chords, riffs, vocal interjections etc., sometimes creatively used but more often simply a way of saving time and money. Why spend hours creating or copying a sound when you can snatch it straight off a CD and get it into your own sampler-sequencer?

E. *Sources Untraceable*: These are manipulations which take the sounds plundered and stretch and treat them so radically that it is impossible to divine their source at all. Techniques like this are used in electronic, concrete, acousmatic, radiophonic, film and other abstract sound productions. Within this use lies a whole universe of viewpoints. For instance, the positive exploration of new worlds of sound and new possibilities of aestheticisation—or the idea that there is no need to originate any more, since what is already there offers such endless possibilities—or the expression of an implied helplessness in the face of contemporary conditions, namely, everything that can be done has been done and we can only rearrange the pieces.

This is a field where what may seem to be quite similar procedures may express such wildly different understandings as a hopeless tinkering amidst the ruins or a celebration of the infinitude of the infinitesimal.

### Final Comments

Several currents run together here. There is the technological aspect: plundering is impossible in the absence of sound recording. There is the cultural aspect: since the turn of the century the importation of readymade materials into artworks has been a common practice, and one which has accumulated eloquence and significance. The re-seeing or re-hearing of familiar material is a well-established practice and, in high art at least, accusations of plagiarism are seldom raised. More to the point, the two-way traffic between high and low art (each borrowing and quoting from the other) has proceeded apace. Today it is often impossible to draw a clear line between them—witness certain advertisements, Philip Glass, Jeff Koons, New York subway graffiti.

It seems inevitable that in such a climate the applications of a recording technology that gives instant playback, transposition and processing facilities will not be intimidated by the old proscriptions of plagiarism or the ideal of originality. What is lacking now is a discourse under which the new practices can be discussed and adjudicated. The old values and paradigms of property and copyright, skill, originality, harmonic logic, design and so forth are simply not adequate to the task. Until we are able to give a good *account* of what is being done, *how* to think and speak about it, it will remain impossible to adjudicate between legitimate and illegitimate works and applications. Meanwhile outrages such as that perpetrated on John Oswald will continue unchecked [...]

### NOTES

1. Chris Cutler, "Necessity and Choice in Musical Forms," *File Under Popular: Theoretical and Critical Writings on Music* (New York: Autonomedia, 1993), 33.

2. As I have argued in "Necessity and Choice in Musical Forms," section II (i).

3. There were sporadic experiments, as we shall see, and notably Varèse grasped the nettle early. Pierre Schaeffer made the radical proposal, but precisely from his work as an engineer, and not as a product of the art music tradition. A few followed—Stockhausen, Berio, Nono and others—and new schools formed which in part or whole abandoned mediating notation (*musique concrète* and electronic, tape, acousmatic and electroacoustic musics, for example), but these too tried to retain, as far as possible, the old status and values for their creators, merely replacing the score with direct personal manipulation, and continuing to make the same claims to originality, personal ownership, creation *ex nihilo*, etc. John Cage was an interesting exception: his originality and individuality being claimed precisely in their negation.

4. For the full argument, see "Necessity and Choice in Musical Forms," Section III (ii).

5. The first Copyright Act in England was passed in 1709. The current Act dates from 1988 and includes rights of the author to remuneration for all public performances (including broadcasts, jukeboxes, Muzak, fairground rides, concerts, discotheques, film, TV and so on) as well as for recordings of all kinds. The recording is copyrighted separately from the composition, so that every individual recording of a composition also has an owner.

6. Most copyright bodies still discriminate between works which earn a lot by the minute ("serious" composed works) and those which earn a little (pop music, for instance and improvised-compositions). Criteria for making such decisions vary, reflecting the prejudices of the day.

7. Which is to say, where it raises questions that reflect upon its own identity.

8. And through its documentary authenticity also in the realm of the political, as the purity of the retouched photograph and doctored tape attest.

9. Hugh Davies recently brought to my attention a notice from a 1993 conference in Berlin where it was reported that in the mid-1980s Hindemith's discs had been offered to the director of a German musicological institute. He refused them and their current whereabouts remain unknown.

10. Hugh Davies, "A History of Sampling," *unfiled: Music Under New Technology* (ReR/Recommended Sourcebook 0401), 11–12.

11. Michel Chion, *L'Art des sons fixés* (Fontaine: Editions Metamkine/Nota Bene/Sono-Concept, 1991), 22.

12. I shall treat the quotation marks as read from here on.

13. See Cutler "The Residents," "Necessity and Choice," and "Progressive Music in the UK," in *File Under Popular*.

14. Richard Trythall, programme note on *Omaggio a Jerry Lee Lewis*, on Various Artists, *CMCD: Six Classic Concrete, Electroacoustic, and Electronic Works 1970–1990*, ReR CMCD.

15. Hear, for instance, Otomo's Ground Zero recording *Revolutionary Peking Opera*, ReR GZ1 CD.

16. From an interview with J. Dean Kuipers in *Ear* magazine (1993).

17. From the *Plunderphonic* CD booklet.

18. For example "Start the Show" from the CD *A Face We All Know*, ReRCD (1989).