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# Jefferson and Madison Enter Upstage Center: A Dialogue About Living Frameworks for Dead Plays

By Laurel Ann Painter

## Abstract

Who or what determines how a play is to be performed? Does the determination matter if a play is performed multiple times? Should all of the performances be classified as unique or the same? How does the theatrical tradition respond to these questions, and are the responses adequate for theatre practitioners today? Thomas Jefferson, James Madison, and the author of this article examine these questions through selected lenses of philosophy of aesthetics (the epistemology and ontology of theatrical performances) and early American political philosophy (Jeffersonian democracy and the Madisonian model). The article is written as a Platonic dialogue with hopes to educate, advocate, and open discussion. A Platonic dialogue does not “create a fictional world for the purposes of telling a story,” but is a philosophical discussion among multiple characters within a particular setting. It is framed by first-person narration by one of the dialogue’s characters (<http://plato.stanford.edu/entries/plato/#DiaSetCh>).

**Jefferson and Madison Enter Upstage Center:  
A Dialogue About Living Frameworks for Dead Plays**

By Laurel Ann Painter

My dear friend, James Madison, and I decided to time travel to the United States, first stop: Philadelphia. I managed to acquire some theatre tickets, curious to see how the American theatre has developed since I was last there. After much trouble searching for the correct venue, we happened upon a handsome theatre and hoped the usher could help us with our tickets.

USHER: Welcome to the Kimmel Center for the Performing Arts!

THOMAS: Hello, dear sir. I acquired some tickets, and not from the most reputable source. Would you help a couple of old men out?

USHER: Certainly. Gentlemen, I'm afraid your tickets are for the Chestnut Street Theatre. Sorry, but you are at the wrong theatre.

THOMAS: But is *Jesus Christ Superstar* not playing here? I see it on the marquee.

USHER: Yes, it is. Same play, just different theatres. Looks like the Chestnut Street Theatre is simultaneously running it, in an alternate universe I suppose.

JAMES: An alternate universe?

THOMAS: Sounds interesting. Would you happen to know where it is from here? Philadelphia looks a bit different since last time we visited.

USHER: Actually, the Chestnut Street Theatre no longer exists.

THOMAS: Neither spiritually nor materially?

USHER: In this universe, the last performance was in 1913, building demolished in 1917.<sup>11</sup>

THOMAS: That's a shame. May we use these tickets here since it is the same play?

USHER: Well, it wouldn't be the same production.

THOMAS: How do you mean? It says *Jesus Christ Superstar* on the marquee out front, and it says *Jesus Christ Superstar* on our tickets.

USHER: Two different productions of the same play.

THOMAS: Different, how so?

USHER: Well, besides two different venues, the productions will be different. There will be different directors and producers with different interpretations, different actors, designers, builders, and materials. Different staff and different audiences should be considered too. All make for a different look, sound, tone, and experience...a different production.

THOMAS: And yet, the two productions hold the same title and author of the play?

USHER: That's correct.

THOMAS: So there must be one or more qualities that are the same between the two productions, then?

USHER: Well, if you saw both productions you would still recognize them both as the same play because the play script doesn't change.

THOMAS: Then why produce multiple productions? Why not just produce the play once, if the play script is so unique?

USHER: Well, works such as theatrical performances are not considered singular, like Michelangelo's work on the Sistine Chapel

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<sup>1</sup> Phyllis Hartnoll and Peter Found, eds. *The Concise Oxford Companion to the Theatre*, 2<sup>nd</sup> ed. (New York: Oxford University Press, 1993), 86.

ceiling. Performances themselves are “instances” of a play script. An instance is necessary for the play script, as a work, to exist. Because the nature of theatrical performance involves interpretation, the instances possess some “indefiniteness,” which is resolved by the theatre practitioners that produce the instances.<sup>22</sup> For instance—no pun intended...

JAMES: Oh, dear.

USHER: —the production at the Chestnut Street Theatre won't have all of the same features as the production here. That's philosophy of aesthetics for you, in a nutshell, on the subject of theatre. Within the tradition of theatre, however, the play script is viewed as its own work, with or without performances.

THOMAS: So, there is an instance of *Jesus Christ Superstar* at the Chestnut Street Theatre (in another universe) and an instance of *Jesus Christ Superstar* here tonight?

USHER: That's correct.

THOMAS: But both instances are of *Jesus Christ Superstar*, the play script, despite their different features of performance, which are still authentic to the play script of *Jesus Christ Superstar*. And the theatre practitioners producing the performance of *Jesus Christ Superstar* have the jurisdiction of judgment over the differing but authentic features of their performance (or I should say instance) of the play script of *Jesus Christ Superstar*.

USHER: Yes.

JAMES: If there is indefiniteness to the instances, then why not change some of the words or the characters' names?

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<sup>2</sup> Stephen Davies, *The Philosophy of Art* (Malden: Blackwell, 2006), 90-91.

USHER: Let's not get crazy, here. The instance must be authentic to the play script; that authenticity most definitely includes the words.<sup>33</sup> You're also getting into some radical copyright infringement. Only so much indefiniteness is allowed within the royalty agreements. *Jesus Christ Superstar* is a major commercial work, here.

JAMES: Let's not go there. That's for another academic paper.

THOMAS: What about smaller, local theatres? Educational theatre? Do they view plays and their instances in the same way?

USHER: So far that I know, yes, whether copyright is a factor or not. Economics and ownership have influenced our theatrical tradition dynamically.

THOMAS: Harumph.

USHER: There are also performances that are improvised or devised, some non-Western works where a play script is not considered a monolithic document with full power over all instances.

JAMES: That's for another academic paper.

THOMAS: So, if you were to name one face to represent this play as a creation, what would it be?

USHER: Andrew Lloyd Webber, without a doubt.

THOMAS: Sounds tyrannical.

JAMES: What about the actors, director, designers, builders, etc.? Do they not represent the work equally as Mr. Webber does?

THOMAS: Good question! A theatrical production is a process of collaboration, cooperation, and negotiation, is it not?

JAMES: Much like the process of our independence and our republic.

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<sup>3</sup> Ibid.

THOMAS: That is so. The founders, or framers I like to say, are of many faces, not one. However, our many faces function as one. Always has been, always will be.<sup>4</sup>

USHER: I can't help you there, gentlemen.

JAMES: Well, do you have any tickets available for this instance of *Jesus Christ Superstar*?

USHER: I'm sorry; we're sold out. You may be able to redeem these tickets at the Chestnut Street Theatre, if it exists in an alternate universe. But they are not redeemable here, that I do know.

JAMES: Thank you for your time.

I was disappointed because I was greatly curious how today's American theatre would portray the life of Jesus Christ. Instead of battling the crazy streets of Philly, we happened upon a tavern and decided to begin our evening there.

THOMAS: What do you make of all this, Madison? Do you suppose the productions are really different and yet the same? It seems the playwrights hold a monopoly when it comes to their play scripts. It doesn't seem quite right.

JAMES: I'm not sure my dear Jefferson. In the U.S. Constitution, under Article 1, Section 8, we agreed to secure authors and inventors the exclusive right to their respective writings and discoveries, for limited times, in order to promote the progress of science and useful arts. I suppose theatre productions could be considered "useful arts?"

THOMAS: Indeed. Although, no one has a natural right to any kind of property, including ideas. "Stable ownership is the gift of social law."

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<sup>4</sup> Joseph J. Ellis, *American Creation*. (New York: Knopf, 2007), 123.

And such gift was only granted as a way of gaining profits from ideas in England, until we copied her. "And it may be observed that the nations which refuse monopolies of invention, are as fruitful as England in new and useful devices."<sup>5</sup> I think play scripts could be considered new and useful devices.

JAMES: Good points, Mr. Jefferson. Intellectual property may not be a natural right, but I think it should be secured by common law, as in England.<sup>6</sup> However, these monopolies of copyrights and patents can be very dangerous and should be "granted with caution." I think states should have the power to extinguish monopolies through monetary transaction.<sup>7</sup>

THOMAS: Those pesky monopolies.

BARMAID: What can I get you gentlemen this evening?

THOMAS: Do you have any French wine?

BARMAID: Yes, sir.

THOMAS: Splendid. A bottle, please.

JAMES: I'll have some whiskey.

BARMAID: Absolutely.

JAMES: American whiskey, please.<sup>8</sup>

BARMAID: Of course. I'll be right back with your drinks.

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<sup>5</sup> Thomas Jefferson, "Article 1, Section 8, Clause 8, Document 12," *The Founders' Constitution*, eds. Philip B. Kurland and Ralph Lerner, accessed July 18, 2015, [http://press-pubs.uchicago.edu/founders/documents/a1\\_8\\_8s12.html](http://press-pubs.uchicago.edu/founders/documents/a1_8_8s12.html)

<sup>6</sup> James Madison, "Federalist Paper No. 43," *The Avalon Project*, accessed July 18, 2015, [http://avalon.law.yale.edu/18th\\_century/fed43.asp](http://avalon.law.yale.edu/18th_century/fed43.asp).

<sup>7</sup> James Madison, "Detached Memoranda," *Founders Online*, accessed July 18, 2015, <http://founders.archives.gov/documents/Madison/04-01-02-0549#JSMN-04-01-02-0549-fn-0033-ptr>

<sup>8</sup> Ed Crews, "Drinking in Colonial America," *The Colonial Williamsburg Foundation*, accessed Jan. 19, 2015, <http://www.history.org/Foundation/journal/Holiday07/drink.cfm>.

THOMAS: I have to say, I am perplexed and bothered by all this. American theatre is important and should not be chained to a tyrannical system of monopolies. The theatre is an ideal place for the “spectacle of American virtue,” which is imperative to the inventing and defining of our national identity.<sup>9</sup>

JAMES: Remember when you were a title character in J.H. Nichols’ *Jefferson and liberty; or, a Celebration of the fourth of March?*<sup>10</sup>

THOMAS: Yes, I do. My entire inaugural speech was the finale of the performance. “[The theatre during my presidency] would reflect a sentimental view of what a democratic society should be.” Remember Judith Sargent Murray, one of our contemporary dramatists who said, “The audience will refine the players and the players will refine the audience.”<sup>11</sup>

JAMES: I do, indeed.

THOMAS: Our contemporary theatre educated the audience “not to appreciate one particular author or aesthetic in the playhouse, but rather to guard jealously their right to shape their own national identity.”<sup>12</sup>

JAMES: “The formation of national identity, or a national cultural product,” was “an ongoing and negotiated process.”<sup>13</sup> I believe it still is and always will be.

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<sup>9</sup> Marc Robinson, *The American Play: 1787-2000* (New Haven: Yale U.P., 2009), 31.

<sup>10</sup> Heather S. Nathans, *Early American Theatre from the Revolution to Thomas Jefferson: Into the Hands of the People* (New York: Cambridge U.P., 2003), 165.

<sup>11</sup> *Ibid.*, 165, 164, 170.

<sup>12</sup> *Ibid.*, 172.

<sup>13</sup> *Ibid.*, 171.



THOMAS: As well it should be. However, the theatre seems to be looking up to a monopoly, sometimes benevolent and sometimes not, rather than a republic.

BARMAID: Here are your drinks, gentlemen.

THOMAS: Lovely! Nothing like a good bottle of French wine. I assume it is a good one?

BARMAID: Of course.

THOMAS: We'll see about that.

JAMES: Thank you.

THOMAS: Say now, my dear lady. What do you think of American theatre? Is it important to our country?

BARMAID: Absolutely it is. In fact, I study it, so it's important to me as an individual as well.

THOMAS: You study it!

BARMAID: Yes, indeed. I'm currently researching the epistemology and ontology of play scripts and their productions for a paper. I hope to get it into an academic journal.

THOMAS: You don't say!

JAMES: Well, this is most lucky.

THOMAS: Well, my friend and I have just the questions for you.

BARMAID: My shift has just ended. I'd be happy to answer questions for you.

THOMAS: My dear lady, you are quite the apparition. What is your name?

BARMAID: Laurel Ann Painter.

THOMAS: Pleased to make your acquaintance.

LAUREL: Likewise, gentlemen.

THOMAS: Allow us to introduce ourselves.

LAUREL: Oh, I know who you two are.

JAMES: We do get around, my dear Jefferson.

THOMAS: That we do. Please, Lady Painter. Join us for some wine and whiskey.

LAUREL: I'd be honored. I will disclose the fact that I am a distant relative of John Adams.

THOMAS: Well, we all have our faults.

JAMES: A good man, very good. We are indebted to him as we are to many. I'm sure that Mr. Jefferson will agree?

THOMAS: Yes, of course. We eventually come around and regain our friendship, but let's not dwell on the past.<sup>14</sup> We have questions about the theatre of today.

LAUREL: Sure, what's on your mind?

THOMAS: We are curious to know more about how play scripts are different and similar to their productions, or instances as we learned they are called.

LAUREL: Yes, the term instances is correct.

THOMAS: OK, then. Are they different, or are they similar? Where does the author of the play script, as a face of his...

LAUREL: Or her...

THOMAS: Yes, or her play, fit into all this? Should the author, or I should say playwright, fit into this at all? If so, how?

LAUREL: These are excellent questions, gentlemen. Let's start with the word "playwright" itself. What root word stands out to you?

JAMES: "Wright," someone who builds.<sup>15</sup>

LAUREL: Correct. A playwright is a builder of plays, a craftsman or artisan. I think it is important to see the playwright as such when

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<sup>14</sup> David McCullough, *John Adams*, (New York: Touchstone, 2001).

<sup>15</sup> *The American Heritage College Dictionary*. 3<sup>rd</sup> ed. (Boston: Houghton Mifflin Company, 1993), 78, 1557.

looking at the ontology of plays, the scripts and the performances. I think theatre practitioners who put on such performances are also artisans. So, playwrights and theatre practitioners are cut from the same cloth. They both function as artisans in the theatre.

JAMES: Makes sense.

LAUREL: Based on my readings, the field of aesthetics in philosophy largely disregards the field of theatre, typically lumping it within the same philosophical paradigms as musical performance and literature. The exception to this trend is the analytic philosopher James R. Hamilton.

THOMAS: What an unfortunate last name.

LAUREL: He takes an epistemological approach to characterizing theatrical performances as independent works in their own right. I think this approach is important because, in order to examine the ontology of theatrical performances, one should examine the epistemology as well. He argues that theatrical performances are different from literature and music, and therefore should not be defined by those conventions. The resistance to viewing theatrical performances as independent comes from Western theatre's "text-based tradition" that constrains theatrical performances with literary conventions.<sup>16</sup> The plays of this tradition typically have a singular face, the one playwright, much like literature with the single author.

THOMAS: Definitely a monopoly.

LAUREL: Hamilton, the philosopher, proposes that written texts and performances are independent works. A written text (including what we call play scripts) is only one piece of information (among many) that can be (or not be) an element of a performance.<sup>17</sup> He argues that

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<sup>16</sup> James R. Hamilton, *The Art of Theater* (Malden: Blackwell, 2007), 204.

<sup>17</sup> *Ibid.*, 200.

“performances are not *of texts*.” The word “of” is a constraint of the text-based tradition.<sup>18</sup> However, a play script can have a “literary life of its own,” and that “life” is not logically related to performance, it is independent just as a performance is.<sup>19</sup> Not every philosopher completely agrees with Hamilton.<sup>20</sup> I’m using Hamilton’s argument because I think it best suits a practical application toward issues of theatrical performances as independent.

THOMAS: Very clever.

JAMES: I’m curious. Is the text-based tradition really such a problem? The process, organizing, and dissemination of writing is an integral part of the culture and heritage of a civilized and free society.

LAUREL: I agree. But it is a problem in regards to defining theatrical performance. It’s fine for written texts; that’s what the tradition is truly for. But performing is different. Performance can be considered a “text” that is “read” by spectators, but it is not a written text and therefore adheres to different conventions.

THOMAS: I agree. And of course...you know how I love the theatre.<sup>21</sup> When I go to the theatre, I go to see a performance, not to read a play script. Why the stronghold of the text-based tradition in theatre?

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<sup>18</sup> Ibid., 206.

<sup>19</sup> Ibid., 32.

<sup>20</sup> Please see *The Journal of Aesthetic Education* 43, no. 3 (Fall 2009), a symposium on Hamilton’s *The Art of Theater*. Of special note is Meskin’s response, “Scrutinizing the Art of Theater” which lists the few seminal philosophers in theatre, like Hamilton. Also worth noting is David Davies’ book, *Philosophy of the Performing Arts* (Malden: Blackwell, 2011).

<sup>21</sup> Susanne K. Sherman, *Comedies Useful: A History of the American Theatre in the South, 1775-1812* (Williamsburg: Celest Press, 1998), 13.

LAUREL: I will point out two major components: Aristotle's *Poetics*, which claims the text should be privileged over the production, and the increased access and literacy due to the printing press. While the criteria of Aristotle's *Poetics* have been challenged throughout theatre history, it has a stronghold on theatrical culture as a long-time byproduct of neoclassical interpretation. By the first half of the 20th century, "the modernist aesthetic goal of a seamless marriage of text and production" was established.<sup>22</sup>

THOMAS: A lot has happened since Monticello.

LAUREL: The text-based tradition also reflects the desire for efficient and clear parameters of legality—not necessarily a negative thing, particularly within a professionalized and commercialized industry. I agree with Rachel Shteir's concern with the focus on legality in her essay "The Dramaturg's Progress." She mentions how law students attending an academic panel "resisted the idea of true collaboration's fluid nature."<sup>23</sup> The focus on legality of copyright, ownership, and contracts supports the text-based tradition of literature and performance as linked. Performance as independent from literature could prove difficult for legal constructs. Translating such theatre culture into legal culture is an important opportunity for further research.<sup>24</sup>

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<sup>22</sup> Phillip B. Zarrilli, Bruce McConachie, Gary Jay Williams, and Carol Fisher Sorgenfrei, *Theatre Histories: An Introduction*, 2<sup>nd</sup> ed., ed. Gary Jay Williams (New York: Routledge, 2010), 182, 513.

<sup>23</sup> Rachel Shteir, "The Dramaturg's Progress," *Dramaturgy* Special issue, *Theatre Topics* 13, no. 1 (2003): 167.

<sup>24</sup> A good place to start on this topic is with Darren Hudson Hick's "Finding a Foundation: Copyright and the Creative Act," *Texas Intellectual Property Law Journal* 17, no. 3 (Spring 2009): 363-83.

THOMAS: Yes, good point, Lady Painter. We were just talking about that before we entered the tavern, weren't we, Madison?

JAMES: Yes. We don't exactly agree on the rights surrounding intellectual property.

THOMAS: But we do agree that the monopolies created by copyrights and patents need to be carefully scrutinized and controlled.

LAUREL: Count me in. However, there is hope for non-profit theatre organizations such as community, professional, and educational theatres and workshops, where copyright and royalties are temporarily or permanently put on hold, so to speak, in order to develop new work in a truly collaborative spirit.

JAMES: I imagine there are conflicts and tension within those organizations as well?

LAUREL: Absolutely. Again, we see the text-based tradition's influence. It's pervasive in all areas and kinds of theatre, even the non-profits. While the text-based tradition always has been challenged, as ideas often are in a free society (thank you, gentlemen), many theatre practitioners still view written plays and performances as inextricably linked, connected, or related whether we are aware of it or not. In some extreme cases, the two are viewed together as a singular work. Hamilton, however, cites the ingredients model as ideal for characterizing a theatrical performance as an independent work of art. Those who follow the ingredients model claim that performances are not presentations of literature, completions or executions of literature, nor interpretations of literature. Therefore, there are no standards of text authenticity in regards to performance. Any text or texts used in a theatrical performance are "sources of words and other ideas...alongside other ingredients that are available from a variety of

sources.” Examples of performance “ingredients” are the actors, props, spoken or sung words, costumes, lighting, etc.<sup>25</sup>

JAMES: I see how the ingredients model characterizes theatrical performances as independent. But how is this characterization identified and ultimately understood?

LAUREL: Through the spectator experience. The spectator experience is the foundation of Hamilton’s argument of performance independence from literature: Identification and basic comprehension are sufficient to establish an independent form; identifying and understanding the performance *is* the performance and nothing else.<sup>26</sup> Hamilton explains that spectators identify and basically comprehend performance by referencing the performance itself and sometimes other performances.<sup>27</sup> Let’s say a spectator is watching Shakespeare’s *Hamlet* as the title character delivers a particular monologue from the play script. The spectator does not have to (or cannot) reference a page and verse/line of the play script in order to identify and understand the performance as a performance.

THOMAS: I do believe that theatre should be populist. It exists for the audience and their experience. During my presidency, William Dunlap spoke of the American theatre as taking “the mighty engine into the hands of the people.”<sup>28</sup>

Lady Painter makes a habit of ordering her supper from the tavern kitchen when her shift ends. She was willing to share.

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<sup>25</sup> Hamilton, *The Art of Theater*, 31-32.

<sup>26</sup> Hamilton, *The Art of Theater*, 200.

<sup>27</sup> *Ibid.*, 116.

<sup>28</sup> Nathans, *Early American Theatre*, 150-51.

LAUREL: The food is pretty good here, for bar food.

THOMAS: Looks delicious. And what might this be?

LAUREL: This, gentlemen, is Chicken a la King, credited to William “Bill” King around 1895 at the old Bellevue Hotel in Philadelphia. He was an assistant cook there at the time.<sup>29</sup> Notice that I identify the dish as “Chicken a la King.”

THOMAS: Yes.

JAMES: She wastes no time in eating, either.

THOMAS: A working girl is a hungry girl. What is Chicken a la King, as a dish?

LAUREL: It’s chicken with a warm, creamy sauce and biscuits.

THOMAS: Ah! You gave a description based on the experience of eating the dish.

LAUREL: Correct. I don’t respond to the question with the recipe, or literature: “Bake four individually frozen biscuits according to package directions. Meanwhile, in a large skillet, sauté the mushrooms, onion and celery in butter until crisp-tender.”<sup>30</sup>

JAMES: OK, so you have identified the dish. What about your basic comprehension of what you just ate?

LAUREL: The identifying description I just used suffices as a description of my basic comprehension: “It’s chicken with a warm, creamy sauce and biscuits.” I could reference other elements or combination of elements that exist within the eaten dish, not just the chicken, sauce, and biscuits.

JAMES: Other ingredients you have tasted in the dish?

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<sup>29</sup> Anonymous, “‘Chicken A La King’ Inventor Dies,” *New York Tribune*, March 5, 1915, 9, accessed June 4, 2014, <http://chroniclingamerica.loc.gov/lccn/sn83030214/1915-03-05/ed-1/seq-9/>.

<sup>30</sup> Ruth Lee, “Comforting Chicken A La King Recipe,” *Taste of Home*, accessed June 4, 2014, <http://www.tasteofhome.com/recipes/comforting-chicken-a-la-king>.



LAUREL: Correct.

THOMAS: You also could reference other dishes, “the biscuits of my uncle’s Chicken a la King,” or “the warm creamy sauce of my grandmother’s Chicken and Dumplings,” for instance. The literature (the recipe) is not referred to or mentioned when identifying or comprehending the performance (the eaten dish).

LAUREL: With a theatrical performance, identification and basic comprehension of the performance are the same for the performance spectator; therefore, the performance is independent from the literature. Literature is not necessary nor is it sufficient (because it is only one piece of information within a performance) to identify and comprehend a performance.<sup>31</sup> The recipe may be referred to as an independent entity of literature. For example, when someone asks another, “May I have a copy of the recipe?” or “This recipe is preferred by my brother.” But these are references to the literature, not to the eaten dish or dish to be eaten. Separate references are needed because they are referencing independent things.

THOMAS: Like describing a vintage. It’s not all grapes, Maddy-boy.

JAMES: That’s why I defer to you, my dear friend. But as with food, wine, and theatre, should we recognize that there is a written text of some sort that somehow initiates the eating, drinking, or performance?

LAUREL: Yes, but other elements can equally initiate an idea for a performance. Using the ingredients model again: There may be chicken breasts in my fridge, so I think of ways to put a chicken dish together. Maybe I sift through my chicken recipes, or maybe I have a guest coming over who loves jalapenos, so I sift through my chicken and jalapeno recipes, or maybe I have some veggies and cheese that are

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<sup>31</sup> Hamilton, *The Art of Theater*, 116.

nearing their end and I want to use them up, so I improvise on combining them with the chicken. Many ingredients can inspire or initiate in a combination of ways. The combinations come from ingredients that I am aware of, namely in my fridge. There are many other ingredients I may not even be aware of. Think of it this way: Suppose there is a performance with the story of a powerful leader that speaks to his father's ghost and decides to avenge him/it by killing his stepfather.

THOMAS: Shakespeare's *Hamlet*.

LAUREL: Maybe, maybe not.

JAMES: I see. That story could be thought up a myriad of times by a myriad of playwrights in a myriad of ways. Shakespeare's *Hamlet* is probably the most famous of them, though.

LAUREL: Right. The story and other elements expressed in a play script are ingredients within many other ingredients that make up a performance. Claiming that the play script or story came first, before all other elements, is like saying that whatever words I speak today are the first words to be spoken ever. I have chosen my words from a language and cultural system that exists outside of me. While my spoken words may seem original to me or to others I am conversing with, in reality they are not. Therefore, all ingredients contribute equally to the characterization of a theatrical performance regardless of when they individually come into existence. All ingredients that exist for a particular theatrical performance make up that particular theatrical performance within a particular time and place.

THOMAS: But what if someone copied Shakespeare's *Hamlet* word for word, including the same dialogue, character names, even play title but put their name as playwright? Would it still be Shakespeare's *Hamlet*?

LAUREL: Well, Jorge Luis Borges asked that question with his work, "Pierre Menard, Author of the *Quixote*." Pierre Menard, a fictional character who is a writer, writes Cervantes' masterpiece word for word. His process of doing so means he actually recreated it as opposed to just copied it.<sup>32</sup>

THOMAS: I can believe that, however peculiar.

LAUREL: In relation to theatre, one of your contemporaries, Goethe, the German philosopher and dramatist, expressed the legitimacy of changing Shakespeare plays for performance, including deleting scenes. Such changes had to occur to make such scripts relatable to his contemporary German audiences.<sup>33</sup>

JAMES: I can see this process being brought into question. One could argue that a work, written or otherwise, is never really finished because everything is created and recreated at the same time through productive (like writing or performing) and perceptive (like reading or watching, listening) experiences. Well, it's a good thing that copyright is for a limited time, for reasons I had no idea of at the time.

THOMAS: Future generations will make the U.S. Constitution their own through interpretation and amendments. Thanks to Madison for realizing this phenomenon.

LAUREL: The human mind is very complex, and there are millions of such minds. Is anything really original? Take scientific and mathematical developments for example. Leibniz discovered calculus at about the same time Isaac Newton did. If there were two calculus discoverers, why would there not be multitudes of others? But Newton

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<sup>32</sup> Davies, *The Philosophy of Art*, 65.

<sup>33</sup> Johann Wolfgang Goethe, "Shakespeare Once Again," *Theatre/Theory/Theatre*, ed. Daniel Gerould (New York: Applause, 2000), 285-286.

ended up with the credit, the sole author of calculus.<sup>34</sup> Same with the telephone: Alexander Graham Bell wasn't the only one who invented the telephone. He got his patent application in before Elisha Gray, so Bell gets the credit. He gets to be the sole author.<sup>35</sup> Again, commercialization is a dominant factor here—its effects should be researched further for another academic paper.

THOMAS: I wonder...do we really need the face of the playwright or author at all?

LAUREL: That's a great introduction to the modern and very creative philosopher Roland Barthes.

THOMAS: Sounds French. I like him already.

LAUREL: He was a postmodern philosopher whose work crossed many disciplines in his creative thinking. His essay *Death of an Author* claims that the reader is actually the living author, and the writer is the dead author. The readers recreate the literature in their own mind<sup>36</sup> like the Pierre Menard character I mentioned earlier. Barthes' idea can apply to theatrical performances in regards to the spectator's experience and augment the ingredients model. A contemporary playwright such as Andrew Lloyd Webber is just as dead as William Shakespeare as far as the spectator experience is concerned. The spectator, like the reader, is creating the theatrical performance out of a semiotic framework where language from the performance, other

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<sup>34</sup> Anand Kandaswamy, "The Newton/Leibniz Conflict in Context," History of Algebra Seminar, Rutgers University, Dept. of Math, accessed April 7, 2015, <http://www.math.rutgers.edu/courses/436/Honors02/newton.html>.

<sup>35</sup> David Hochfelder, "Alexander Graham Bell, American inventor," Encyclopaedia Britannica, accessed April 7, 2015, <http://www.britannica.com/EBchecked/topic/59564/Alexander-Graham-Bell>.

<sup>36</sup> Roland Barthes, "The Death of the Author," in *Image, Music, Text*, trans. and ed. Stephen Heath (New York: Hill and Wang, 1977), 148.

performances, and culture is referenced for meaning: “It is language that speaks not the author”<sup>37</sup> by the way “the text [in question] is a tissue of quotations drawn from the innumerable centres of culture.”<sup>38</sup>

JAMES: This language framework reminds me of the amendments to the constitution...

THOMAS: Exactly! The dead certainly should not be dominating the living in any way.<sup>39</sup>

JAMES: Yes, but there should be some reference point for future generations, a cultural embrace of some sorts, an eternal contract.<sup>40</sup>

LAUREL: I agree. As a human and a playwright myself, mortality can be a scary thing. Perhaps our political philosophy, commenced by the great framers, can help American theatre find a balance between the “dead author” and the “author-god” (as Barthes calls it), or in other words, the text-based tradition?

THOMAS: I like that idea! What do you think Maddy-boy? I think it could work. Theatre and politics, always a strong connection!

JAMES: An intriguing idea. But how, I wonder?

THOMAS: Let’s start with the qualities of American political philosophy: Could they complement this particular issue in theatre?

JAMES: Well, let’s see...our philosophy is of a framework rather than a manifesto. It is a framework where interpretation and debate can function freely and must function in order for it all to work.

THOMAS: Yes, indeed. While I am historically held as the penman of our Declaration of Independence, it also is known that it experienced multiple changes through multiple hands.

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<sup>37</sup> Ibid., 143.

<sup>38</sup> Ibid., 146.

<sup>39</sup> Hugh Hecló, *On Thinking Institutionally* (Boulder: Paradigm, 2008), 122.

<sup>40</sup> Ibid.

JAMES: Yes. Our philosophy is dependent on hybrid authorship and infinite debate.

LAUREL: I like your terms and phrases. I think they express our American political philosophy in a way that can be a model for theatre practice.

THOMAS: Remember our debate about usufruct and generational constitutions?<sup>41</sup>

JAMES: Do I ever. Glad all of that is over. Very wearisome, however invigorating.

THOMAS: But it all seemed to work because of us and yet without us.

LAUREL: The amendments were a brilliant negotiation between a rigid constitution of the dead and an authorless interpretation from the living.

JAMES: I believe we are on to something.

THOMAS: We should start by applying this idea to a theatrical performance at a non-profit theatre organization.

LAUREL: There needs to be a recognized framework for new play development of which a production company agrees upon.

JAMES: Ah yes, a framework. Great start.

LAUREL: An important question regarding establishing such a framework is “What is the project’s primary function?” Is it to help the playwright develop his or her play (the literature)? Is it to help the director (any or all theatre practitioners involved, for that matter) gain production experience and/or fulfillment? Is it to create a fulfilling experience for the audience? At first glance, these goals may seem harmonious and achievable through a singular production model. I disagree. These goals are not only separate and independent from

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<sup>41</sup> Ibid., 110.

each other, but they also conflict with each other. Therefore, there should be a checks-and-balances system in place.

JAMES: Similar to our republic.

LAUREL: Exactly. If possible, there should be three people in three different dramaturg roles for a production: a literature dramaturg, a production dramaturg, and an audience dramaturg. It is imperative that the three roles are *not* to be fulfilled by just one or two people. One person for each job. More people, more dialectic, more hybrid authorship.

THOMAS: I like it. Many faces, many framers.

LAUREL: Perhaps the play script itself, as a literary work, could be framed for debate to allow others to amend it, and then the amendments go up for ratification.

JAMES: Should the amenders and ratifiers be elected or appointed?

THOMAS: Well, there are three branches so to speak. The literature branch, the production branch, and the audience branch. Shouldn't they all have a voice and all be able to check one another?

JAMES: That's a possible organization, well done Mr. Jefferson.

THOMAS: I come around eventually. You know that.

LAUREL: Perhaps audience members and production practitioners are represented by election, and the literature folks are appointed by the playwright?

THOMAS: That's a possibility.

LAUREL: We also should change the language of how we announce the existence of a performance that uses a play script as one of its ingredients. Consider the following circumstances (as stated with text-based tradition lingo): Jane Queen is directing a play by Bill King entitled, *Chicken a la King Recipe*. Instead of presenting the performance as "*Chicken a la King Recipe*, a play by Bill King and

directed by Jane Queen,” I suggest using “A performance, by Jane Queen and other artisans, including Bill King’s *Chicken a la King Recipe*.” This announcement denotes that while the performance as described above *could* be a different performance without the ingredient of *Chicken a la King Recipe*, the performance itself is a separate and independent work nonetheless.

THOMAS: You mention technology earlier, like the telephone—fascinating, really. I wonder if technology could play a role in this?

LAUREL: Absolutely: the Internet! The ideal place for a debate framework: digital archives of play scripts with their amendments, like a blog or wiki.

JAMES: Sounds ingenious. But suppose there is an argument between a playwright and a director regarding dominance, instances, and authenticity?

LAUREL: I’ve seen that a time or two. Imagine a room, not much different from the room where the Constitutional Convention took place...

JAMES: Dear God! Hopefully it won’t be so hot and humid.

LAUREL: ...an air-conditioned conference room where members of a local non-profit theatre company are discussing a new play that is currently under production. Imagine that there is a playwright, a director, an artistic director, and an executive director...

PLAYWRIGHT: But this is my play. I might like the changes you made. I might even write them into my final draft. But only I can grant permission to a director to make changes to my play that is currently in production.

A.D.: (*to Director*) Did you not try to communicate?



DIR: Yes, I did. And I take that responsibility seriously. (*to Playwright*) But you wanted to wait until you returned, and that was during tech week. It would be too late to implement the changes then.

PLAYWRIGHT: That's because I was receiving the Independence Foundation Award for this very play! Are you presuming to think you need to change an award-winning play?

DIR: I don't see any of this as changing your play. It is still recognizable as the play you wrote on paper. It is still *The Sovereign*, and it is still the masterpiece that it was when you printed your last revision the week before you left town. I happened to realize the necessary changes for production later in the process—once the actors were comfortable with the text, memorized, and on their feet. Yes, you are the playwright, but I am the director. It is my job to interpret your work and make it legible for the audience that will come to see it. I need some autonomy to do my work.

PLAYWRIGHT: You have autonomy. Tell me what you need, and I will arrange or rewrite according to what you think the audience needs for legibility. I am open, you know, but it is my work that was chosen to be produced. It is my play: my ideas, my writing, my rewriting. End of story...

THOMAS: Let me guess...this is where the three of us make our grand entrance?

LAUREL: You two will enter, I'll continue to narrate.

JAMES: Let's to it!

THOMAS: We don't think it is the end of the story, my dear theatre practitioners.

JAMES: In fact, we see it as a beginning, an eternal beginning with a view of the past and an eye toward the future.

DIR: You look nothing like the images in the history textbooks. Yet I recognize you both.

JAMES: That should tell you something about history textbooks.

PLAYWRIGHT: How in God's name did you get here? Now?

THOMAS: God had nothing to do with it!

JAMES: It is your play, actually.

PLAYWRIGHT: My play! *The Sovereign*?

THOMAS: We have a few words to say about it and about the tradition of plays and productions as a whole.

JAMES: As an American whole, that is.

THOMAS: American theatre is important, as I am sure you both agree. However, we think that the current tradition of the sole playwright as the mono-creator and beholder of a play is a monopoly and therefore not democratic.

JAMES: But we do think that a playwright deserves some sort of position as reference for a play script.

THOMAS: But we also think that a production is actually not an instance of a play script but an independent work, ontologically speaking, and should not be held as powerless over the playwright.

PLAYWRIGHT and DIR: What?

THOMAS: In other words, it's a complicated affair but one that can exist simply within a framework to allow for all qualities we just mentioned.

JAMES: You see, we met this amazing young lady by the name of Lady Painter.

PLAYWRIGHT: Whom?

JAMES: Laurel Ann Painter. We are speaking on her behalf while she narrates this thoughtful scenario. She is an extremely intelligent, beautiful, witty, and remarkable woman.

THOMAS: Indeed. Stunning, really. We could go on and on about her, but...

JAMES: We digress.

THOMAS: A new framework for theatre practice in regards to new play development is our idea at the moment.

PLAYWRIGHT: Really?

JAMES: We see a play script, any really—no matter what the age—as a living framework that begins as a written, tangible text. In other words, we see it as more than a work, but a beautiful experiment.

THOMAS: A beautiful American theatre experiment, that is.

LAUREL: ...now you have the Director and Playwright's attention.

JAMES: What happens next?

LAUREL: I don't know. That's up to the theatre makers.

THOMAS: Don't you mean theatre "framers"?

LAUREL: Bravo!